

PEST CONTROL

647 Attachment 1

Suffolk County

Uncodified Local Law Provisions

Local Law No. 34-1999 also provided as follows:

Section 1. Legislative intent.

This Legislature hereby finds and determines that Local Law No. 10-1996 was adopted by the Suffolk County Legislature on June 11, 1996, for the purpose of developing and implementing integrated pest management guidelines to be followed by all county employees and by those who provide pest control services to the county, on county-owned or county-leased properties, based on the expertise of independent professionals and members of the scientific community.

This Legislature also finds and determines that the provisions of Local Law No. 10-1996 are insufficient to address growing public concerns that the application of such pesticides are linked to a variety of cancers.

This Legislature also determines that Resolution No. 868-1997 was adopted to direct the County Department of Parks, Recreation and Conservation to develop an Organic Parks Maintenance Plan for all county parkland, including golf courses, which would substantially reduce or eliminate the use of fertilizers, pesticides, herbicides and other toxic chemicals in the routine maintenance of said parklands and golf courses.

This Legislature further finds and determines that pesticides are linked to a number of other acute and chronic health problems.

Therefore, the purpose of this article is to phase out the use of pesticides by the county for many pest control purposes and to adopt a pest control policy that substantially relies on nonchemical pest control strategies.

Section 3. Reverse preemption.

This article shall be null and void on the day that statewide or nationwide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this article, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The County Legislature may determine, via mere resolution, whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 4. Applicability.

This article shall apply to any actions occurring on or after the effective date of this article.

SUFFOLK COUNTY CODE

Local Law No. 10-2000 also provided as follows:

Section 1. Legislative intent.

This Legislature hereby finds and determines that Resolution No. 972-1999 was adopted by the Suffolk County Legislature on October 5, 1999, for the purpose of phasing out the use of pesticides by the county for many pest control purposes and to adopt a pest control policy that substantially relies on nonchemical pest control strategies.

This Legislature also finds and determines that the 1999 county spraying for the West Nile Virus raised public concerns regarding proper notification prior to spraying for vector control purposes.

Therefore, the purpose of this law is to strengthen the public notification measures for pesticide applications on public properties and vector control spraying in general. Section 4. Dump the Water Campaign.

- A. The office of the Presiding Officer of the County Legislature shall conduct an annual "Dump the Water Campaign" in elementary-level schools throughout the County of Suffolk by inviting students in elementary schools to participate in a poster contest requiring a student's interpretation of how best to dump water which may cause mosquito infestation, such as cleaning gutters, getting rid of old tires, closing garbage cans without lids, removing garbage lids which are lying around, removing toys in yards, monitoring bird baths, and monitoring mounds of dirt.
- (1) Each Legislator shall send letters to the superintendents of public school districts, located within their pertinent legislative district, advising the school as to the contest.
 - (2) Each Legislator shall judge entries made by elementary schools and recommend one winner from each school as a finalist. A Legislator from each district shall then recommend to the Presiding Officer of the County Legislature one poster to represent his/her legislative district.
 - (3) The deadline for submitting eligible posters shall be January 31 of each year beginning with the year 2001. The Legislative Office of Budget Review shall then select the poster to be used as part of a county-wide message to be disseminated by the County Department of Health Services.
 - (4) Any student requesting to participate in said contest shall be furnished with literature from the Suffolk County Department of Health Services regarding the medical and scientific rationale for preventing breeding grounds for mosquitoes and the effects of mosquito-borne illnesses.

Section 5. Applicability.

This law shall apply to any actions occurring on or after the effective date of this law.

PEST CONTROL

Local Law No. 3-2002 also provided as follows:

Section 1. Legislative intent.

This Legislature hereby finds and determines that Local Law 34-1999, "A Local Law to Phase Out the Use of Pesticides on Suffolk County Properties," was adopted by the Suffolk County Legislature on October 5, 1999, for the purpose of phasing out the use of pesticides by the County of Suffolk for many pest control purposes, and to adopt a pest control policy that substantially relies on nonchemical pest control strategies.

This Legislature also determines that the Suffolk County Advisory Committee (CAC), created by Local Law 34-1999, has issued its first annual report pursuant to § 380-5E (now § 647-4E) of the Suffolk County Code, making several recommendations regarding implementation of Local Law 34-1999.

This Legislature further finds and determines that pesticides are linked to a number of other acute and chronic health problems.

Therefore, the purpose of this law is to enact those recommendations of the CAC that provide for a full implementation of Local Law No. 34-1999 to extend the January 2002 deadline for a total ban on pesticide use by the County for 18 months; to include containerized baits used for purposes in addition to rodent control as an exemption; to exempt medical treatment and practices; and to allow for the creation by the CAC of a temporary exemption to be granted on "special use" property.

Section 3. Reverse preemption.

This law shall be null and void on the day that statewide or nationwide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The County Legislature may determine, via mere resolution, whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 4. Applicability.

This law shall apply to any actions occurring on or after the effective date of this law.

Local Law No. 59-2006 also provided as follows:

Section 1. Legislative intent.

This Legislature hereby finds and determines that Local Law No. 10-1996 was adopted by the Suffolk County Legislature on June 11, 1996, for the purpose of developing and implementing integrated pest management guidelines to be followed by all County employees and by those

SUFFOLK COUNTY CODE

who provide pest control services to the County, on County-owned or County-leased properties, based on the expertise of independent professionals and members of the scientific community.

This Legislature hereby finds that Local Law No. 34-1999, was adopted by the Suffolk County Legislature on October 5, 1999 for the purpose of phasing out the use of pesticides by the County for many pest control purposes, and to adopt a pest control policy that substantially relies on nonchemical pest control strategies.

This Legislature also finds and determines that the Suffolk County Advisory Committee (CAC) has recommended amendments to the law to reflect the new responsibilities of the County Department of Environment and Energy.

This Legislature further finds and determines that the creation of the new County Department of Environment and Energy should be included in the supervision of the use of pesticides in Suffolk County.

Therefore, the purpose of this law is to include the Commissioner of the County Department of Environment and Energy to have a formalized role in the use of pesticides in Suffolk County.

Section 3. Applicability.

This law shall apply to any actions occurring on or after the effective date of this law.