




Pesticide and  
Fertilizer  
Ordinance  
Review

- Falmouth Town Council Presentation
- December 9, 2019



# A brief history of our ordinance proposal

As part of the 2016-17 Falmouth Town Council Work Plan, we (the Falmouth Conservation Commission) were tasked by the Town Council to draft an ordinance restricting the use of pesticides in Falmouth.

From the beginning of this process we decided it was important to be collaborative rather than combative with our stakeholders.

We did some research, looking at what other municipalities in Maine had done, as well as speaking with scientists, applicators, and other experts in the field.

In May of this year the Conservation Commission submitted to the Falmouth Ordinance Committee a draft ordinance for the restriction of pesticides and fertilizers.

About three months ago we were asked to make some edits and submit additional information to the committee.

There are a few jurisdictions in Maine that already have ordinances in place.

Allagash

Amherst

Arrowsic

Brighton Plantation

Brunswick

Castine

Coplin Plantation

Cranberry Isles

Harpswell

Lebanon

Limerick

Limestone

Manchester

Montville

Newburgh

New Gloucester

New Sweden

Ogunquit

Owl's Head

Portland

Rangeley

Rockland

South Portland

Southport

Standish

Sweden

Waterboro

Wayne

Wells




This means we  
are not alone

In our desire to protect the plants, animals, and  
people who live around us,

In our desire to protect our town,

In our desire to protect our state, and


In our desire to protect our planet.



We firmly believe that two things are vital to the success of any pesticide and fertilizer ordinance:

The full use of site-specific Integrated Pest Management Plans

The use of Best Management Practices



Vital to these  
processes is  
knowing what  
we are dealing  
with.

We would like to show our full support for the Pesticide and Fertilizer Restrictions on General Applications and Local Requirements for Commercial Applicators on Annual Registration and Reporting ordinance.

This ordinance will allow us to determine which pesticides and fertilizers are being used by licensed applicators in Falmouth,

Allow tracking of the same, and

Allow for development of a water-testing regimen to determine what is escaping into the waters in and around Falmouth.

A monarch butterfly with vibrant orange wings and black borders with white spots is perched on a green stem. The background is a blurred natural setting with green leaves and brown mulch. The text "Thank you very much for your time and consideration." is overlaid in white, centered on the butterfly's wings.

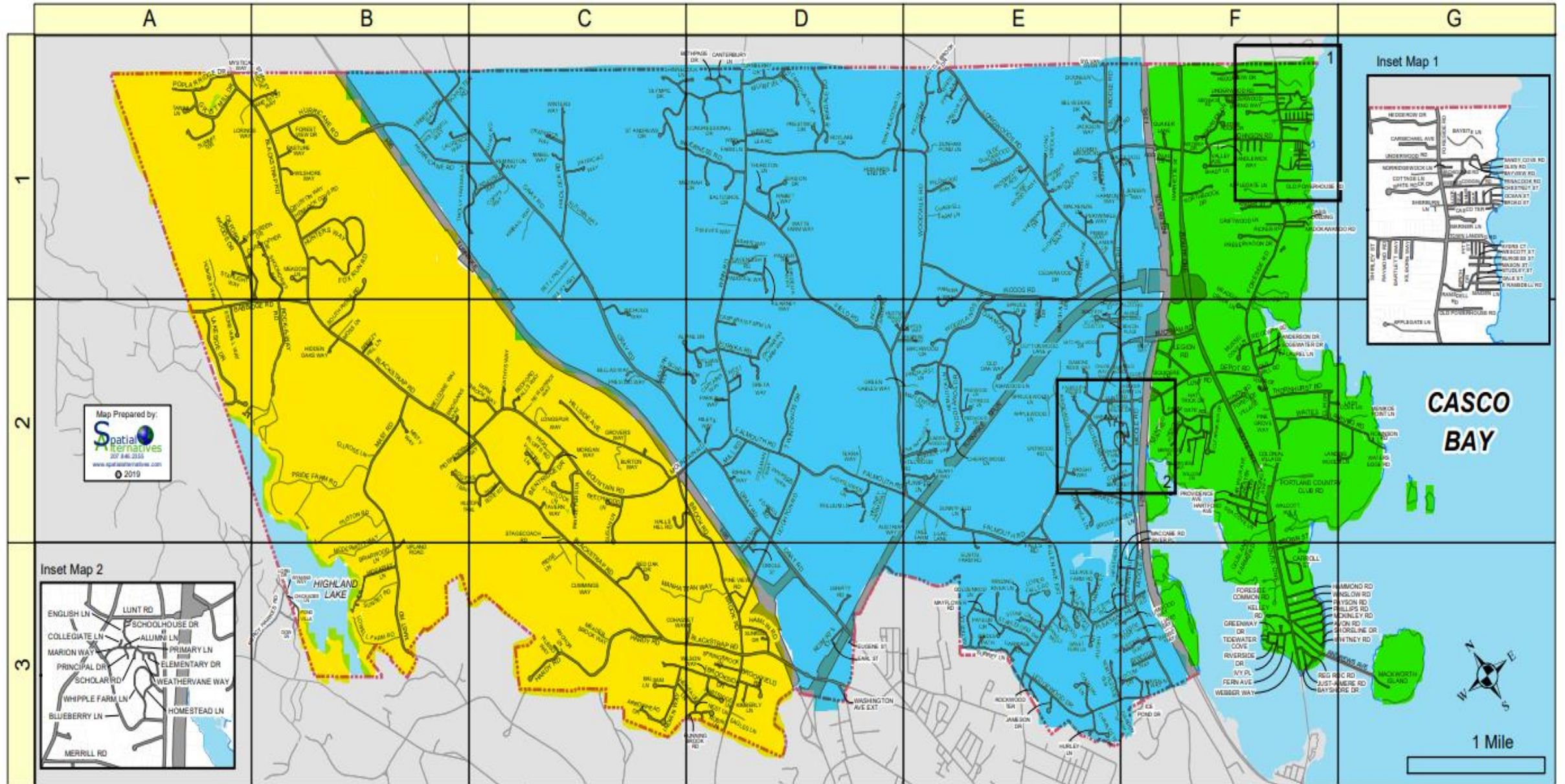
Thank you very much for  
your time and consideration.

