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CONSOLIDATED FOR CONVENIENCE TO INCLUDE

BYLAW NO. 1567, 2025

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1544

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Being a bylaw to prevent the growth of noxious weeds and tall grasses and provide for the destruction of noxious weeds and the cutting of tall grasses.

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WHEREAS the *Local Government Act* and the *Community Charter* allow that the Regional Board may by bylaw require the owners or occupiers of real property, or their agents, to clear the property of brush, trees, noxious weeds, or other growths;

AND WHEREAS the Regional District of Central Okanagan has adopted the Regional District of Central Okanagan Weed Control Extended Service Establishment Bylaw No. 671, 1996;

AND WHEREAS it is deemed advisable and expedient for the protection and enhancement of the well-being of the community in relation to the natural environment, wildlife, agriculture, forestry, and property owners generally in the service area that such powers be exercised, and necessary and sufficient regulatory measures be enacted.

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF THE CENTRAL OKANAGAN IN OPEN MEETING ENACTS AS FOLLOWS:

**(I) INTERPRETATION**

1. In this bylaw unless the context otherwise requires:

AGENT shall mean a person, firm or corporation representing the owner of real property located within the service area.

ALIEN PLANT shall include any invasive plant which has been introduced from another region or country.

CHIEF ADMINISTRATIVE OFFICER shall mean the chief administrative officer for the Regional District of Central Okanagan.

DESIGNATED AREA shall mean the portion of the Regional District of Central Okanagan as described in the Regional District of Central Okanagan Weed Control Extended Service Establishment and Boundary Extension Bylaw No. 671, 1996, Section 3.

DEVELOPED LAND shall mean Real Property, which has been or is actively used for residential, agricultural, commercial, or industrial use, and includes a highway.

GRASS includes all plants in the Gramineae family. For certainty all turf grass and those listed in Schedule B, attached to, and forming part of this bylaw are included.

HIGHWAY shall include a street, road, lane, bridge, viaduct, and any other way open to public use, other than a private right of way on private property.

INSPECTOR shall mean the Weed and Insect Inspector, Bylaw Enforcement Officer, Chief Bylaw Enforcement Officer, and any other person appointed or contracted to enforce or assist in the enforcement of this Bylaw.

INVASIVE shall mean any plant or tree which has the potential to pose negative or detrimental impacts on humans, animals, or ecosystems. For certainty any native plants listed on Schedule A, attached to, and forming part of this bylaw are considered invasive.

BL1567

MULCH shall mean to spread on the ground in a manner intended to keep all cut plant materials on the real property they originated from.

NATIVE PLANT SPECIES shall mean any plant indigenous to Southern Interior British Columbia forests, grasslands, or wetlands, as recognized by the British Columbia Ministry of Agriculture, Food and Fisheries, the British Columbia Ministry of Water, Land and Air Protection, or the British Columbia Ministry of Forests, as non-invasive.

NATURAL LANDSCAPING shall mean the practice of ecologically sensitive landscaping that uses native plant species of Southern Interior British Columbia to create specialized and self-sustaining landscaping with minimal resort to artificial methods of plant care such as chemical fertilizers, watering other than natural precipitation, and mowing.

NOXIOUS WEEDS shall include all plants defined in Schedule A, attached to, and forming part of this bylaw, and shall include alien plants.

OCCUPIER shall mean a person who is qualified to maintain an action for trespass, or who simply occupies the land.

OWNER shall mean, in respect of real property;

- i) the registered owner of an estate in fee simple,
- ii) the tenant for life under a registered life estate,
- iii) the registered holder of the last registered agreement for sale.

REAL PROPERTY shall mean land, with or without improvements so affixed to the land as to make them in fact and law a part of it.

REGIONAL DISTRICT shall mean the Regional District of Central Okanagan.

