



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0029-2022

A by-law to declare the *Lymantria dispar dispar* (LDD) infestation
in the City a matter of public nuisance

WHEREAS section 128 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, ("*Municipal Act, 2001*") authorizes the council of a local municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS section 11(2) of the *Municipal Act, 2001*, authorizes a municipality to pass by-laws related to health, safety, and well-being of the inhabitants of the municipality;

AND WHEREAS section 11(2) of the *Municipal Act, 2001*, authorizes a municipality to pass by-laws respecting the economic, social and environmental well-being of the municipality;

AND WHEREAS the Council of The Corporation of the City of Mississauga (the "City") deems it necessary to take steps to limit the impact of the *Lymantria dispar dispar* infestation on trees in the City so as to help preserve the tree assets and to reduce the consequences to the well-being of the municipality, the environment and the health and well-being of City residents due to a potential loss of trees;

AND WHEREAS Council finds that the level of the *Lymantria dispar dispar* infestation in certain areas within the City to constitute a matter of public nuisance, or could become an issue of public nuisance;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. The *Lymantria dispar dispar* infestations in areas identified by the Commissioner of Community Services or designate are a matter of public nuisance in the City of Mississauga;
2. That staff in the City's Parks and Forestry Division is authorized to implement an aerial spray program with applications of Foray 48B, an insecticide containing strains of *Bacillus thuringiensis* var. *kurstaki*, to control the *Lymantria dispar dispar* population within the treatment areas identified from time to time by the Commissioner of Community Services or designate.

ENACTED and PASSED this 16th day of February, 2022.

Approved by Legal Services City Solicitor City of Mississauga
Eleonora Filippone
Date: 02/08/2022
File: LA.25-21.402

MAYOR

CLERK