

Weed Control Regulations

made under subsections 3(1), (2), (3) & 21(2) and Section 20 of the

Weed Control Act

R.S.N.S. 1989, c. 501

O.I.C. 68-265 (April 9, 1968), N.S. Reg. 57/68

as amended up to O.I.C. 2003-536 (December 19, 2003), N.S. Reg. 219/2003

Noxious weeds

1 Each of the plants named in Class Number One and Class Number Two of Schedule "A" is hereby designated as a noxious weed in respect of the area set opposite its name in Schedule "A".

2 An order issued by an inspector under Section 9 or Section 10 of the Weed Control Act shall be in Form 1 of Schedule "B".

3 No person shall transport farm produce or any other material containing noxious weeds or weed seeds except in a manner that prevents the escape of the weed seeds.

4 (1) Noxious weeds shall be destroyed or controlled by proven control methods for specific noxious weeds and these may include

(a) covering the plants with mulch or other substances that prevent growth of the plants or the ripening of their seeds;

(b) cutting the roots or stalks of the plants or pulling or otherwise removing the plants from the soil before the seeds have developed sufficiently to ripen;

(c) plowing or cultivating the soil in which the plants are growing;

(d) treating with a chemical that causes the plants to be destroyed or prevents the growth of the plants or the ripening of their seeds;

(e) use as silage or other form of fodder in which the noxious weeds are consumed by animals.

Subsection 4(1) amended: O.I.C. 96-630, N.S. Reg. 139/96.

(2) Where noxious weeds are destroyed in a manner mentioned in subsection (1) and the seeds have developed sufficiently to ripen, the seeds shall be destroyed in a manner mentioned in subsection (4).

(3) Where an inspector causes the destruction of noxious weeds, the destruction shall be in a manner mentioned in subsection (1) that is efficient and at a reasonable cost in the circumstances.

(4) Weed seeds shall be destroyed by means of

(a) removal to locations where seeds are unable to spread or germinate, or, if germination takes place, where the noxious weeds are unable to grow to maturity;

(b) composting;

(c) use as silage or other form of fodder in which the weed seeds are consumed by animals;

(d) grinding or crushing;

(e) burning;

(f) burying;

(g) chemical treatment.

(5) If a chosen method does not control noxious weeds, then another more effective method shall be used.

Subsection 4(5) added: O.I.C. 96-630, N.S. Reg. 139/96.

5 The circumstances and conditions under which an inspector may cause noxious weeds to be destroyed are

(a) that the inspector is of the opinion

(i) that propagation of the noxious weeds would be prevented or substantially reduced by reason of their destruction, and

(ii) that lands other than those on which the noxious weeds are growing are likely to be damaged by propagation of the noxious weeds;

Subclause 5(a)(ii) replaced: O.I.C. 96-630, N.S. Reg. 139/96.

(b) that the inspector does not cause damage to the property more than necessary for or incidental to entering upon the lands and transporting the equipment used in the destruction of the noxious weeds;

(c) that noxious weeds shall be destroyed in any location where found and the inspector carrying out the operation shall use reasonable care to reduce damage to surrounding vegetation;

Clause 5(c) replaced: O.I.C. 96-630, N.S. Reg. 139/96.

(d) that the inspector does not seriously damage or destroy the growing crop unless the noxious weeds are growing in greater density than one noxious weed per one square metre.

Clause 5(d) replaced: O.I.C. 96-630, N.S. Reg. 139/96.

Section 5 amended: O.I.C. 96-630, N.S. Reg. 139/96.

Facilities - storage, cleaning

6 Every person in charge of a grain elevator, grist mill, flour mill, seed processing plant or other grain cleaning or grain grinding plant shall dispose of all refuse containing weed seeds in a manner as stipulated in subsection 4(4).

Subsection 6(1) renumbered 6 and amended: O.I.C. 2003-536, N.S. Reg. 219/2003.

Section 7 repealed: O.I.C. 95-430, N.S. Reg. 82/95.

8 In the case of yellow nut sedge, the Minister may reimburse the occupant for 75% of the costs of original cleanup and maintenance of control.

Section 8 replaced: O.I.C. 96-630, N.S. Reg. 139/96; amended: O.I.C. 2003-536, N.S. Reg. 219/2003.

9 In the case of the following noxious weeds the Minister may reimburse the occupant for 50% of the cost of original cleanup and maintenance of control:

Common Name Area

Tansy ragwort

Field bindweed Halifax and western counties

Province

Section 9 added: O.I.C. 76-415, N.S. Reg. 29/76; replaced: O.I.C. 96-630, N.S. Reg. 139/96.

Schedule "A"

Class Number One

The noxious weeds in Class Number One are those capable of spreading from the source to cultivated or pasture lands.

These weeds could be spread by

(i) wind borne seeds, such as all thistles,

(ii) seed dispersal from birds, animals, water or other agencies as may occur with yellow rocket, wild carrot,

(iii) vine and root across property boundaries, as may occur with bindweed.

Item Common Name Scientific Name Area

1. Field bindweed *Convolvulus arvensis* L. Province

2. Marsh hedge nettle *Stachys palustris* L. Province

3. Leafy spurge *Euphorbia esula* L. Province

4. Common milkweed *Asclepias syriaca* L. Province

5. Yellow nut sedge *Cyperus esculentus* L. Province

6. Tansy ragwort *Senecio jacobaea* L. Western Nova Scotia including Halifax County and areas near the Halifax/Colchester/Hants County lines or near rivers and streams flowing into Halifax and Hants Counties

7. White cockle *Lychnis alba* Mill. Province

8. Velvetleaf *Abutilon theophrasti* Medic. Province

9. Wild chervil *Anthriscus sylvestris* Hoffm. Province

List of weeds replaced: O.I.C. 2003-536, N.S. Reg. 219/2003.

Class Number Two

The noxious weeds in Class Number Two are those capable of inflicting economic loss or ill health on people within the Province.

Item	Common Name	Scientific Name	Area
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1.	Thorn-apple	Datura spp.	Province
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List of weeds replaced: O.I.C. 2003-536, N.S. Reg. 219/2003.

In this Schedule, "spp." is an abbreviation for species.

Schedule "A" amended: O.I.C. 2003-536, N.S. Reg. 219/2003.

Schedule "B"

Form 1 - Order to Destroy Noxious Weeds or Weed Seeds

Weed Control Act

To _____

(name of occupant of land) _____

(address)

*Copy to _____

(name of owner of land shown on assessment roll)

(address)

Under the Weed Control Act you are hereby ordered to destroy the noxious weeds and weed seeds,
described as follows: _____

_____ (names of noxious weeds)

found on the land owned or occupied by you and described as follows: _____

_____ located at _____ (lot or street number)

_____ (school section or street name and number) _____ (name of
municipality)

not later than _____ (number not less than seven) days from the date of service of this order.

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

(Telephone number) _____

(Signature of Weed Inspector)

Name _____

Address _____

(block letters)

* Where the owner of the land is not named above, a copy of the order shall be served upon the person shown as the owner of the property on the last revised assessment roll of the municipality in which the property is located or posted according to Section 10 subsection (3) of the Act.