

The following is a consolidated copy of the Comox Valley Regional District Weed Control Regulation Bylaw No. 764, 2024 and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
764	Comox Valley Regional District Weed Control Regulation Bylaw No. 764, 2024	June 11, 2024	To establish regulations for the weed control service to control noxious weeds.

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 764

A bylaw to establish regulations for the weed control service to control noxious weeds

WHEREAS the Board adopted Bylaw No. 2346 being “Regional District Weed Control Service Establishment Bylaw 2001” on the 26th day of March 2001 to establish a service for the purpose of controlling noxious weeds within the boundaries of Electoral Areas A, B and C of the Comox Valley Regional District;

AND WHEREAS the Board may, by bylaw, regulate the activities under the service;

AND WHEREAS the Board deems the plants listed in Schedule A to this bylaw to be noxious weeds;

NOW THEREFORE the Board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Definitions

1. In this bylaw:
 - (a) **“Board”** means the Board of the Comox Valley Regional District;
 - (b) **“Bylaw Compliance Officer”** means a person defined as the Bylaw Compliance Officer under Bylaw No. 108 being “Comox Valley Regional District Bylaw Compliance Delegation of Authority Bylaw No. 108, 2010”;
 - (c) **“noxious weeds”** are plants listed in Schedule A;
 - (d) **“regional district”** means the Comox Valley Regional District;
 - (e) **“service area”** means the geographic boundaries of the weed control service as defined by the service establishment Bylaw No. 2346 being all of Electoral Area A (Baynes Sound – Denman/Hornby Islands), Electoral Area B (Lazo North) and Electoral Area C (Puntledge – Black Creek).

Prohibition

2. An owner or occupier of real property in the service area shall clear or cause to be cleared noxious weeds listed in Schedule A that grow or accumulate on the real property of the owner or occupier.

Authorized Inspection Officer

3. A Bylaw Compliance Officer is authorized to enter on any real property within the service area in accordance with sections 419 and 284 of the *Local Government Act* (RSBC 2015, c.1) for the purpose of inspecting and to determine whether all the regulations, prohibitions and requirements of this bylaw are being met.

Notification and Orders to Owners and Occupiers

4. (1) If the Bylaw Compliance Officer determines that there are noxious weeds, as listed on Schedule A, present on any real property within the service area, they shall notify the owner or occupier of such real property in writing to take steps to eradicate the noxious weeds within 30 days of the date of the notice.
 - (2) If, after the expiry of 30 days from the date of the notice given under section 4(1), the noxious weeds have not been eradicated to the satisfaction of the Bylaw Compliance Officer, the Bylaw Compliance Officer may report to the Electoral Areas Services Committee on the failure to comply.
 - (3) The Electoral Areas Services Committee may conduct a hearing with the owner or occupier regarding the offence and following the hearing may order that the noxious weeds be eradicated from the real property by a specified date and for this purpose the Board delegates the holding of the hearing and the making of the decision to the Electoral Areas Services Committee.
 - (4) If, after the specific date of the order, the noxious weeds have not been eradicated to the satisfaction of the Bylaw Compliance Officer, it shall be lawful for the regional district, by its employees, agents or contractors, to enter upon such real property to eradicate the noxious weeds by any means necessary in accordance with section 418 of the *Local Government Act* (RSBC 2015, c.1) at the expense of the owner or occupier of the real property.

Costs of Eradication

5. The charges incurred by the regional district for eradicating the weeds, as listed on Schedule A, if unpaid on the 31st day of December in the year in

which the costs were incurred, shall be added to and form part of the taxes applicable in respect of such real property taxes in arrears as authorized under section 399 of the *Local Government Act*.

Notice

6. (1) Where notice is to be given pursuant to this bylaw, such notice shall be in writing.
- (2) Notice shall be deemed sufficiently delivered if:
 - (a) personally, served to the owner or occupier of the property affected by such notice; or
 - (b) mailed by registered mail to the address of the real property or the last known address of the owner or occupier, and subsequently signed for by or on behalf of the owner or occupier.

Violations and Penalties

7. (1) Any person who contravenes a provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and:
 - (a) on summary conviction is liable to a fine of not less than \$500 and not more than \$50,000; or
 - (b) on conviction of a ticket offence under the ticketing bylaw, is liable for the fine imposed under that bylaw.
- (2) In the case of a continuing violation, each day that a violation continues to occur shall constitute a separate offence.

Repeal

8. Bylaw No. 2347 being "Regional District Weed Control Regulation Bylaw 2001" and all amendments thereto are hereby repealed.

Citation

This Bylaw No. 764 may be cited as the "Comox Valley Regional District Weed Control Regulation Bylaw No. 764, 2024".

Schedule A
NOXIOUS WEEDS (Eradicate)

Purple Loosestrife	(Lythrum Salicaria)
Japanese Knotweed	(Polygonum cuspidatum)
Yellow Flag Iris	(Iris pseudacorus)
Spotted Knapweed	(Centaurea biersteinii)
English Ivy	(Hedera helix)
Giant Hogweed	(Heracleum mantegazzianum)
Scotch Broom	(Cytisus scoparius)
Gorse	(Ulex europaeus)
Dalmatian Toadflax	(Linaria dalmatica)
Himalayan Blackberry	(Rubus discolor)