**(II) REGULATION**

2. All owners and occupiers of real property situate within the designated area, or their agents, between April 1 and September 30 of any year, shall:
  - (a) Prevent the growth of noxious weeds on the real property from exceeding growth above ground of 20.32 centimeters (8 inches).
  - (b) Prevent the growth of grasses on the real property from exceeding growth above ground of 20.32 centimeters (8 inches).
3. All owners and occupiers of real property situated within the designated area, or their agents, between April 1 and September 30 of any year, shall:
  - (a) cut down or otherwise destroy and mulch or remove all noxious weeds growing thereon so often in each year as is necessary to prevent their growth above the ground from exceeding 20.32 centimeters (8 inches).
  - (b) cut down or otherwise destroy and mulch or remove all grasses growing thereon so often in each year as is necessary to prevent their growth above the ground from exceeding 20.32 centimeters (8 inches)."

**(III) ENFORCEMENT**

4. The Regional Board may, at any time, or from time to time appoint an inspector or inspectors for the purposes of enforcing the provisions of the bylaw and such inspector or inspectors shall be known as the Regional District of the Central Okanagan Noxious Weed Control Inspectors hereinafter referred to as the Inspector.
5. Any Inspector appointed pursuant to Sec. 4 may enter at all reasonable times upon any real property subject to the regulations of this bylaw in order to ascertain whether the regulations of this bylaw are being obeyed.
6. (a) Where the Inspector determines that any real property contains noxious weeds or grasses contrary to the provisions of Section 3 of this bylaw, the Inspector may issue a notice in writing to the owner or occupier or agent of such condition and require the owner or occupier or agent of such real property to comply with the provisions of Section 3 of this Bylaw within ten (10) days from the date of such notice.

Written notice that is dated on or before September 30 may be re-inspected up to October 31 in that year.

- (b) Notwithstanding Section 6 (a), if the real property is undeveloped land, as determined by the inspector, and is over 2 acres in size, bordering or is adjacent to developed land, the inspector may only require the owner, occupier or agent of the real property to cut or remove the offending noxious weeds or grasses from a 9-15 meter (30-50 feet) buffer adjacent to the developed land."

- (c) With respect to Tree of Heaven, Russian Olive and Siberian Elm, control of these invasive species should be done following best practices as laid out by the Invasive Species Council of BC.

- 7. Any written notice issued pursuant to Section 6 of this bylaw shall be deemed to be validly issued if delivered personally or mailed by registered or regular mail to the owner or occupier or agent of the real property. Written notice shall be in care of the ordinary postal address for such real property, or to the agent's ordinary postal address.
- 8. (a) Where after the expiry of ten (10) days from the date of notice given pursuant to section 6 (a), the owner or occupier or agent has failed to comply with the requirements of the written notice it shall be lawful for the Regional District of Central Okanagan, by its employees or other persons, to enter upon such real property and carry out the work required to be carried out pursuant to the written notice at the expense of the person so defaulting. Where written notice is dated on or before September 30, the work may be carried out up to October 31 in that year.

Work done by the Regional District of Central Okanagan will only include herbicide treatment where the Invasive Species Council of BC has indicated pesticide use as a best management practice. Charges incurred by the Regional District of Central Okanagan shall include a \$100.00 surcharge, inspection fee and the 15% administration fee. All fees incurred by the Regional District of Central Okanagan, if unpaid on the 31<sup>st</sup> day of December in any year, shall be added to and form part of the taxes payable in respect of such real property as taxes in arrears.

BL1567

- (b) No person shall obstruct an inspector or other authorized representative of the Regional District of Central Okanagan acting pursuant to this bylaw.

#### **(IV) EXEMPTIONS**

- 9. This bylaw does not apply to normal farm practices on farm operations in accordance with the Farm Practices Protection Act."
- 10. This bylaw does not apply to continual slopes having an approximate grade of 45 degrees or steeper, with a slope length of 5 meters (16.4 feet) or more. The continual slope may include more than one registered title of property.
- 11. The inspector is authorized to consult with owners, occupiers, or agents of real property concerning complaints about noxious weeds where the degree of a slope allows for exemption of requirements for weed control."
- 12. An owner or occupier or agent that has been issued written notification pursuant to Section 6 of this bylaw and believes that the real property is natural landscaping, as defined in Section 1 of this bylaw, may request that the real property be reviewed by the inspector. A request for review must be received by the Inspector within the time period for compliance specified in the notice.

