

State Lawn Pesticide Notification Laws

Over the last decade, public concern about the potential hazards associated with chemical lawn care products and services has steadily increased. According to the U.S. EPA, 206 million pounds of pesticides are applied on non-agricultural lands. Of that, at least 70 million pounds of pesticides are applied to lawns, including residential lawns, golf courses and parks. As a result, there is widespread public exposure to pesticides in towns, cities, suburban and rural areas. With this backdrop, Beyond Pesticides recommends the adoption of alternative methods of lawn care that do not rely on hazardous pesticides and public notification of pesticide applications.

Notification

Notification of pesticide applications provides the public with the opportunity to take precautions to avoid direct exposure to hazardous pesticides. Twenty-one states have adopted laws requiring notification of lawn, turf and ornamental pesticide applications by hired applicators. Concerns over the potential public exposure of these pesticides have lead states to pass laws that warn people of a lawn application by posting notification signs, establishing registries or providing prior notification to abutting property owners. Because only 19% of U.S. households hire a lawn professional, some states also require that homeowners provide notification to neighboring property. State notification laws usually indicate where, when, and what pesticide has been or will be applied and by whom. State notification requirements vary in specifics, but where prior notification is required, it generally provides notice 24 to 48 hours in advance.

Posting. Twenty states plus DC require that commercial applicators post notification signs when a pesticide is applied to a lawn. Most states require that notification signs be posted in a conspicuous point of access to the treated property and left in place for 24 hours. Warning signs vary in language, but usually state, “Lawn Care Application: Keep

off the Grass.” In Connecticut, homeowners and commercial applicators are required to post notification signs if applications are made within 100 square feet of unfenced turf. Wisconsin pesticide retail stores are required to provide warning signs to homeowners when they purchase pesticides. The U.S. District Court in Seattle requires in-store notices to consumers on lawn chemicals and endangered salmon in west coast states.

Registries. Fifteen states require that a state agency or, in some cases, individual companies, establish a registry for people to sign up for prior notification when an adjacent property is treated with a pesticide by a commercial applicator. Generally, the states with such laws include provisions that require an applicator to inform any person on the registry of an upcoming pesticide application to property adjacent to their property. Some states, including Florida, Louisiana, Maryland, and Pennsylvania, have the additional requirements that individuals requesting notification provide documentation and certification from a physician. Registries only provide prior notice to those who make a prior request to be notified and therefore are limited in providing adequate warning to the public.

State preemption of local laws

Forty-one states preempt local ordinances on pesticides. However, two of those states, Minnesota and Montana, allow municipalities to adopt specific language regarding posting for commercial turf pesticide applications. Under New York state lawn notification law, counties can adopt specific provisions that require commercial applicators to provide 48 hours prior notice to all neighbors if treatment occurs within 150 feet of abutting property and require homeowners post notification signs of lawn application. (Nine counties plus New York City have set these requirements.) For more information, as well as a list of states that preempt local pesticide ordinances, see Beyond Pesticides’ Lawns and Landscapes webpage at www.beyondpesticides.org/lawn.

Lawn Pesticide Applications	
State	Notification
Alaska	Posting/Registry
Colorado	Posting/Registry
Connecticut	Posting/Registry
DC	Posting
Florida	Registry
Georgia	Posting
Illinois	Posting
Indiana	Posting
Iowa	Posting
Kentucky	Posting/Registry
Louisiana	Registry
Maine	Posting/Registry
Maryland	Posting/Registry
Massachusetts	Posting/Registry
Michigan	Posting/Registry
New Hampshire	Posting
New Jersey	Posting
New York	Posting
Ohio	Posting
Pennsylvania	Registry
Rhode Island	Posting/Registry
Vermont	Posting
Washington	Posting/Registry
Wisconsin	Posting/Registry

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Updated 10/2012