



City of Portland Pesticide Management Advisory Committee

City Hall
Room 209
6:30 PM

1. Welcome and Introductions
2. Review responsibilities of the committee
 - a. Pesticide Use Ordinance
3. Select officers and waiver committee
4. Outreach
 - a. Draft brochure text
5. Discuss meeting schedule
6. Adjournment

Order 110-17/18

Motion to postpone to December 18, 2017: 8-0 on 11/20/2017

Motion to postpone to January 3, 2018: 9-0 on 12/18/2017

Motion to amend Section 34-16 to make July 1, 2018 the start date for city-owned property except for athletic fields and golf courses: 8-1 (Strimling) on 1/3/2018

Motion to amend to add invasive plant applications as an exemption in Section 34-5(d): 8-1 (Batson) on 1/3/2018

Passage as amended: 9-0 on 1/3/2018

Effective 2/2/2018

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE
NEW CHAPTER 34 PESTICIDE USE**

WHEREAS, the City of Portland wishes to protect the quality of Casco Bay and other waterways that support the economic vitality of local fisheries and the working waterfront; and

WHEREAS, the City of Portland recognizes that healthy soils serve as the foundation for vibrant ecosystems and pest-resistant plant life; and

WHEREAS, the City of Portland wishes to promote land care practices that promote the development of healthy soils to minimize the need to apply pesticides to control unwanted pests; and

WHEREAS, the City of Portland also recognizes that there may still be a need to manage pests to protect public health and safety, wildlife, our environment and City assets; and

WHEREAS, many synthetic pesticides are harmful to humans, pets, wildlife, including threatened and endangered species, soil microbiology, plants, and natural ecosystems; and

WHEREAS, many citizens desire to be protected from exposure to pesticides in the air, water or soil that may result from chemical drift and contaminated runoff; and

WHEREAS, the use of pesticides has been known or suspected to cause serious health problems is not necessary to grow and maintain green lawns and ornamental landscapes,

given the availability of viable alternative practices and products; and

WHEREAS, a growing number of communities and municipalities including the City of Portland are embracing a precautionary approach to the use of pesticides in order to adequately protect people and the environment from their harmful effects; and

WHEREAS, the State of Maine allows municipalities, through their home rule authority, to enact ordinances dealing with municipal affairs pursuant to 30-A M.R.S. §3001;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND *That the Portland City Code is hereby amended by adding a Chapter, to be numbered Chapter 34, Sections 34-1 to 34-16, which said Sections read as follows:*

Chapter 34

PESTICIDE USE

Sec. 34-1. Title.

This chapter shall be known as the City of Portland Pesticide Use Ordinance (hereinafter, the "Ordinance").

Sec. 34-2. Purpose.

The purpose of this ordinance is to safeguard the health, safety and welfare of the residents of the City and to conserve and protect the City's waterways and natural resources by curtailing the use of pesticides for turf, landscape and outdoor pest management.

Sec. 34-3. Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the following meaning:

Aggrieved party means an individual or entity that applies for but is denied a waiver from provisions of this ordinance as described in Section 34-6.

Broadcast application means the spreading of pesticides over an entire area.

Commercial Agriculture means the production of crops for sale, including crops intended for widespread distribution to wholesalers or retail outlets and any non-food crops.

Emergency means a serious, unexpected, and often dangerous situation requiring immediate action.

EPA means the United States Environmental Protection Agency.

FIFRA means the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136 et seq.

Golf course means an area of land laid out for playing the game of golf with a series of 9, 18 or more holes. Mini-golf and disc golf courses are not considered golf courses.

High Use Athletic Facilities means the following playing fields located in the following parks as listed in Chapter 18, section 18-11: Fox Field, Quinn Field and Deering Oaks Baseball Field at Deering Oaks Park; Back Cove Park; and Payson A Field in Payson Park. It shall also include Presumpscot Field at Deering High School.

Repellant means a substance that deters insects or other pests from approaching or settling.

