

B.C. Reg. 66/85
O.C. 480/85

Deposited March 15, 1985

Weed Control Act
WEED CONTROL REGULATION

[includes amendments up to B.C. Reg. 143/2011, July 21, 2011]

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Definitions

- 1 In this regulation:
- "**Act**" means the *Weed Control Act*;
 - "**area**" means a portion of a regional district or of a municipality;
 - "**implement of husbandry**" has the same meaning as in the *Motor Vehicle Act*;
 - "**screenings**" means seeds and other material removed in the process of cleaning or grading cereal, forage or oilseed crops.

Designation of noxious weeds

- 2 (1) The weeds set out in Part I of Schedule A of this regulation are designated as noxious weeds throughout British Columbia.
- (2) A weed listed in Part II of Schedule A of this regulation is a noxious weed in the regions of British Columbia listed to the right of that weed.

[en. B.C. Reg. 156/93, s. 1.]

Notice to control noxious weeds

- 3 For the purpose of section 4 of the Act, a notice issued by an inspector shall be in the form of Schedule B.

[am. B.C. Reg. 156/93, s. 3.]

Screenings

- 4 (1) No person shall transport, keep for sale, offer to buy or sell, or buy or sell any screenings containing seeds of a noxious weed unless

(a) the screenings are graded as No. 1 or No. 2 feed screenings under section 17 of the Off Grades of Grain and Grades of Screenings Order established by SOR 71-91 under the *Canada Grain Act*,

(b) he holds a valid and subsisting

- (i) permit for removal of screenings in the form of Schedule C, or
- (ii) feeder's permit in the form of Schedule D

issued by the minister, and the permit holder complies with the terms and conditions set out in the permit, or

(c) the screenings have been treated so as to devitalize any weed seeds.

(2) Nothing in the section prevents

(a) a farmer transporting from a grain elevator, mill or warehouse to his farm screenings that have been removed from grain grown on that farm, or

(b) a person keeping or selling for export from the Province any screenings from grain that is recleaned in the Province.

(3) On the sale of any screenings, the person who sells the screenings shall file with the minister a report specifying

- (a) the quantity of screenings sold,
- (b) the date and place of shipment, and
- (c) the person within the Province to whom the screenings are to be shipped.

[am. B.C. Reg. 156/93, s. 4.]

Transportation of grain, screenings, etc.

5 No person shall transport on a highway grain, screenings or other material that contains, or is likely to contain, seeds of a noxious weed unless

- (a) the grain, screenings or other material is transported in a covered container, or
- (b) the horse trailer, recreational vehicle or other vehicle in which the grain, screenings or other material is transported is constructed so that no weed seeds can escape from the vehicle.

Movement of machinery or vehicles

6 No person shall move on a highway

- (a) any vehicle that has any knapweed on it, or
- (b) any
 - (i) agricultural equipment or implement of husbandry,
 - (ii) construction machinery,
 - (iii) recreational vehicle, or
 - (iv) horse trailer

that has any noxious weed on it.

Cleaning of agricultural equipment

7 No person shall remove any agricultural equipment or implement of husbandry from any premises on which the equipment or implement has been operated unless it has first been cleaned and is free of any noxious weeds or seeds of a noxious weed.

Seeds, fertilizer, etc.

8 Where a noxious weed is not established in an area, no person shall

- (a) within that area
 - (i) sow any grain or other seed that is intermixed with seeds of the noxious weed, or
 - (ii) apply fertilizer, lime, topsoil or other substance that contains the noxious weed or seeds of the noxious weed, or
- (b) sell for delivery within that area any fertilizer, lime, topsoil or other substance that contains the noxious weed or seeds of the noxious weed.

Schedule A

[en. B.C. Reg. 156/93, s. 2; am. B.C. Regs. 209/96, s. 1; 51/99; 189/2001; 143/2011.]

