

# Bill 52-14 Healthy Lawns Legislation

Brief to Board of Managers

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# Background

- Bill was enacted October 6, 2015.
- The Bill restricts the use of non-essential pesticides that are deemed harmful to human health and environment.
- The Bill restricts the use of EPA-registered pesticides in places where children are likely to be exposed:
  - Public and private lawns
  - Playgrounds
  - Mulched Recreational Areas
  - Children’s Facilities such as day care centers

# Provisions of the Law

- States that only certain substances can be used to treat lawns, playgrounds, and children's facilities in Montgomery County (subject to exceptions) to manage weeds and pests
- Establishes new notification requirements for retailers and applicators of lawn pesticides, including homeowners that apply pesticides to their lawn
- Requires an extensive public outreach and education campaign related to the law and pesticide use
- Bans use of neonicotinoid pesticides on County property
- Requires Montgomery County Parks to implement a "pesticide free" parks program .

Neonicotinoid pesticides are strongly linked to harmful effects on bee colonies and birds.

# Effective Dates

- Provisions affecting County and Park properties took effect July 1, 2016.
- July 1, 2016 Parks Department has discontinued use of pesticides in all playgrounds.
- Provisions affecting private property take effect January 1, 2018

Bill was challenged in lawsuit filed in the Circuit Court of Montgomery County by pesticide industry and several local partners. Judge expected to rule sometime in June.

# Exemption

- Chevy Chase Village is exempt from the provisions of Bill 52-14
- Based on Appendix F of the Montgomery County Code –County Laws applicable to municipalities.
- Municipalities that are exempt include Rockville, Town of Somerset, and Gaithersburg and others.

# Applicability -Covered

- Chevy Chase View
- Chevy Chase Section 3
- Chevy Chase Section 5
- Town of Chevy Chase
- Village of Martin's Addition
- Village of North Chevy Chase
- Town of Glen Echo
- City of Takoma Park

# Village could Opt-in to the Law

- E&E Committee members recommend opting-in
- Legislation supports reduced exposure to non-essential chemicals and protects public health
- Village would set an example of stewardship and responsible partner in protection of environment and public health.
- City of Takoma Park has similar restrictions that went into effect in 2014 without complaints from applicators or property owners
- Landscape contractors are offering “green services” and recognize advantages of being in forefront of their industry.

# Bill Restrictions do not apply to:

Gardens

Hardscapes

Trees/shrubs

Indoor pest control

Invasive species

Agriculture

Noxious weeds

Golf courses

Biting or stinging insects

Playing fields



# How will the law affect me?

- Law will require home owner to change some of their practices.
- Movement to use “organics” rather than chemical pesticides.
- Will need to understand which pesticides can be used and under what circumstances. County will provide a list of which pesticides can be used.
- Law requires list of Invasive Species to be identified which can be controlled by registered pesticides.
- Homeowners will need to understand what chemicals are being used on their lawns and how to move to a safer and more healthy lawn.
- Professional landscape contractors are available and already in use by your neighbors.

# How to Change your Landscape

- Build and maintain healthy soil
  - A soil test will tell you how much nitrogen, phosphorus and lime your soil needs.
  - Test kits are available
- Look for products that are “natural organic” or “slow release”. Use sparingly.
- Aerate in the fall to improve root development and water penetration.
- Overseed this areas with grass blends recommended for this area.
- Rake in 1/4-1/2 inch compost to cover seeds
- Water deeply, but infrequently.
- Mow frequently so you are cutting no more than 1/3 of height of grass.

# Does your lawn really need to be totally weed free?

- Set realistic weed and pest controls goals for your yard.
- Identify lawn weeds and treatments. Be alert to invasive species. Determine removal strategy for weeds including spraying with natural weed killer.
- Use pre-emergent weed control in spring and fall such as corn gluten, white clover, calcium products.
- Organic Material Review Institute (OMER) maintains a directory of products compliant with organic standards.
- Obtain guidance from landscapers and gardening stores.

# How to Identify a Non-toxic Products



# Questions for your Natural Lawn Contractor

- What is your experience?
- May I have reference?
- Do you have licenses and insurance?
- What are your professional affiliations?
- Do you offer a natural, pesticide-free care program?
- What is your game plan?
- How will my lawn look?
- Can I get it in writing? Preset hourly rate, annual rate, time and materials??

# Consideration of the following Board Actions

- Indicate that Board is supportive of opting- in.
- Call a public hearing for residents on impact of legislation and present case.
- Board of Managers would agree to opt-in to the provisions of the law.
- Support educational activities for residents to understand impact on personal property and steps needed for compliance.