Invasive Species means a plant or insect that is not native to a particular ecosystem, and whose introduction does or is likely to cause economic or environmental harm or harm to human health. Invasive species include those plants listed under the Maine Department of Agriculture, Conservation and Forestry's Natural Areas Program as currently invasive, potentially or probably invasive, and highly likely but not currently invasive, as well as those insects listed by the Maine Forest Service as threats to Maine's forests and trees.

Natural, organic or "non-synthetic" means a substance that is derived from mineral, plant, or animal matter and does not undergo a "synthetic" process as defined in the Organic Foods Production Act, 7 U.S.C. § 6502(21), as the same may be amended from time to time.

Organic pest management means the act of managing or controlling pests through the use of mechanical, cultural, or, biological processes, or through the use of natural, organic, or non-synthetic substances.

Person means any individual natural person, partnership, joint venture, society, association, company, club, trustee, trust or corporation; or any officer, agent, employee, or personal representative of any thereof, in any capacity acting either for her or himself or for any other person under either personal appointment or pursuant to law.

Pest shall have the same meaning as the term set forth in 40 C.F.R. § 152.5, as the same may be amended from time to time.

Pest Management means the act of managing or controlling pests through the use of chemical, mechanical, cultural, biological, or genetic measures.

Pesticide means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest; any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant. It does not include multicellular biological controls such as mites, nematodes, parasitic wasps, snails or other biological agents not regulated as pesticides by the EPA. Herbicides, fungicides, insecticides and rodenticides are considered pesticides.

Pests of significant public health importance means the pests listed by the EPA, in conjunction with the U.S. Department of Health and Human Services and the U.S. Department of Agriculture, as pests of significant public health importance.

Preemptive application means the application of pesticides as a measure against something possible, anticipated or feared, i.e., as a preventive or deterrent measure.

Public utility means any transmission and distribution utility, telephone utility, water utility, gas utility, or natural gas pipeline utility that is subject to the jurisdiction of the Maine Public Utilities Commission.

Restricted Entry Interval, also known as the re-entry interval or re-entry time, means the minimum amount of time that must pass after a pesticide is applied to an area before people or pets can safely go into that area. The labels on pesticides provide information about an individual pesticide's REI.

Synthetic means a substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring sources, except that such term shall not apply to substances created by naturally occurring biological processes.

Water body means any great pond, river, stream or tidal area as those terms are defined in Chapter 14 of the Portland Code of Ordinances.

Wetland means a coastal or shoreland freshwater wetland as those terms are defined in the City's Zoning Ordinance, Chapter 14 of the Code of Ordinances.

Sec. 34-4. Applicability

The following provisions shall apply to all outdoor pest management activities conducted within the boundaries of the City of Portland (hereinafter, the "City"), on both public and private land.

Sec. 34-5 Permitted, prohibited, and exempt pesticides

Subject to the applicability dates set forth in Sec. 34-14 herein, the following provisions shall apply to all outdoor pest management activities in the City.

(a) Permitted Pest Management Activities and/or Materials, except as provided in (b) (3) below:

1. Organic Pest Management, except as provided in (b)2 below;
2. Use or application of Synthetic substances specifically listed as "allowed" on the U.S. Department of Agriculture's National List of Allowed and Prohibited Substances (the "National List"); and/or
3. Use or application of Pesticides determined to be "minimum risk pesticides" pursuant to the FIFRA and listed in 40 C.F.R. § 152.25(f)(1) or (2), as may be amended from time to time.

(b) Prohibited Pest Management Activities and/or Materials:

1. Use or application of Synthetic substances other than those described in (a)(2) above;
2. Use or application of Non-synthetic substances specifically listed as "prohibited" on the National List; and/or
3. The use or application of pesticides (whether natural, organic, "non-synthetic," synthetic or otherwise) within seventy five feet of a water body or wetland.

