

Chapter 240, FERTILIZERS, APPLICATION OF

[HISTORY: Adopted by the Township Council of the Township of Jefferson 3-3-1999 by Ord. No. 10-99EN (Ch. 77, Art. II of the 1967 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Right to farm -- See Ch. 229.

Surface water management -- See Ch. 439.

§ 240-1. Purpose.

The Township of Jefferson has determined that surface water quality, particularly the lakes within the Township, is being affected by phosphorous lawn fertilizers as a result of fertilizers entering the lakes from stormwater runoff. The purpose of this chapter is to promulgate regulations which shall aid the Township in manufacturing and improving surface water and lake resources and to protect the public health by regulating the application of fertilizers.

§ 240-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

LAWN FERTILIZER -- Any substance used to increase soil fertility.

§ 240-3. Regulations for fertilizer application.

A. Fertilizer. Within the Township of Jefferson, no person, firm, corporation or franchise shall apply liquid or granular fertilizer, which contains phosphorous.

B. Time of application. Lawn fertilizer application shall not be applied when the ground is frozen.

C. Disposal of leaves and other vegetative material. No person shall deposit leaves or other vegetative materials on roads or within any lake or stormwater drainage system.

D. Buffer zone. Fertilizer applications shall not be made within 10 feet of any wetland or body of water.

§ 240-4. Exemptions.

Newly established turf areas shall not be limited by this chapter on the quantity of phosphorous for the first growing season.

§ 240-5. Conclusive evidence.

The public analysis by any manufacturer of fertilizer shall be accepted by a court of comparable jurisdiction as admissible evidence of the phosphorous content of any fertilizer used.

§ 240-6. Violations and penalties.

Any person, firm, corporation or franchise who or which shall commit any act that is forbidden by the provisions of this chapter shall, for the first offense, receive warning and, for any second or subsequent offense, shall be punished by a fine not to exceed \$200 for each offense.