

City of Sanibel
News Release
March 5, 2007
For Immediate Release
For Additional Information, contact
Office of City Manager 472-3700

Sanibel Council Approves Environmentally Friendly Regulations For Fertilizer Use on Island

Today, the Sanibel City Council approved a new City Ordinance regulating the use of fertilizers containing nitrogen and/or phosphorus within the City. This is not a ban on fertilizers, but will provide specific management guidelines for fertilization to minimize potential negative environmental impacts on waters in and around Sanibel Island.

New Regulations Geared to Protect Water Quality

Sanibel is a barrier island community dependent on the water quality of its bays, estuaries, rivers, lakes, wetlands, bayous and the Gulf of Mexico. Recent accumulations of red drift algae and red tide blooms have heightened community concerns over water quality. The new fertilizer ordinance is part of a multi-pronged effort by the City to improve water quality by reducing the amount of nitrogen and phosphorous that can pollute area waters through stormwater runoff.

Specific soil tests conducted at several locations on Sanibel indicate ample levels of naturally occurring phosphorus in the soil. Nitrogen from slow release sources is more likely to be used by plants and less likely to wash away in stormwater runoff. Thus minimal phosphorous is needed and Slow Release Nitrogen deemed more effective in environmentally friendly fertilization practices.

Ordinance Specifics

The Ordinance specifies the following with regard to application of fertilizer to turf and/or landscape plants:

- Total Phosphorous content in fertilizer must be limited to 2% or less.
- Total Nitrogen content in fertilizer must be limited to 20% or less and at least 70% of the Total Nitrogen must be Slow Release Nitrogen
- Fertilizer shall not be applied at a rate greater than one pound of nitrogen per 1000 square feet per application.
- No more than 4 pounds of nitrogen per one thousand square feet shall be applied to any turf/landscape area in any calendar year.
- Fertilizer shall not be applied more than six times during any one calendar year to a single area.
- Fertilizer shall not be applied, spilled or otherwise deposited on impervious surfaces (i.e., driveways, roads, other hard surfaces).
- A fertilizer-free buffer zone will be established wherein no fertilizer shall be applied within 25' of any pond, stream, water course, lake or canal, or wetland.
- When using a broadcast (rotary) spreader, a spreader deflector shield will be required.
- No fertilizer containing any level of nitrogen or phosphorous is to be applied during the "rainy season" (July 1 through September 30). Note: Products containing only micronutrients, such as magnesium and iron will be allowed.

New Requirements for Commercial and Institutional Applicators

- Requires Commercial and Institutional Applicators to first obtain a Vegetation Certificate of Competency with a Commercial Fertilizer endorsement through the City. Those who already hold a Vegetation Certificate will be required to take a “Fertilizer Ordinance Only” course (~ ½ hour) through the City.

Once a Commercial Fertilizer endorsement is acquired, Commercial/Institutional applicators must:

- Maintain nitrogen records and appropriate soil test results.
- Permit City to obtain a fertilizer sample to analyze nitrogen/phosphorus content.
- Provide the City-developed Surface and Groundwater Protection brochure to customers at the time of their first fertilizer treatment after October 1 each year.
- Remain on-site at all times when fertilizers are being applied.

Exemptions

- Newly established turf and/or landscape plants for first 60 days after planting.
- Damaged turf and/or landscape plants for 60 days, only to damaged area.
- Areas where soil tests confirm that phosphorous levels are below 10 parts per million.
- Vegetable gardens, so long as the gardens are not within 25’ of any water body or wetland.
- Yard waste compost, mulches, or other similar materials that are mainly organic in nature and are applied to improve the physical condition of the soil.
- Reclaimed water used for irrigation, provided that reclaimed water is not used within 25’ of a water body or wetland.
- Golf Courses shall follow the Florida Department of Environmental Protection document “Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses” (January 2007) as updated.

Notice to Retail Consumers

Retail businesses will be required to post a City-developed notice near the Fertilizer notifying customers of the new limits on use. The City will also develop a Surface and Groundwater Protection Brochure for retail businesses to distribute to help educate customers about the new requirements.

This ordinance will be implemented over the next 180 days in order to allow time to:

- 1) Establish a “Fertilizer Ordinance Only” ½ hour course to be given to current Vegetation Competency Certificate Holders wishing to obtain the Commercial Fertilizer Applicator endorsement.
- 2) Develop and produce public information tools.
- 3) For Commercial Fertilizer Applicators, Institutional Applicators and other users to become familiar with the provisions of the Ordinance and prepare for compliance.
- 4) Provide retailers sufficient time to order products that comply with the ordinance.

Enforcement

While the ordinance is effective immediately, no citations will be given during the 180-day transition period. After the 180-period, the City could elect one of several different options for enforcement including:

- 1) Violation of or refusal to comply with this ordinance shall be considered a 2nd degree misdemeanor. Upon conviction, punishment shall include a fine up to \$500 or imprisonment up to 60 days in jail, or both.
- 2) The City could choose to pursue Code Enforcement proceedings pursuant to applicable City code provisions and Chapter 162, Florida Statutes.

A copy of the complete ordinance can be downloaded from the Council Agenda Packet for the March 6th meeting, under Ordinance 07-003. Simply click on <http://www.mysanibel.com>; go to Council Agendas, Select March 6th, and double-click on the attachment to Ordinance 07-003. For further information, contact the City of Sanibel Natural Resources Department at (239) 472-3700.

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