(c) Exempt Pest Management Activities and/or Materials. The following are exempt from the provisions of this ordinance (and therefore are allowed):

1. Use or application of Pest Management Activities and/or Materials in connection with Commercial agriculture;
2. Pet supplies, such as shampoos and tick and flea treatments, when used in the manner specified by the manufacturer;
3. Disinfectants, germicides, bactericides, miticides and virucides, when used in the manner specified by the manufacturer;
4. Insect repellents when used in the manner specified by the manufacturer;
5. Rat and rodent control supplies when used in the manner specified by the manufacturer;
6. Swimming pool supplies when used in the manner specified by the manufacturer; and/or
7. General use paints, stains, and wood preservatives, and sealants when used in the manner recommended by the manufacturer.

(d) Exempt Applications. The following applications are exempt from the provisions of this ordinance (and therefore are allowed):

1. Specific health and safety applications. Prohibited pesticides may be used to control plants that are poisonous to the touch, such as poison ivy, pests of significant health importance such as ticks and mosquitoes, and animals or insects that may cause damage to a structure, such as carpenter ants or termites;

2. Golf course applications. Prohibited pesticides may be used on golf courses provided that the course is designated through Audubon International as a Certified Audubon Cooperative Sanctuary;
3. Hadlock Field applications;
4. Treatments for Heritage Elms;
5. Applications on fields at High Use Athletic facilities (until January, 2021, unless this date is extended by the City Council);
6. Prohibited pesticides may be used to control the Emerald Ash Borer, Asian Longhorned Beetle, Hemlock Woolly Adelgid, Browntail Moth and other insects identified as invasive by the Maine Forest Service;
7. Right-of-way applications. Prohibited pesticides may be used by a public utility that maintains a right-of-way through the City; and/or
8. Invasive plant applications on city property. Applications to control plants categorized as currently considered invasive in Maine by the Maine Department of Agriculture, Conservation, and Forestry.

For any exempt applications by the City, disclosure shall be made in the annual report described in Section 34-9 of this ordinance.

(e) Exempt Uses. The following uses are exempt from the provisions of this ordinance (and therefore are allowed):

1. Any use of pesticides mandated by state or federal law or required by an order or decision from a court or state or federal board or agency.

Sec. 34-6. Pest Management Advisory Committee.

(a) The Pest Management Advisory Committee ("PMAC") is hereby established. The PMAC shall consist of seven (7) members as follows:

1. One (1) member of city staff, designated by the City Manager, who shall be accredited by the Northeast Organic Farming Association in Organic Land Care or shall receive such accreditation within a reasonable time frame;

2. One (1) practicing agronomist appointed by the City Council;
3. Two (2) Maine Board of Pesticides Control-licensed landscape professionals, at least one (1) of whom has experience in organic land care management and is accredited by the Northeast Organic Farming Association in Organic Land Care, each appointed by the City Council; and
4. Three resident or taxpayer representatives appointed by the City Council at least one of whom has experience in organic land care management.

(b) The terms of office of the six (6) PMAC members appointed by the City Council shall be three-year terms, except that the initial appointments after the establishment of the PMAC shall be such that the terms of office of no more than two (2) members shall expire in any single year. The term of office for the City employee PMAC member shall be for as long as the employee holds said employment position.

(c) The PMAC shall advise the City Council and the City's Sustainability Coordinator with respect to the following:

1. Advising the Sustainability and Transportation Committee and the City's Sustainability Coordinator of any problems encountered or amendments that may be required to achieve the full and successful implementation of this ordinance;
2. Reviewing and acting upon waiver applications when applicable;
3. Developing and implementing outreach and education as specified in Sec. 34-11 of this ordinance (in coordination with the Sustainability Coordinator);
4. Seeking the participation, advice and counsel of experts in the fields of organic turf and landscape management, maintenance of trees and shrubs, and organic pest protocol;
5. Encouraging broad community participation, from parents, schools, advocates, and local arboriculture and landscaping businesses, in the activities of the PMAC;
6. Reviewing annual data and issuing a summary report annually by March 31 to the Sustainability and Transportation Committee, or whatever committee is

assigned an oversight role by the City Council, which includes, among other things, a summary of its educational outreach; recommendations on any necessary amendments to this chapter; the number of waivers granted in the past year; and comprehensive data taken from the written documents provided by Applicators and/or Licensed Applicators about the use of pesticides within the City of Portland including, but not limited to:

- a. The amount of pesticides used on privately or publicly owned land in the City of Portland;
- b. The reasoning for such use of pesticides; and
- c. The specific pesticides that were used.