# What the Ordinance Does and How It will be Implemented

- Requires licensed pesticide applicators and lawn care companies who use fertilizer to register (\$50) before any applications are made and report their use on an annual basis in the same format required by the Maine Board of Pesticides Control (EPA registration number, name of products, total area treated, etc.)
- With additional reporting information to include:  
General location of applications by geographic area, identified as: east of I-295; west of I-295 and east of I-95; and west of I-95, as well as the date of applications made.
- **Prohibits the use of all fertilizers from  
December 1-March 31**
- Companies will be notified by mail, and the registration and reporting will be done electronically through the Town's website.



# Town of Falmouth Street Map 2019



# Pesticide and Fertilizer Use Exemptions

- a. Commercial agriculture and commercial horticulture.
- b. Pet supplies, such as shampoos and tick and flea treatments, when used in the manner specified by the manufacturer.
- c. Disinfectants, germicides, bactericides, miticides, and virucides when used in the manner specified by the manufacturer.
- d. Insect repellents when used in the manner specified by the manufacturer.
- e. Rat and rodent control supplies when used in the manner specified by the manufacturer.
- f. Swimming pool supplies when used in the manner specified by the manufacturer.
- g. General use paints, stains, wood preservatives, and sealants when used in the manner specified by the manufacturer.

# Violations: Penalties for Non-Compliance

***Registration and Reporting*** – A commercial applicator who violates the annual registration and/or the reporting requirements of this chapter shall be subject to a penalty of not more than \$500 for the first violation of either or both requirements, and for each subsequent violation shall be subject to a penalty of not less than \$250 nor more than \$1,000, plus costs and attorneys' fees.

***A commercial applicator who violates the fertilizer use restriction*** requirements contained herein shall be subject to a penalty per application of not more than \$500 for the first violation, and for each subsequent violation shall be subject to a penalty per application of no more than \$1,000, plus costs and attorneys' fees.

# What the Resolution Commits Falmouth to

A. The Town Council will adopt an ordinance that will require licensed pesticide applicators and commercial fertilizer applicators to register and report their use of pesticides and fertilizers in the Town of Falmouth on an annual basis. The data collected through the required reporting will act as a baseline and inform water-testing procedures and protocols the Town may want to pursue.

B. The mission of the Falmouth Conservation Commission (FCC) is to protect the natural resources of Falmouth. The FCC will lead an Education and Outreach Campaign to educate Falmouth residents on the importance of proper, environmentally sound lawn care practices.

C. The Town Council will assess annual data on fertilizer and pesticide use as well as evaluate the effectiveness of the Education and Outreach Campaign to determine if future regulations are warranted.