(V) **GENERAL PROVISIONS**

13. Every person who:

- (a) violates any of the provisions of this bylaw;
- (b) causes, suffers, or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw;
- (c) neglects or refrains from doing anything required to be done by any of the provisions of this bylaw; or
- (d) fails to comply with any order, direction or notice given under this bylaw,

shall be deemed to be guilty upon summary conviction of an infraction of this bylaw and shall be liable to a fine and penalty as outlined in the *Local Government Act*.

14. The Regional District of Central Okanagan Noxious Weed Control Bylaw No. 179, 1977 and all amendment thereto are hereby repealed.

15. This bylaw may be cited for all purposes as the “Regional District of Central Okanagan Noxious Weed Control Bylaw No. 1544, 2024”.

READ A FIRST, SECOND AND THIRD TIME THIS 28 DAY OF MARCH, 2024

ADOPTED THIS 28 DAY OF MARCH, 2024

**NOTE:**

The B.C. Fire Services Act and B.C. Fire Code deals with fire hazards. Consult the Fire Department for regulations and requirements.

Consult the Transferee of ‘No Disturbance Covenant’ agreements for consent to replace noxious weeds with native plant species.

Consult the British Columbia Ministry of Water, Land and Air Protection, the British Columbia Ministry of Agriculture, Food and Fisheries, or Fisheries and Oceans Canada for regulations and requirements in riparian areas, streams, or habitat protection areas.

**Schedule “A”**

| <u>WEED NAME</u>           | <u>LATIN NAME</u>       |
|----------------------------|-------------------------|
| African Rue                | (Peganum harmala)       |
| Annual Sow Thistle         | (Sonchus oleraceus)     |
| Baby's Breath              | (Gypsophila paniculata) |
| Bachelor's buttons         | (Centaurea cyanus)      |
| Barnyard grass             | (Echinochloa crusgalli) |
| Black Henbane              | (Hyoscyamus niger)      |
| Black Locust               | (Robinia pseudoacacia)  |
| Black Knapweed             | (Centaurea nigra)       |
| Blueweed                   | (Echium vulgare)        |
| Blue mustard               | (Chorispora tenella)    |
| Bohemian Knotweed          | (Fallopia x bohemica)   |
| Brazilian Elodea/Waterweed | (Egeria densa)          |
| Broom, French              | (Genista monspessulana) |
| Broom, Portuguese          | (Cytisus striatus)      |
| Bull Thistle               | (Cirsium vulgare)       |
| Bur Chervil                | (Anthriscus caucalis)   |
| Burdock                    | (Arctium spp.)          |
| Butterfly bush             | (Buddleja davidii)      |
| Camelthorn                 | (Alhagi maurorum)       |
| Canada Thistle             | (Cirsium arvense)       |
| Carpet Burweed             | (Soliva sessilis)       |
| Celandine, Greater         | (Chelidonium majus)     |