7. Any additional responsibilities as may be assigned and deemed necessary by the City Council.

(d) PMAC Officers, meetings and records.

- 1. The members shall annually elect a chair and a secretary from their membership;
- 2. All meetings of the PMAC shall be noticed and open to the public in accordance with the City's notice policies and Maine's Freedom of Access Act;
- 3. A quorum shall consist of four members;
- 4. The PMAC shall meet at least five (5) times annually;
- 5. Minutes shall be kept of all meetings and posted on the City web page; and
- 6. An annual report of the PMAC's activities shall be submitted to the Sustainability and Transportation Committee by March 31 of each year.

(e) Waiver Subcommittee:

- 1. A subcommittee of the PMAC shall be established annually and consist of the designated City staff member and one (1) other member of the PMAC designated by the Chair;
- 2. This subcommittee shall be authorized to review and decide waiver applications as described in section 34-7; and
- 3. The PMAC shall schedule meetings of the Waiver Subcommittee frequently enough to be responsive to

waiver requests. All meeting dates shall be posted in advance on the City calendar.

Sec. 34-7. Waivers.

(a) In situations that are an emergency, threaten the public health, safety or welfare, or for the control of invasive species that pose a threat to the environment, persons shall apply to the PMAC Waiver Committee for a waiver from the provisions of this ordinance prior to the use/application of a prohibited pesticide or prior to the conduct of a prohibited application.

(b) The waiver application shall be filed with the PMAC Waiver Committee, on a form prescribed by the Committee and shall include the following information: the reason for requesting the use/application of a prohibited pesticide; the proposed location(s) of the proposed application(s); details on the timing(s) of use, substance(s) and amounts to be applied; date(s) of application; management plan that excludes broadcast and preemptive applications; and a pest identification and threshold report. In order to approve a waiver application, the PMAC Waiver Committee must find that all of the following criteria are met:

1. A situation exists that: is an emergency; threatens the public health, safety and/or welfare; involves an invasive species;— that poses a threat to the environment; or requires a non-permitted pest management activity and/or material to protect buildings or structures from damage;
2. The applicant has carefully evaluated all alternative methods and materials including, but not limited to, non-pesticide management tactics, minimum risk pesticides, non-synthetic pesticides, and is choosing to use the minimum amount of the least toxic, most effective pesticide necessary;
3. The applicant will, to the greatest extent practical, minimize the impact of the application on abutting properties; and
4. To the maximum extent possible the grant of the waiver will not be detrimental to the public's health, safety or welfare.

(c) The Waiver Committee shall conduct a hearing on all complete waiver applications received within ten (10) business days of receipt of the complete application and shall seek to issue a written decision on the application within three (3) business days of reviewing an application.

(d) In approving any waiver application, the Waiver Committee may also prescribe conditions and safeguards as are appropriate to further the purposes of this ordinance. The waiver decision of the Waiver Committee shall be in writing, with copies provided to the applicant, the PMAC, and the Sustainability Coordinator, and the City Clerk.

(e) An Aggrieved Party may appeal a written decision of the PMAC Waiver Committee to the City Manager or his or her designee within five (5) business days of the issuance of the committee's decision. The appeal shall be in writing and shall state the basis for the appeal. The City Manager or his or her designee (who shall not be a member of the PMAC) shall act upon the appeal within five (5) business days of receipt of the appeal. The decision of the City Manager or designee shall be in writing, with copies provided to the aggrieved party, the PMAC Waiver Committee, and the Sustainability Coordinator. The decision of the City Manager or his or her designee shall be final.

