

Introduced by: Councilmember Seamens

First Reading: October 18, 2017
Second Reading: October 25, 2017
Effective Date: March 1, 2018

City of Takoma Park, Maryland

Ordinance 2017-51

**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**

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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 25th day of October by roll-call vote as follows:

AYE: Stewart, Kovar, Male, Qureshi, Seamens, Smith, Schultz
NAY: None
ABSTAIN: None
ABSENT: None

EXPLANATORY NOTE

Additions to the Code are shown by underlining.