Part I — Provincial Weeds

Weeds classed as noxious within all regions of the province:

Annual Sow Thistle	(Sonchus oleraceus)
Bohemian Knotweed	(Fallopia x bohémica)
Bur Chervil	(Anthriscus caucalis)
Canada Thistle	(Cirsium arvense)
Common Crupina	(Crupina vulgaris)
Common Reed	(Phragmites australis subspecies australis)
Common Toadflax	(Linaria vulgaris)
Dalmatian Toadflax	(Linaria dalmatica)
Dense-flowered Cordgrass	(Spartina densiflora)
Diffuse Knapweed	(Centaurea diffusa)
Dodder	(Cuscuta spp.)
English Cordgrass	(Spartina anglica)
Flowering Rush	(Butomus umbellatus)
Garlic Mustard	(Alliaria petiolata)
Giant Hogweed	(Heracleum mantegazzianum)
Giant Knotweed	(Fallopia sachalinensis)
Giant Mannagrass/Reed Sweetgrass	(Glyceria maxima)
Gorse	(Ulex europaeus)
Himalayan Knotweed	(Polygonum polystachyum)
Hound's-tongue	(Cynoglossum officinale)
Japanese Knotweed	(Fallopia japonica)
Jointed Goatgrass	(Aegilops cylindrica)
Leafy Spurge	(Euphorbia esula)
Milk Thistle	(Silybum marianum)
North Africa Grass	(Ventenata dubia)
Perennial Sow Thistle	(Sonchus arvensis)
Purple Loosestrife	(Lythrum salicaria)
Purple Nutsedge	(Cyperus rotundus)
Rush Skeletonweed	(Chondrilla juncea)
Saltmeadow Cordgrass	(Spartina patens)
Scentless Chamomile	(Matricaria maritima)
Smooth Cordgrass	(Spartina alterniflora)
Spotted Knapweed	(Centaurea maculosa)
Tansy Ragwort	(Senecio jacobaea)
Velvetleaf	(Abutilon theophrasti)
Wild Oats	(Avena fatua)
Yellow Flag Iris	(Iris pseudacorus)
Yellow Nutsedge	(Cyperus esculentus)

Yellow Starthistle

(Centaurea solstitialis)

Part II — Regional Weeds

The following additional weeds listed are designated as noxious weeds within the boundaries of the corresponding regional districts:

Blueweed (Echium vulgare)	Cariboo, Central Kootenay, Columbia-Shuswap, East Kootenay, Okanagan-Similkameen, Thompson-Nicola
Burdock (Arctium spp.)	Bulkley-Nechako, Cariboo, Columbia-Shuswap, Fraser-Fort George, Kitimat-Stikine, North Okanagan, Okanagan-Similkameen, Peace River, Thompson-Nicola
Cleavers (Galium aparine)	Peace River
Common Bugloss (Anchusa officinalis)	Kootenay-Boundary
Common Tansy (Tanacetum vulgare)	Bulkley-Nechako, Central Kootenay, Columbia-Shuswap, East Kootenay, North Okanagan
Field Scabious (Knautia arvensis)	Bulkley-Nechako, Kootenay-Boundary, Thompson-Nicola
Green Foxtail (Setaria viridis)	Peace River
Hoary Alyssum (Berteroa incana)	Kootenay-Boundary
Hoary Cress (Cardaria spp.)	Columbia-Shuswap, North Okanagan, Thompson-Nicola
Kochia (Kochia scoparia)	Peace River
Marsh Plume Thistle (Cirsium palustre)	Bulkley-Nechako, Fraser-Fort George
Meadow Knapweed (Centaurea pratensis)	Columbia-Shuswap
Night-flowering catchfly (Silene noctiflora)	Peace River
Orange Hawkweed (Hieracium aurantiacum)	Bulkley-Nechako, Cariboo, Central Kootenay, Columbia-Shuswap, East Kootenay, Thompson-Nicola
Oxeye Daisy (Chrysanthemum leucanthemum)	Cariboo, North Okanagan, Peace River, Thompson-Nicola
Perennial Pepperweed (Lepidium latifolium)	East Kootenay, Thompson-Nicola
Plumeless Thistle (Carduus acanthoides)	Central Kootenay
Puncturevine (Tribulus terrestris)	Okanagan-Similkameen
Quackgrass (Agropyron repens)	Peace River
Russian Knapweed (Acroptilon repens)	North Okanagan
Russian Thistle (Salsola kali)	Peace River
Scotch Thistle (Onopordum acanthium)	North Okanagan
Sulphur Cinquefoil (Potentilla recta)	Colombia-Shuswap, North Okanagan, Okanagan-Similkameen, Thompson-Nicola
Tartary Buckwheat (Fagopyrum tataricum)	Peace River
White Cockle (Lychnis alba)	Peace River
Wild Chervil (Anthriscus sylvestris)	Fraser Valley
Wild Mustard (Sinapsis arvensis)	Peace River