Sec. 34-8. Reporting by State of Maine Licensed Applicators.

In addition to complying with the Maine Board of Pesticides Control rules regarding record keeping and reporting requirements as outlined in 01-026 C.M.R. Ch. 50, as amended from time to time, all State of Maine licensed applicators are required to submit to the PMAC an annual summary report on or before February 1st of each calendar year relating to the preceding calendar year. This report shall contain the following information for applications performed in the City in the prior calendar year: target site, pesticide brand name, EPA registration number, total undiluted formulation (in pounds or gallons), and total area treated as listed and as amended on the Commercial Applicator Annual Summary Report required by the Maine Board of Pesticides Control.

Sec. 34-9. Management plan and annual reporting for publicly owned parks and open spaces.

The City shall maintain a management plan for public open spaces that shall be posted on the City website. The City Manager or

his or her designee shall provide an annual report to the PMAC describing efforts to reduce the use of synthetic pesticides, a description of synthetic pesticides used during the previous year, the reason for their use, and the cost of such pesticide usage.

34-10. Public Notification.

Any person shall comply with the following posting requirements. For all prohibited pesticide uses or applications:

(a) A warning sign shall be posted on the privately or publicly owned land. These signs must be posted before application activities commence on the land and be left in place for at least forty-eight (48) hours after actual application or until expiration of the restricted entry interval indicated by the pesticide label, whichever is longer;

(b) All signs shall be at least five (5) inches high and four (4) inches wide in size. Signs shall be attached to the upper portion of a dowel or other supporting device so that the bottom of the sign is not less than 12" and the top of the sign is not more than 48" above the ground. The signs shall be of rigid, weather resistant material substantial enough to be easily read for the duration of the placement;

(c) All signs must be light colored (white, beige, yellow or pink) with dark, bold letters (black, blue or green). They shall have lettering that is conspicuous and clearly legible;

(d) The sign must include the following:

1. The word "CAUTION" in 72-point type;
2. The words "PESTICIDE APPLICATION" in 30-point type or larger;
3. The Maine Board of Pesticides Control designated symbol;
4. Any reentry precautions from the pesticide labeling;
5. The name and telephone number of the entity making the pesticide application;
6. The date and time of the application;
7. A date and/or time to remove the sign;
8. the chemical and trade name of the pesticide; and
9. the length of time to remain off the treated area as indicated by the pesticide label; and

(f) For licensed applicators, the requirements above are in addition to any requirements that may also apply to State of Maine licensed applicators subject to the Maine Board of Pesticides Control rules, as may be amended from time to time, regarding public notification.

Sec. 34-11. Outreach and Education.

(a) The Sustainability Coordinator or his or her designee shall publish notice of this ordinance in a newspaper of general circulation in the City upon adoption and shall attempt to provide information about it to identified retailers and lawn, garden, and tree-care providers serving the City of Portland, as well as to churches, schools, and other institutions in Portland.

(b) The PMAC shall prepare and publish materials designed to educate the community about the role of pesticides in the local environment and the benefits of organic pest management. This outreach may include: a community-based social marketing campaign targeting City households and businesses; promotion of professional education and training for State of Maine licensed applicators; distribution of information and news about City practices through Portland internet and web-based resources; public service announcements; news releases and news events; tax bill inserts; posters and brochures made available at City events and applicable locations that serve the public; workshops, trainings, and demonstration projects; targeted outreach to schools; and/or any additional methods deemed appropriate by the PMAC.

(c) The PMAC shall also develop a program to work directly with retailers that sell pesticides in the City of Portland to:

1. Provide educational training for all retail store employees who recommend and sell pesticides for use in the home and garden, highlighting the following:
 - a. federal, state, and local pesticide regulations;
 - b. principles of organic pest management;
 - c. pesticide toxicity and health and environmental concerns;
 - d. proper pesticide display and storage; and

- e. the role of personal protective equipment, pesticide poisoning symptoms, and emergency procedures in case of spills; and
- 2. Implement a toolkit consisting of educational materials and signage (i.e., posters, signs, stickers) that can be customized, printed, and placed in stores to help consumers understand this ordinance and alternatives to prohibited pesticides.

Sec. 34-12. Violations.

Any person violating any of the provisions of this ordinance or failing, neglecting or refusing to obey any order or notice of the City Manager or his or her designee issued hereunder shall be subject to enforcement action as provided in §34-13.

Sec. 34-13. Enforcement and Remedies.

(a) This ordinance may be enforced by the City Manager or his or her designee;

(b) The City Manager or his or her designee shall have the authority to enact rules and regulations in order to implement the provisions of this ordinance; and

(c) Any violation of this chapter shall constitute a civil violation subject to the penalties contained in Portland City Code, Chapter 1, § 1-15.

Sec. 34-14. Severability.

If any section, paragraph, sentence, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court, such decision shall not affect the validity of the remaining provisions of this ordinance.

Sec. 34-15. Conflicts with Other Ordinances.

Whenever a provision of this ordinance conflicts with or is inconsistent with another provision of this ordinance or of any other ordinance, regulation or statute, the more restrictive chapter, article or ordinance of the Portland City Code shall control.

Sec. 34-16. Effective date; Applicability dates.

In order to allow time for residents and businesses to become familiar with the requirements of this ordinance, the prohibitions on the use of certain products and/or applications (and the related public notification, signage and reporting requirements) shall be effective as follows:

(a) Phase One: Commencing no later than July 1, 2018, the provisions set forth in Sec. 34-5 on outdoor pest management activities shall apply to City-owned property (but not to high use athletic fields or golf courses);

(b) Phase Two: Commencing no later than January 1, 2019, the provisions set forth in Sec. 34-5 on outdoor pest management activities shall apply to private property (but not high use athletic fields or golf courses); and

(c) Phase Three: Commencing no later than January 1, 2021, the provisions set forth in Sec. 34-5 on outdoor pest management activities with respect to high use athletic fields shall apply to public or private property, except that the City Manager or his or her designee may request that the City Council extend this applicability date if he or she determines more time is necessary to transition to organic management practices for these properties and facilities.

[COVER]

Alternatives to Pesticides

Tips, tricks and a little know-how can make your lawn flourish without the use of pesticides.

[INSIDE FRONT COVER]

To protect the health of our waterways, residents, pets, and natural ecosystems, the City of Portland has enacted a Pesticide Use Ordinance that prohibits the use of synthetic pesticides on all public and private property.

Where do your pesticides go?

Into your lawn and garden, right? Well it turns out that their journey doesn't end there. Watering and rainfall help **pesticides to seep into** our streams, rivers, and even Casco Bay! This leads to algae blooms, reduced water quality and **unhealthy conditions for our children, pets, and wildlife.**

The great news is that by eliminating chemicals and establishing an organic lawn care system, your lawn will require **fewer resources while still resulting in healthy soil** with fewer pests and weeds. Plus, it will be a safer place for kids and pets - a win-win scenario that you can feel great about!

[INSIDE MIDDLE AND RIGHT PANELS]

Top 10 Pesticide-Free Practices

Achieve a lush, healthy lawn using these organic and simple lawn care methods.

1. Start with a soil test

Knowing the PH of your soil will help you decide if your lawn needs amendment and, if so, what kind and how much. Using too much or the wrong kind is a waste of money and can causes pollution if it runs off your lawn into a catchbasin.

2. Mow smart

Tip 1: Mow your grass often and cut very little.

Tip 2: Keep your mower blades sharp.

Tip 3: Don't bag your lawn clippings.

3. Aerate

Compacted soil encourages weeds.

Tip 1: For best results, aerate lawns with a core aerator just prior to reseeding (late summer or early fall) and when the soil is moist.

4. Water 1"–1.5" a week during the morning hours

Tip 1: Use a rain gauge or a tuna fish can to measure this amount.

Tip 2: Avoid frequent, shallow watering.

5. Choose natural, organic fertilizers

Tip 1: Compost can be applied yearly to add organic matter and jump-start soil biology.

Tip 2: Grass clippings and a thin layer of mulched leaves are rich in nitrogen and potassium, and can build organic matter in the soil.

6. Over-seed in late summer or early fall with a mixture of grass cultivars

Tip: Maine's **yardscaping program** provides a helpful list of some grass seed sources.

www.yardscaping.org

7. Embrace clover to reduce fertilizer needed and support the bees and butterflies

8. Rethink weeds

Clover, crabgrass, dandelions and more all have beneficial qualities

9. Plant native species and attract pollinators

Tip: Milkweed, bunchberry, and cinnamon ferns are great examples of native plants with great benefits.

10. Consider permaculture

Permaculture is a creative design process based on whole-systems thinking to create a system that is as self-sufficient as possible.

Get more information on all of these practices at **portlandmaine.gov/pesticides**.

[BACK LEFT PANEL]

Portland Pesticide Use Ordinance Basics

Lawn and garden products that contain synthetic pesticides are prohibited on all public and private property in Portland as of January 1, 2019.

This includes weed killers that contain glyphosate (such as Round UpTM), fertilizer/pesticide combinations (weed and feed), and insecticides that contain imidacloprid.

The pesticide ordinance covers the following areas:

- Lawns
- Vegetable and ornamental gardens
- Landscaped areas
- Patios
- Sidewalks
- Driveways
- Parks and playing fields

For more information on the ordinance, products you can and can't use, and tips on how to achieve organic land care, visit **portlandmaine.gov/pesticides**.

[BACK MIDDLE}

We're here to help. If you have any questions about this ordinance please contact the City of Portland Sustainability Office or visit **portlandmaine.gov/pesticides**.

Ashley Krulik
akrulik@portlandmaine.gov
207-874-8663

BayScaping, YardScaping, Organic Landscaping, oh my!

Portland residents have many wonderful resources to assist you in implementing organic land care. Check out the following organizations to help you grow a healthy, pesticide-free lawn this year.

cascobay.org/bayscaping
Yardscaping.org
mofga.org

TIP: Buy products that have the yellow YardScaping sticker on them - this is simple way to know which products are allowed under this ordinance.

Top 10 practices to manage your lawn and landscape organically

Minor changes to your land care practices can make a big difference and give you a healthy, pesticide-free lawn with fewer pests and weeds.

1. Start with a soil test

Why: A soil test will identify the relative acidity of your soil and give you more information on the nutrients the soil does and doesn't have - helping you determine what practices are needed for healthy soil and lawn.

How: You can get a free soil test kit from the UMaine Extension Office in Falmouth, or you can order one online - umaine.edu/soiltestinglab/home/kit-request. Test kits are free and the test costs just \$15.

2. Mow smart

Tip 1: Mow your grass often and cut very little.

Grass height should be at least 3" throughout the growing season. The last cut of the year should be down to 2" to avoid fungal problems developing over the winter.

Tip 2: Keep your mower blades sharp.

A dull blade "rips" the top of a blade of grass, leaving a jagged edge which invites pests and disease. A sharp blade provides a clean cut, which helps the grass to heal faster and promotes photosynthesis.

Tip 3: Don't bag your lawn clippings.

Leaving the clippings on the lawn returns organic matter and nutrients to the soil. In newer lawns, grass clippings can cut your fertilizer needs by 25 to 40 percent. In lawns 10 years and older, grass clippings provide all the fertilizer your lawn needs. This will help shade out weeds and foster deep, drought-resistant roots. Longer roots allow grasses to readily utilize nutrients and water, developing greater strength to counter pests and lawn diseases.

3. Aerate

Why: Compacted soil encourages weeds. If your lawn is hard, compacted, and full of weeds or bare spots, aeration will help air, water, and fertilizer to enter. If you cannot stick a screwdriver easily into your soil, it is too compacted.

When: Aerate your lawn with a core aerator just prior to reseeding (late summer or early fall).

How: Rent a core aerator from a local hardware or garden store or hire a lawn care company to do it for you.

Tip: For best results, aerate lawns when the soil is moist. Lawns that are properly aerated should have 20 to 40 holes per square foot. Since most core aerators will not remove this number of holes with a single pass, you may need to take several passes.

4. Water the right amount, at the right time

How much: In Maine, well-established organic lawns are drought-tolerant and only require 1"–1.5" of water a week including rainfall. Use a rain gauge or a tuna fish can to measure this amount.

When: If watering is needed during a summer drought, be sure to water deeply and only in the morning hours.

Tip: Avoid frequent, shallow watering. This can lead to shallow root growth, which allows for weeds to colonize. It also creates a humid environment, which encourages harmful soil fungi and pathogens.

5. Choose fertilizers with care

Why: Chemical fertilizers can harm the microorganisms in soil and undermine healthy turf. Natural organic products will feed the soil, build organic matter, and encourage microbial diversity. Use only the amount indicated as necessary by soil testing, as even natural fertilizers in excess can cause environmental problems for local streams and water bodies.

Tip: Compost can be applied yearly to add organic matter and jump-start soil biology.

Tip: Grass clippings and a thin layer of mulched leaves are rich in nitrogen and potassium, and can build organic matter in the soil.

Note: Per Maine law, fertilizers containing phosphorus cannot be purchased at retail stores unless a soil test indicates it is necessary or the fertilizer will be used to establish a new lawn.

6. Over-seed with the right variety of grass

What: Adding grass seed to your lawn, known as “over-seeding,” is actually a more effective way to manage weeds than using herbicides.

When: Seeding should be done primarily in late summer and early fall (following aeration when necessary) with a top dressing of ¼ inch of compost. If you have bare spots or areas where the grass is sparse, they should be reseeded or over-seeded with a mixture of grass cultivars.

Tip: Maine’s **yardscaping program** provides a helpful list of some grass seed sources.
www.yardscaping.org

7. Embrace clover

Why: The addition of 10% mini or Dutch white clover can help reduce or eliminate the need for fertilizing. Clover is drought tolerant and, once established, grows despite lack of water. White clover is a rapid spreader that crowds out broadleaf weeds while growing harmoniously with grass. It will thrive in areas that are poorly drained or too shady for a conventional lawn. Plus, the flowers not only create a beautiful visual effect, but also bring in bees, butterflies, and beneficial insects that prey on garden pests.

8. Rethink weeds

Why: Many plants that are considered weeds in lawns have beneficial qualities. Clover adds much-needed nitrogen to soil. Crabgrass helps with erosion control. You can eat plantain. Even dandelions help aerate soil and reduce erosion, and their deep roots draw up nutrients that help other plants.

9. Plant native species and attract pollinators

Why: Native plants are best suited to the local growing season, climate, and soils. They have natural defenses to insects and disease, and will grow with minimal pesticide and fertilizer use.

Native plants will attract pollinators such as bees, butterflies, moths, hummingbirds, beetles, and wasps. These pollinators are vital to maintaining healthy ecosystems.

Tip: Milkweed, bunchberry, and cinnamon ferns are great examples of native plants with great benefits.

10. Consider permaculture

Permaculture is a creative design process based on whole-systems thinking. The term is generally used to describe sustainable agriculture designs for urban and suburban yards based

on natural ecosystems. These are often home gardens that are closed-loop, linking household compost, rainwater collection, vegetable gardening, and keeping agricultural animals to create a system as self-sufficient as possible.

More Helpful Resources

Take a [Permaculture Design Course with the Resilience Hub](#)

Consult this UMaine Cooperative Extension's Bulletin: [Gardening to Conserve Maine's Native Landscape: Plants to Use and Plants to Avoid](#).

Native plants also attract more birds to your yard. Audubon's [Native Plants Database](#)