

Intro. Res. No. 1565-2021
Introduced by Legislators Trotta and Mazzarella

Laid on Table 7/27/2021

**RESOLUTION NO. -2021, ADOPTING LOCAL LAW
NO. -2021, A LOCAL LAW TO UPDATE THE COUNTY'S
FERTILIZER REGULATIONS TO INCORPORATE WEATHER
RESTRICTIONS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on July 27, 2021, a proposed local law entitled, "**A LOCAL LAW TO UPDATE THE COUNTY'S FERTILIZER REGULATIONS TO INCORPORATE WEATHER RESTRICTIONS**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2021, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO UPDATE THE COUNTY'S FERTILIZER
REGULATIONS TO INCORPORATE WEATHER RESTRICTIONS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County sits atop a sole source aquifer, which serves as the drinking water supply for Long Island.

This Legislature finds that the recent intensification of inclement weather and tropical storm activity is apparent and worsening.

This Legislature also finds and determines that fertilizer contains many noxious chemicals that contain nitrogen, phosphorous and other harmful contaminants.

This Legislature further determines that the potential for these chemicals leaching into County groundwater and runoff to County surface water increases significantly during times of extreme weather and heavy rains.

This Legislature finds that proactive steps should be taken to protect the County's drinking water supply from dangerous and unnecessary contamination associated with the application of fertilizer during and immediately after adverse weather events.

Therefore, the purpose of this law is to amend Chapter 459 of the SUFFOLK COUNTY CODE to prohibit the application of fertilizer during certain types of National Weather Service advisories.

Section 2. Amendments.

Chapter 459 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 459. Fertilizer

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§459-9. Application restrictions.

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D. No fertilizer containing nitrogen or phosphorus shall be applied to any turf by any person during a period for which the National Weather Service has issued any of the following advisories for any portion of the County: a severe thunderstorm warning or watch, flood warning or watch, tropical storm warning or watch, or hurricane warning or watch. This restriction shall remain in effect until 24 hours after such an advisory has ended.

Section 3. Applicability.

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

Section 4. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26), (27) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW in that the action constitutes routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 5. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: