The Corporation of the Township of Tiny
Public Works Department

Procedure / Policy Name: **Btk Overspray Policy**		Number: **PWF-01-02**
Effective Date: **February 3 2021**	Revision Date:	Page: **1 of 3**

Introduction

Pesticides, insecticides, and herbicides (collectively referred to herein simply as "pesticides") are natural or man-made chemicals used to control unwanted organisms such as insects, fungus, bacteria, weeds, etc. Residents may want to use these for a variety of reasons such as to protect certain plants, beautify their properties, or to get rid of nuisance insects.

In addition to provincial and federal regulations, these chemicals are regulated within the Township of Tiny through By-Law 03-062. This bans their use on municipally owned properties having municipal water supply, other than for the control of noxious weeds. It also encourages property owners which are on a municipal water supply to limit or refrain from their use.

Due to the outbreak of European Gypsy Moths in the Township, many residents are looking to have their properties sprayed with the pesticide bacillus thuringiensi (Btk). Depending on the application method, a private property owner looking to apply it to their entire property may be required to overspray onto neighboring properties in order to get proper coverage.

Objective

The purpose of this document is to provide a policy and method to address requests from the public to allow overspray of the Btk pesticide onto municipally owned properties.

This policy applies to any property owner applying Btk where any municipally owned land is within the overspray boundary. This includes parks, pump houses, trails, fire halls, offices, beaches, and access paths.

Definitions

"Council" means the Council for the Corporation of the Township of Tiny.

"Director of Public Works" means the Director of Public Works or designate for the Corporation of the Township of Tiny.

"Pesticide" means a substance that:
- Is intended, sold, or represented for use in preventing, destroying, repelling or mitigating, directly or indirectly, any pest;
- Is a pest control product within the Pest Control Products Act (Canada) and is granted federal registration by the Pest Management Regulatory Agency, Health Canada, such as herbicides, insecticides, fungicides, rodenticides, and miticides, or;
- Is a plant growth regulator, a defoliant, or a plant desiccant;

"Public Works Department" means the Public Works Department for the Corporation of the Township of Tiny.

"Township" means the Corporation of the Township of Tiny.

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Policy

1. Any application of the pesticide Btk on private property that will result in overspray onto municipal lands must get approval from the Township of Tiny.

2. The property owner or contractor must complete the form in *Schedule A* and submit it to the Township of Tiny Municipal Office. Completed forms must be received at least four weeks prior to the application of the pesticide.

3. The Township will take reasonable measures to mitigate the effects of the spray on the following public assets. It reserves the right to deny applications in cases where it is unable to do so:
   a. Pollinator program areas
   b. Playgrounds
   c. Public beaches
   d. Water sources such as well heads, streams, lakes, creeks
   e. Resident concerns/refusal to have overspray affect their private property

4. The Township may have to barrier areas to ensure the dwell time is achieved prior to public use and may require the application of Btk to be delayed in order to coordinate with events or other planned activities.

5. Spray applicators must get permission for over spray on non-municipal properties from the private property owners.

6. The Township is not responsible for any costs related to the pesticide application program.

7. The Township is not responsible for any claims or damages as a result of the pesticide application or any overspray issues.

8. The property owner will be held liable for any damage to municipal property that occurs as a result of the pesticide application.

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Schedule A

Name of Owner:
Name of Contractor (If Applicable):
Phone Number:
Municipal Address to be Serviced:
Method of Application:
Potential Overspray Distance onto Neighboring Properties:
Planned date of Pesticide Application:

By initialing and signing below, the owner / contractor acknowledges:

➢ That permission to overspray onto Township owned land does not in any way imply permission to overspray onto privately owned property;

_____. (initial)

➢ That they have obtained written permission from all affected property owners to allow the overspray onto their lands (to be provided to the Township before the permit is issued);

_____. (initial)

➢ That the product will be applied as per the manufacturer's instructions;

_____. (initial)

➢ That they will be held responsible for damage to Township owned land;

_____. (initial)

Signature of Owner: _____
                                                   DATE

Signature of Contractor: _____
                                                   DATE

Township Approval: _____
                     (Director of Public Works)   DATE