



## Takoma Park City Council Meeting – October 25, 2017 Agenda Item 3

### **Voting Session**

Amendment to Safe Grow Ordinance to add pesticides containing neonicotinoid chemicals to the register of restricted pesticides.

### **Recommended Council Action**

Consider proposed Code amendment at second reading. First reading was held on October 18, 2017.

### **Context with Key Issues**

The City's Safe Grow Ordinance prohibits the use of pesticides containing chemicals that are harmful to human health, pets, and the environment for lawn care purposes. Under the Ordinance, such pesticides must be identified in a register of restricted pesticides.

Neonicotinoid pesticides are harmful to non-target organisms, including bees, birds, butterflies, and other pollinators, and the environment. There has been a significant decline in the population of pollinators over the past several decades, and pollinators are necessary for the pollination of food crops. The Maryland General Assembly passed legislation effective January 1, 2018, prohibiting the use of neonicotinoid pesticides by anyone other than certified pesticide applicators. The proposed amendment to the Safe Grow Ordinance would extend the restriction to certified applicators in Takoma Park.

The proposed effective date is March 1, 2018, to coincide with the annual update to the register of restricted pesticides.

### **Council Priority**

Environmentally Sustainable Community

### **Environmental Impact of Action**

The proposed amendment would protect pollinators and other organisms by preventing the use of neonicotinoids for lawn care purposes.

### **Fiscal Impact of Action**

None.

### **Racial Equity Impact of Action**

Since neonicotinoid pesticides may only be used by certified pesticide applicators, they are more likely to be used on multifamily, institutional and commercial properties as these properties are more often serviced by professional lawn care companies. Multifamily properties in Takoma Park

have large percentages of residents of color, so not passing this legislation would be disproportionately harmful to residents of color.

**Attachments and Links**

- Proposed ordinance

Introduced by:

First Reading:  
Second Reading:  
Effective Date:

**City of Takoma Park, Maryland**

**Ordinance 2017-  
Amending the *Takoma Park Code* Title 14, Health and Safety,  
to Add Restrictions on the Use of Pesticides on Public and Private Property.**

WHEREAS, Chapter 14.28, Restricted Lawn Care Pesticides, restricts the use, for lawn care purposes, of certain pesticides that are harmful to human health and the environment; and

WHEREAS, neonicotinoid pesticides are harmful to non-target organisms, including bees, birds, butterflies, and other pollinators, and the environment; and

WHEREAS, pollinators, which are necessary for the pollination of natural flora and food crops, have suffered significant population declines; and

WHEREAS, the Maryland General Assembly, in recognition of the adverse effects of neonicotinoid pesticides, enacted legislation that will prohibit the use of neonicotinoid pesticides by persons other than certified pesticide applicators; and

WHEREAS, the City of Takoma Park wished to further the protection afforded by the General Assembly by prohibiting the use of neonicotinoid pesticides for lawn care purposes by any person.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:**

**SECTION 1.** Title 14, Health and Safety, of the Takoma Park Code, is hereby amended to as follows:

**Chapter 14.28  
Restricted Lawn Care Pesticides  
\* \* \***

**14.28.040 Register of restricted pesticides.**

A. The City Manager shall create and issue, by March 1, 2014, a register of restricted pesticides.

1. The register shall identify restricted pesticides.
2. Persons applying pesticide products are responsible for determining whether the product contains a restricted pesticide.

B. The register of restricted pesticides shall include the following pesticides:

1. Any pesticide classified as “Carcinogenic to Humans” or “Likely to Be Carcinogenic to Humans” by the U.S. Environmental Protection Agency;
2. Any pesticide classified by the U.S. Environmental Protection Agency as a “Restricted Use Product”;
3. Any pesticide classified as a “Class 9” pesticide by the Ontario, Canada, Ministry of the Environment; and
4. Any pesticide classified as a “Category 1 Endocrine Disruptor” by the European Commission.
5. Any pesticide containing a chemical designated by the Maryland Department of Agriculture as belonging to the neonicotinoid class of chemicals.

C. The City Manager shall publish an updated version of the register of restricted pesticides that reflects any changes to the classifications in subsection (B) of this section on or before March 1st of each year that will remain in effect for one year.

**Section 2.** This ordinance shall become effective March 1, 2018.

Adopted by the Council of the City of Takoma Park this \_\_\_\_ day of \_\_\_\_\_ by roll-call vote as follows:

AYE:

NAY:

ABSTAIN:

ABSENT:

#### **EXPLANATORY NOTE**

Additions to the Code are shown by underlining.