

Healthy Lawns Act (amended bill 52-14) was passed by Montgomery County Council, MD
by vote of 6-3 on October 6, 2015
and enacted on October 20, 2015

What does the Healthy Lawns Act do?

1. Stops the routine use of harmful pesticides on the following County property (as of July 1, 2016) and private property (as of Jan. 1, 2018):

- lawns (which excludes golf courses, playing fields, trees/shrubs, agriculture)
- playgrounds,
- mulched recreation areas,
- children's facilities & their grounds

Allows safer products (referred to as "listed pesticides") that are

- EPA registered pesticides which active ingredients are approved by the National Organics Standards Board; and
- pesticides which ingredients don't require EPA registration

But ANY registered pesticide may be used for

- Chapter 58 weeds (poison ivy; ragweed; kudzu; Canada, musk, nodding, plumeless, and bull thistles; any plant, except another thistle, identified as a noxious weed under State law; and any other plant which the Director finds by regulation endangers public health or safety if allowed to grow unchecked)
- invasive species (to be listed by DEP by Mar. 1, 2016. (*Sec. 2 & Article 1. General Provisions Sec. 33B-5*))
- control of indoor pests, even when applied outside around/near foundation of building
- agriculture
- gardens (areas where food crops, flowers or other ornamental plants are grown)
- and to control a pest outbreak that poses an imminent threat to human health or significant economic damage (must notify DEP w/in 7 days)

(*Article 3. Application Restrictions*)

2. Enacts neighbor notification - private property owners or tenants must post signs approved by DEP when they

- apply pesticides to a lawn area over 100 square feet; or
- to lawn area of any size if within 5 feet of property line

(*Sec. 1. Article 2. Notice Requirements Sec. 33B-9*)

3. The County will conduct a public outreach and education campaign before and during the implementation of restrictions.

(Sec. 1. Article 3. Application Restrictions. Sec. 33B-11)

4. Restricts the use of neonicotinoid pesticides on County-owned property (even on areas other than lawns, playgrounds, mulched recreation areas and children's facilities and grounds), except for agricultural use. The broader prohibition on neonicotinoids does not apply to Parks Department-maintained County property.

(Sec. 1 Article 4. County Property and Parks Sec. 33B-12)

5. The DEP will adopt an Integrated Pest Management (IPM) program for all County-owned property that requires monitoring, record-keeping, and use of non-chemical methods and safer "listed pesticides" before using other treatments. All County employees responsible for pest management will be trained on IPM by the DEP.

(Sec. 1. Article 4. County Property and Parks Sec. 33B-13)

6. The Parks Dept. will implement (and inform the public about) a pesticide-free parks program including

- certain parks maintained only with safer "listed pesticides" [or organic-compatible pesticides]
- a pilot program of at least 5 playing fields maintained with only safer "listed pesticides" conducted in consultation with an expert with experience in successful conventional to organic transitions
- maintenance of all other playing fields using IPM, and a plan due by Sept. 1, 2019 for for transitioning all playing fields to safer "listed pesticides" beginning 2020.
- protection of water with restriction of use of registered pesticides (other than safer "listed pesticides") within 25 feet of a waterbody (subject to exceptions)
- 48 hour advance- (and 48 hours post-) notice on appropriate Parks Dept. website and in the area where registered pesticide (other than safer "listed pesticides") will be applied.
- Twice-yearly reports to County Executive & Council including status of pesticide free parks and detailed registered pesticide usage, which reports will be available to public.

(Sec. 1. Article 4. County Property and Parks Sec. 33B-14)