Schedule B

[en. B.C. Reg. 209/96, s. 2; am B.C. Reg. 4/2010, s. 3.]

PROVINCE OF BRITISH COLUMBIA

MINISTRY OF AGRICULTURE AND LANDS

Weed Control Act (section 4)

Weed Control Regulation (section 3)

NOTICE TO OCCUPIER TO CONTROL WEEDS

You must, within days from the date of this notice, control the listed noxious weeds growing on the following lands:

.....
.....

Weeds to be controlled:

.....
.....

To control the weeds, you must take the steps that are checked on the following list:

- ☐ eradicate the weeds
- ☐ prevent the weeds from producing viable seed
- ☐ prevent vegetative propagation of the weeds
- ☐ suppress the growth or vigour of the weeds

The land will be inspected after days from the date of this notice. If the weeds are not controlled, action will be taken under section 7 of the *Weed Control Act* to control the weeds. If this action is taken, you will be assessed the cost of weed control. If that cost is not paid it may, under section 8 of the Act, be collected and recovered as taxes in arrears under the *Municipal Act*¹ or as unpaid taxes under the *Taxation (Rural Area) Act*.

..... (Weed Control Inspector or Officer)
..... (Address)
.....(Date)

1. see now *Local Government Act*

Schedule C

[en. B.C. Reg. 156/93, s. 2; am B.C. Reg. 4/2010, s. 3.]

PROVINCE OF BRITISH COLUMBIA

MINISTRY OF AGRICULTURE AND LANDS

PERMIT FOR REMOVAL OF SCREENINGS

No.

Issued pursuant to the *Weed Control Act* and regulation made thereunder.

Authority is hereby given to(Name)(Address)
.....(Business) to remove(Quantity) of screenings which contain weed seeds in excess of the percentage allowed by the *Canada Grain Act* or regulations thereunder for No. 1 or No. 2 Feed screenings, from(Name of grain elevator, mill or warehouse)
.....(Location) and to keep for sale and sell the screenings so removed to those persons who devitalize screenings or who hold Feeders' Permits issued under the regulations.

This permit shall be subject to the further conditions that all the provisions of the Weed Control Regulation shall be strictly observed in respect of this permit.

This permit will expire at midnight on December 31, 19... .

Dated at, this day of, 19... .

(Signature)

(Official designation)

Schedule D

[en. B.C. Reg. 156/93, s. 2; am B.C. Reg. 4/2010, s. 3.]

PROVINCE OF BRITISH COLUMBIA

MINISTRY OF AGRICULTURE AND LANDS

FEEDER'S PERMIT

No.

Issued pursuant to the *Weed Control Act* and regulation made thereunder.

Authority is hereby given to(Name)(Address)
.....(Business) to purchase from(Name)
.....(Address)(Business)(Quantity) of screening which contain weed
seeds in excess of the percentage allowed by the *Canada Grain Act* or regulations thereunder for No. 1 or No. 2
Feed screenings, for the purpose of feeding to(Kind of stock) at
.....(Nature of premises), situated at (Describe exact location)

This permit shall be subject to the further conditions that all the provisions of the regulations shall be strictly observed in respect of all screenings purchased by virtue of this permit.

This permit will expire at midnight on December 31, 19... .

Dated at, this day of, 19... .

(Signature)

(Official designation)

[Provisions of the *Weed Control Act*, R.S.B.C. 1996, c. 487, relevant to the enactment of this regulation:
sections 3, 5, 6, 16]