|                         |                                  |
|-------------------------|----------------------------------|
| Celandine, Lesser       | ( <i>Ranunculus ficaria</i> )    |
| Cheatgrass              | ( <i>Bromus tectorum</i> )       |
| Chicory                 | ( <i>Chicorium intybus</i> )     |
| Clary Sage              | ( <i>Salvia sclarea</i> )        |
| Cleavers                | ( <i>Galium aparine</i> )        |
| Common Bugloss          | ( <i>Anchusa officinalis</i> )   |
| Common Comfrey          | ( <i>Symphytum officinale</i> )  |
| Common Crupina          | ( <i>Crupina vulgaris</i> )      |
| Common Fennel           | ( <i>Foeniculum vulgare</i> )    |
| Common mallow           | ( <i>Malva neglecta</i> )        |
| Common periwinkle       | ( <i>Vinca minor</i> )           |
| Common Tansy            | ( <i>Tanacetum vulgare</i> )     |
| Common Toadflax         | ( <i>Linaria vulgaris</i> )      |
| Cordgrass, dense-flower | ( <i>Spartina densiflora</i> )   |
| Cordgrass, English      | ( <i>Spartina anglica</i> )      |
| Cordgrass, salt meadow  | ( <i>Spartina patens</i> )       |
| Cordgrass, smooth       | ( <i>Spartina alterniflora</i> ) |
| Corn Spurry             | ( <i>Spergula arvensis</i> )     |
| Creeping Buttercup      | ( <i>Ranunculus repens</i> )     |
| Cudweed                 | ( <i>Gnaphalium uliginosum</i> ) |
| Curled dock             | ( <i>Rumex crispus</i> )         |
| Curly-cup gumweed       | ( <i>Grindell squarrosa</i> )    |
| Cypress Spurge          | ( <i>Euphorbia cyparissias</i> ) |
| Dalmatian Toadflax      | ( <i>Linaria dalmatica</i> )     |

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|----------------------------------|---|
| Diffuse Knapweed                 | ( <i>Centaurea diffusa</i> )                                |
| Dodder                           | ( <i>Cuscuta</i> spp.)                                      |
| Dyer's Woad                      | ( <i>Isatis tinctoria</i> )                                 |
| Egg leaf Spurge                  | ( <i>Euphorbia oblongata</i> )                              |
| English Holly                    | ( <i>Ilex aquifolium</i> )                                  |
| English Ivy                      | ( <i>Hedera helix</i> )                                     |
| Eurasian watermilfoil            | ( <i>Myriophyllum spicatum</i> )                            |
| European common reed             | ( <i>Phragmites australis</i> subspecies <i>australis</i> ) |
| European waterlily               | ( <i>Nymphaea alba</i> )                                    |
| Field Bindweed                   | ( <i>Convolvulus arvensis</i> )                             |
| Field Scabious                   | ( <i>Knautia arvensis</i> )                                 |
| Flixweed                         | ( <i>Descurainia Sophia</i> )                               |
| Flowering Rush                   | ( <i>Butomus umbellatus</i> )                               |
| Foxglove                         | ( <i>Digitalis purpurea</i> )                               |
| Foxtail Barley                   | ( <i>Hordeum jubatum</i> )                                  |
| Fragrant waterlily               | ( <i>Nymphaea odorata</i> )                                 |
| Garlic Mustard                   | ( <i>Alliaria petiolata</i> )                               |
| Giant Hogweed                    | ( <i>Heracleum mantegazzianum</i> )                         |
| Giant Mannagrass/Reed Sweetgrass | ( <i>Glyceria maxima</i> )                                  |
| Giant Reed                       | ( <i>Arundo donax</i> )                                     |
| Goatsrue                         | ( <i>Galega officinalis</i> )                               |
| Goldmoss stonecrop               | ( <i>Sedum acre</i> )                                       |



