

# IMPLEMENTING FLORIDA-FRIENDLY USE OF FERTILIZER ON URBAN LANDSCAPES



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# Florida-Friendly Fertilizer Ordinance

## Florida Statutes:

- \* **403.9337 Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes.—**
  - \* (2) Each county and municipal government located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to s. [403.067](#), shall, at a minimum, adopt the department's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes.

## Florida-Friendly Fertilizer Ordinance

- \* Comparison of FDEP “Model Ordinance” with passed ordinance by St. Lucie County and proposed ordinance by Port St. Lucie
- \* **APPLICABILITY –**
  - \* FDEP – The ordinance shall be applicable to and shall regulate any and all applications of fertilizer and areas of application of fertilizer within the area of the municipality unless the applicator is exempted by the regulatory provisions of the ordinance.
  - \* SLC – *Same as Model*
  - \* PSL – *Same as Model*

# Florida-Friendly Fertilizer Ordinance

## \* TIMING OF FERTILIZER APPLICATION -

- \* FDEP – No applicator shall apply fertilizer containing nitrogen and /or phosphorus to turf and/or landscape plants during the Prohibited Application Period or to saturated soils.
  - \* Prohibited Application Period defined as: “means the time period during which a Flood Watch or Warning, or a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of the city, issued by the National Weather Service, or if heavy rain is likely.
  
- \* SLC – *No applicator shall apply fertilizers containing nitrogen and/or phosphorus to saturated soils. Additionally, fertilizers containing nitrogen and/or phosphorus shall not be applied to turf and/or landscape plants during any of the following prohibited application periods:*
  - \* **(a) June 1 through September 30.**
  - \* (b) *The time period during which the National Weather Service has issued a Flood Watch or Warning, or a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning for any portion of the City.*
  - \* (c) *Heavy rains are expected.*
  
- \* PSL – *Same as St. Lucie County.*

# Florida-Friendly Fertilizer Ordinance

## \* FERTILIZER FREE ZONES -

- \* FDEP – Fertilizer shall not be applied within ten (10) feet of any pond, stream, watercourse, lake, canal, or wetland as defined by FDEP, or from the top of a seawall, unless a deflector shield, drop spreader, or liquid applicator with a visible and sharply defined edge, is used, in which case a minimum of 3 feet shall be maintained. ...
- \* SLC – *Same as Model* – except eliminated the use of deflector shields
- \* PSL – *Same as St. Lucie County.*

# Florida-Friendly Fertilizer Ordinance

## \* **LOW MAINTENANCE ZONES -**

- \* FDEP – A voluntary ten (10) foot low maintenance zone is strongly recommended, but not mandated, from any pond, stream, water course, lake, wetland or from the top of a seawall. A swale/berm system is recommended for installation at the landward edge of this low maintenance zone to capture and filter runoff. .... No mowed or cut vegetative material may be deposited or left remaining in this zone or deposited in the water.
- \* SLC – *Same as Model*
- \* PSL – *Same as Model*

# Florida-Friendly Fertilizer Ordinance

## \* **FERTILIZER CONTENT AND APPLICATION RATES -**

- \* FDEP – (a) Fertilizers applied to turf within municipality shall be applied in accordance with requirements and directions provided by Rule 5E-1.003(2)
  - \* (b) Fertilizers containing nitrogen or phosphorus shall not be applied before seeding or sodding a site, and shall not be applied for the first 30 days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation, or in accordance with the Stormwater Pollution Prevention Plan for that site.
  - \* (c) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in (a) above for turf or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.
  
- \* SLC – *Includes all of the “Model” points, but goes into greater detail*
- \* PSL – *Same as St. Lucie County.*

# Florida-Friendly Fertilizer Ordinance

## \* APPLICATION PRACTICES -

### \* FDEP –

- \* (a) Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. ...
- \* (b) Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces
- \* (c) Any fertilizer applied , spilled. Or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.
- \* (d) Fertilizer released on an impervious surface must be immediately contained and ....
- \* (e) In no case shall fertilizer be washed, swept, or blown off impervious ....

\* SLC – *Same as model*

\* PSL – *Same as model*

# Florida-Friendly Fertilizer Ordinance

## \* **MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER -**

- \* FDEP – In no case shall grass clippings, vegetative material, and/or vegetative debris be washed, swept, or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent practicable.
- \* SLC – *Same as model – added – Grass clippings should be blown back onto the lawn areas or removed.*
- \* PSL – *Same as St. Lucie County.*

# Florida-Friendly Fertilizer Ordinance

## \* EXEMPTIONS -

- \* FDEP – The provisions set forth above in this Ordinance shall not apply to:
  - \* (a) bona fide farm operations as defined in the Florida Right to Farm Act....
  - \* (b) other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock
  - \* (c) any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.
  
- \* SLC – *Same as model*
  
- \* PSL – *Same as model*

# Florida-Friendly Fertilizer Ordinance

## \* **TRAINING -**

### \* FDEP –

- \* (a) All commercial and institutional applicators of fertilizer within the municipality shall abide by and successfully complete the six-hour training program ....
- \* (b) Private, non-commercial applicators are encouraged to follow the recommendations of the University of Florida IFAS program when applying fertilizers.

### \* SLC –

- \* (a) *Same as model*
- \* (b) *Private, non-commercial applicators not otherwise required to be certified, such as private citizens on their own residential property, are encouraged to follow the recommendations of the University of Florida IFAS Florida – Friendly Landscapes program when applying fertilizers.*

### \* PSL – *Same as St. Lucie County.*

# Florida-Friendly Fertilizer Ordinance

## \* LICENSING OF COMMERCIAL APPLICATORS -

### \* FDEP –

- \* (a) Prior to 1 January 2014, all commercial applicators of fertilizer within the municipality, shall abide by and successfully completed training and continuing education requirements in the .... provide proof of completion of the program to the Tax Collector's office within 180 days of the effective date of this ordinance.
- \* (b) After 31 December, 2013, all commercial applicators of fertilizer within the municipality, shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the ....
- \* (c) All businesses applying fertilizer to turf and/or landscape plants (including but not limited to residential lawns, golf courses, commercial properties , and multi-family and condominium properties) must ensure that at least one employee has a “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries” training certificated prior to the business owner obtaining a Local Business Tax Certificate. ....

### \* SLC –

- \* (a) *deleted*
- \* (b) *Same as model*
- \* (c) *Same as model*

### \* PSL – *Same as St. Lucie County.*