

What Can I Do if Some of My Residents Do Not Want to Receive Any Notices of Commercial Lawn Applications?

There may be many instances in which people living in apartment complexes do not want to receive notices of nearby commercial lawn applications; some may even feel harassed by unwanted notices. The regulations are flexible for such people. The regulations require that the 48 hour notice must be given to the owner or owners' agent of the multiple dwelling or other person in a position of authority over the multiple dwelling. The occupants must then be supplied with the written notice within 24 hours by the owner or owners' agent or person of authority over the multiple dwelling. Every occupant has a right to receive the written notice; however an occupant is free to work out an arrangement with the owner, owners' agent, or other person of authority over the multiple dwelling to refuse or avoid further notices. If the occupant does not ask you to hold any further notices, you must give each notice to the occupant as required by the regulations.

Enforcement and Penalties

The Neighbor Notification Law will be enforced by the Westchester County Department of Health and the New York State Department of Environmental Conservation.

The penalties set forth for property owners in the Neighbor Notification Law are up to a maximum of:

- a written warning and educational materials for the first violation; a \$100 fine for the second violation;
- a \$250 fine for the third and subsequent violations.

These penalties may be levied only after a hearing or opportunity to be heard.

For more information, call the Westchester County Department of Health at (914) 813 - 5000
or
see our website at
www.westchestergov.com/health

This brochure is intended to provide highlights of the Neighbor Notification Law. Obtain a full copy of the law to ensure you are in full compliance. Copies can be obtained from the Westchester County Department of Health or visit our website
www.westchestergov.com/health.

The Neighbor Notification Law for Property Owners



What you need to know to inform your tenants when pesticides are applied to adjacent properties.

The Neighbor Notification Law*

As a property owner, you are required by law to inform the occupants of your units at least 24 hours prior to any proposed pesticide application to property adjacent to their dwellings.



***The Neighbor Notification Law of 2000, formally known as chapter 285 of the Laws of 2000, added new provisions to Title 10 of Article 33 of Environmental Conservation Law (ECL), regarding posting of visual notification markers for residential lawn applications, posting of signs at certain retail establishments, and mandating neighbor notification of certain commercial lawn applications. The Neighbor Notification Law became effective on March 1, 2001.**

What are the Requirements for Property Owners or Owners' Agents under the Neighbor Notification Law?

At least 48 hours prior to any commercial lawn application, the pesticide applicator or business making such application shall supply written notice to occupants of all dwellings, or to owners or owners' agents, or to other persons in authority for multiple dwellings and other occupied structures, on abutting property that is within 150 feet of the site of such application. The written notice may be provided by you in any reasonable manner including, but not limited to, mailing or leaving in a conspicuous location on the abutting property.

As the owner or owners' agent, or other person in authority of a **multiple dwelling**, you must give a copy of the notice (the one you receive from the commercial applicator at least 48 hours prior to the application) to the occupants of each residential unit at least 24 hours prior to any proposed application.

As the owner of an **occupied structure other than a dwelling**, you must post the notice at least 24 hours prior to any application in a conspicuous location accessible and visible to all individuals who may enter the structure.

What must be included in the written notice?

The written notice must be in at least 12 point type and contain at a minimum the following information:

- the address of the premises where the application is to take place
- the name, telephone number and pesticide business registration number or pesticide applicator certification identification number of the person applying or supervising the pesticide application
- the specific date of each scheduled application and two alternative dates, if weather or other conditions might preclude the original application date
- the product name and the US Environmental Protection Agency (USEPA) registration number for each pesticide to be applied
- a prominent statement that reads: "This notice is to inform you of a pending lawn care pesticide application to a neighboring property. You may wish to take precautions to minimize pesticide exposure to yourself, family members, pets or family possessions. Further information about the product or products being applied, including any warnings that appear on the labels of such pesticides that are pertinent to the protection of humans, animals or the environment, can be obtained by calling the National Pesticide Telecommunications Network at 1-800-858-7378 or the New York State Department of Health Center for Environmental Health information line at 1-800-458-1158."