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| Gorse                                  | ( <i>Ulex europaeus</i> )                            |
| Green Foxtail                          | ( <i>Setaria viridis</i> )                           |
| Groundsel                              | ( <i>Senecio vulgaris</i> )                          |
| Hairy cat's-ear                        | ( <i>Hypochaeris radicata</i> )                      |
| Halogeton/Saltlover                    | ( <i>Halogeton glomeratus</i> )                      |
| Hemp-nettle                            | ( <i>Galeopsis tetrahit</i> )                        |
| Himalayan Balsam                       | ( <i>Impatiens glandulifera</i> )                    |
| Himalayan Blackberry                   | ( <i>Rubus armeniacus</i> )                          |
| Himalayan Knotweed                     | ( <i>Persicaria wallichii</i> )                      |
| Hoary Alyssum                          | ( <i>Berteroa incana</i> )                           |
| Hoary Cress                            | ( <i>Cardaria</i> spp.)                              |
| Hound's-tongue                         | ( <i>Cynoglossum officinale</i> )                    |
| Hydrilla                               | ( <i>Hydrilla verticillata</i> )                     |
| Iberian Starthistle                    | ( <i>Centaurea iberica</i> )                         |
| Italian Thistle                        | ( <i>Carduus pycnocephalus</i> )                     |
| Japanese Butterbur                     | ( <i>Petasites japonica</i> )                        |
| Johnsongrass                           | ( <i>Sorghum halepense</i> )                         |
| Jointed Goatgrass                      | ( <i>Aegilops cylindrica</i> )                       |
| Knotweeds (Japanese, Giant & Bohemian) | ( <i>Fallopia/Reynoutria</i> & <i>Polygonum</i> spp) |
| Kochia                                 | ( <i>Kochia scoparia</i> )                           |
| Kudzu                                  | ( <i>Pueraria montana</i> var. <i>lobata</i> )       |
| Lady's thumb/pale smartweed            | ( <i>Polygonum</i> spp)                              |

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|--------------------------|-------------------------------|
| Leafy Spurge             | (Euphorbia esula)             |
| Longspine Sandbur        | (Cenchrus longispinus)        |
| Maltese Star Thistle     | (Centaurea melitensis)        |
| Marsh Plume Thistle      | (Cirsium palustre)            |
| Meadow Clary             | (Salvia pratensis)            |
| Meadow Hawkweed          | (Hieracium pratens)           |
| Meadow Knapweed          | (Centaurea pratensis)         |
| Mediterranean Sage       | (Salvia aethiopis)            |
| Medusahead               | (Taeniatherum caput- medusae) |
| Milk Thistle             | (Silybum marianum)            |
| Mountain Bluet           | (Centaurea montana)           |
| Mouse-ear Hawkweed       | (Hieracium pilosella)         |
| Mullein                  | (Verbascum Thapsus)           |
| Myrtle Spurge            | (Euphorbia myrsinites)        |
| Night-flowering catchfly | (Silene noctiflora)           |
| Nightshade               | (Solanum spp)                 |
| Nodding (musk) thistle   | (Carduus nutans)              |
| North Africa Grass       | (Ventenata dubia)             |
| Orange Hawkweed          | (Pilosella aurantiaca)        |
| Oxeye Daisy              | (Chrysanthemum leucanthemum)  |
| Perennial Pepperweed     | (Lepidium latifolium)         |
| Perennial Sow Thistle    | (Sonchus arvensis)            |
| Plumeless Thistle        | (Carduus acanthoides)         |

|                     |                            |
|---------------------|----------------------------|
| Poison Hemlock      | (Conium maculatum)         |
| Prickly Lettuce     | (Lactuca serriola)         |
| Princess tree       | (Paulownia tomentosa)      |
| Puncturevine        | (Tribulus terrestris)      |
| Purple deadnettle   | (Lamium purpureum)         |
| Purple Loosestrife  | (Lythrum salicaria)        |
| Purple Nutsedge     | (Cyperus rotundus)         |
| Purple Starthistle  | (Centaurea calcitrapa)     |
| Quackgrass          | (Agropyron repens)         |
| Queen Anne's lace   | (Daucus carota)            |
| Red Bartsia         | (Odontites serotina)       |
| Redroot pigweed     | (Amaranthus retroflexus)   |
| Rush Skeletonweed   | (Chondrilla juncea)        |
| Russian Knapweed    | (Rhaponticum repens)       |
| Russian Olive       | (Elaeagnus angustifolia)   |
| Russian Thistle     | (Salsola kali)             |
| Salsify             | (Tragopogon dubius)        |
| Scentless Chamomile | (Matricaria maritima)      |
| Scotch Broom        | (Cytisus scoparius)        |
| Scotch Thistle      | (Onopordum acanthium)      |
| Sheep sorrel        | (Rumex acetosella)         |
| Shepherd's-purse    | (Capsella bursa- pastoris) |
| Shiny Geranium      | (Geranium lucidum)         |

