

Pesticide Ordinances Survey

| Town | Date effective | Purpose | Allowed | Prohibited | Exempt lands | Exempt activities | Waiver | Committee | Enforcement | Notes |
|----------------|---|---|---|--|--|---|--|---|--|--|
| Allagash | 2010 | safeguard public health and protect natural resources | All but >>> | aerial and ground application of herbicides for forestry purposes | N/A | N/A | With 2/3rds vote of Town Meeting | No | CEO | |
| Arrowsic | 1984 | N/A | N/A | Ban foliac herbicide for brush control by Public Works | N/A | N/a | N/A | No | N/A | |
| Brunswick | 2005 | Aquifer protection | •Zone 2: use for household or ag use, or OMRI; | •Zone 1: No application of pesticides, nitrogen fertilizer, or manure w/in 150' of max HWL; •Zone 2:No non household, non ag use; no aerial spray except for public health by local/state | •Outside aquifer zone pesticide application allowed | Granted by CEO •health hazard; •pest infestation; •control/destroy bees nests, poison ivy | None | No | CEO | •Permit required for ag use of pesticides, sludge use; •Permit in aquifer zone provides for Water District comment |
| Falmouth | 2020 | public health, conserve environment, water, natural resources with proper use | No local restriction | •No outdoor fertilizer allowed between December 1-March 31 | •Utility ROW; •MDOT ROW; •MTA ROW; commercial ag/horticulture | •pet supplies; •disinfectants, etc;• insect repellants; •vermin control; •swimming pool; •paints | N/A | No | Town Manager or designee; \$500 fine | •Pesticide and fertilizer application registration required; • Applicator annual report required |
| Harpwell | 2018 | protect sea life, pollinators | •Outdoor use allowed for commercial ag/nurseries/golf courses; •Outside 250' HWL, stem injection or painting to wind pollinated trees allowed; or other method if applied by licensed applicator. | •Excluding ag/nurs/golf, no IGR, no aerial spraying harmful to aquatic invertebrates, no use w/in 25' of Max HWL;, neonicotinoid between 25'-250' of HWL must be by licensed applicator and limited to stem injection or painting on wind pollinated trees | commercial agriculture, nurseries, golf courses, indoor uses | •pet supplies; • insect repellants; •aerosol products; application of materials required by federal or state law | Conservation Commission grants waiver for immediate public health threat/property damage for 30 days, extend to 3 years; seletmen can reverse waiver | Yes, Conservati on Committee | CEO/Board of Selectmen; fine \$1,000 | •Paid applicators must be licensed; •also regulates fertilizers |
| Portland | Phase 1: 7/1/2018; Phase 2: 1/1/2019; Phase 3: 1/1/2021 | safeguard public health, protect waterways, natural resources and curtail pesticide use | •organic management; •Synthetic substances allowed on the "National List"; •FIFRA "minimum risk pesticides" | •Other synthetic substances; •"National List" non-synthetic "prohibited "substances; •any pesticides w/in 75' of a water body | •commercial agriculture; •health (poison ivy, ticks, carpenter ants, etc); •golf courses w/Audubon certification; Hadlock Field; heritage elms; high use athletic fields; invasive pests; ROW; Invasive plants | •pet supplies; •disinfectants, etc; •insect repellents; •vermin control; •swimming pool; •paints; •pesticides required by state/fed law/court/agency | PMAC waiver for •emergency; •public health threat; invasives | Yes, Pesticide Managemen t Advisory Committee | City Manager or designee, sustainability coordinator | •exempt activities shall be included in annual report; •applicators submit annual report; •management plan for city open spaces; •public notification of pesticide application |
| Rockland | 2014 | safeguard public health and protect water resources | •organic land care; •MOFGA/OMRI product certified; sludge per Maine law | •chemical pesticides except exempt by EPA 40 CFR 152.25; •sludge not in compliance with Maine law | •USEPA exempt pesticides; •OMRI pesticides; •city owned land infrequently used by public (ex. Roadway medians); •public health infestations; •invasive plants | •drinking water and wastewater treatment; •indoor pesticide use; •rodent control; •landscaped areas along roadways; | Town Manager determines an emergency/CEO grants waiver (30 days to 6 months) | No | CEO | |
| South Portland | Phase 1: 5/1/2017; Phase 2: 5/1/2018; Phase 3: 5/1/2019 | safeguard public health, waterways, natural resources and curtail pesticide use | •non-synthetic substances unless prohibited on the "National List"; •FIFRA "minimum risk pesticides" | •Synthetic pesticides, unless on the "National List"; • any pesticide w/in 75' of a water body | •commercial agriculture; •health (poison ivy, ticks, carpenter ants, etc); •golf courses w/Audubon certification; •invasive pests; •ROW | •pet supplies; •disinfectants, etc; •insect repellents; •vermin control; •swimming pool; •paints | PMAC waiver for • invasives | Yes, Pest Managemen t Advisory Committee | CEO, no fine | •best invasive species definition; •applicators annual report to city clerk; •public notification of pesticide application |
| Standish | 2002 | Shoreland Zoning protection | All but >>> | •pesticide storage in excess of normal household or farm use | N/A | N/A | N/A | No | CEO | |
| Wells | 1990 | protect drinking water supply | permit requirement only | N/A | N/A | N/A | N/A | No | CEO | notification to water district |
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FIFRA: Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. Sec. 136 et seq.

IGR: Insect Growth Regulator

Max HWL: Maximum high water line

National List: From the U.S. Department of Agriculture, a list of synthetic substances

OMRI: Organic Materials Review Institute

REI: Restricted Entry Interval (minimum time after pesticide application before people can go into area)