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|--------------------------|--|
| Siberian Elm             | ( <i>Ulmus pumila</i> )                            |
| Silverleaf nightshade    | ( <i>Solanum elaeagnifolium</i> )                  |
| Slender/Meadow foxtail   | ( <i>Alopecurus myosuroides</i> )                  |
| Slender False-Brome      | ( <i>Brachypodium sylvaticum</i> )                 |
| Slenderflower Thistle    | ( <i>Carduus tenuiflorus</i> )                     |
| Smallflower touch-me-not | ( <i>Impatiens parviflora</i> )                    |
| Spotted Knapweed         | ( <i>Centaurea stoebe</i> )                        |
| Spring Milletgrass       | ( <i>Milium vernale</i> )                          |
| Spurge Flax              | ( <i>Thymelaea passerina</i> )                     |
| Spurge Laurel            | ( <i>Daphne laureola</i> )                         |
| Squarrose Knapweed       | ( <i>Centaurea virgata</i> spp. <i>Squarrosa</i> ) |
| St. John's wort          | ( <i>Hypericum perforatum</i> )                    |
| Sulphur Cinquefoil       | ( <i>Potentilla recta</i> )                        |
| Sweet Fennel             | ( <i>Foeniculum vulgare</i> )                      |
| Syrian Bean-caper        | ( <i>Zygophyllum fabago</i> )                      |
| Tamarisk/Salt Cedar      | ( <i>Tamarix</i> spp)                              |
| Tansy Ragwort            | ( <i>Senecio jacobaea</i> )                        |
| Tartary Buckwheat        | ( <i>Fagopyrum tataricum</i> )                     |
| Tarweed                  | ( <i>Madia</i> spp)                                |
| Teasel                   | ( <i>Dipsacus fullonum</i> )                       |
| Texas Blueweed           | ( <i>Helianthus ciliaris</i> )                     |

|                       |                                   |
|-----------------------|-----------------------------------|
| Tree of Heaven        | ( <i>Ailanthus altissima</i> )    |
| Velvetleaf            | ( <i>Abutilon theophrasti</i> )   |
| Water Hemlock         | ( <i>Cicuta douglasii</i> )       |
| Water Hyacinth        | ( <i>Eichhornia crassipes</i> )   |
| Water Lettuce         | ( <i>Pistia stratiotes</i> )      |
| Water Soldier         | ( <i>Stratiotes aloides</i> )     |
| White Cockle          | ( <i>Lychnis alba</i> )           |
| Whiplash Hawkweed     | ( <i>Hieracium flagellare</i> )   |
| Wild Buckwheat        | ( <i>Polygonum convolvulus</i> )  |
| Wild Caraway          | ( <i>Carum carvi</i> )            |
| Wild Chervil          | ( <i>Anthriscus sylvestris</i> )  |
| Wild Four O'Clock     | ( <i>Mirabilis nyctaginea</i> )   |
| Wild Mustard          | ( <i>Sinapsis arvensis</i> )      |
| Wild Oats             | ( <i>Avena fatua</i> )            |
| Wild Parsnip          | ( <i>Pastinaca sativa</i> )       |
| Wild proso millet     | ( <i>Panicum milliaceum</i> )     |
| White-flowered Broom  | ( <i>Cytisus multiflorus</i> )    |
| Yellow Archangel      | ( <i>Lamium galeobdolon</i> )     |
| Yellow Flag Iris      | ( <i>Iris pseudacorus</i> )       |
| Yellow Floating Heart | ( <i>Nymphoides peltate</i> )     |
| Yellow Hawkweed       | ( <i>Hieracium spp</i> )          |
| Yellow Loosestrife    | ( <i>Lysimachia vulgaris</i> )    |
| Yellow Nutsedge       | ( <i>Cyperus esculentus</i> )     |
| Yellow Starthistle    | ( <i>Centaurea solstitialis</i> ) |