

The Neighbor Notification Law*

Commercial Lawn Applicators are required to notify abutting property dwellers or owners of proposed pesticide application 48 hours prior to treatment and must also post visual notification markers on property being treated.



***The Neighbor Notification Law of 2000, formally known as chapter 285 of the Laws of 2000, added new provisions to the 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 becomes effective on March 1, 2001.**

What is a Commercial Lawn Application?

A commercial lawn application is any application of pesticide to ground, trees, or shrubs on public or private outdoor property.

The following pesticide applications are NOT considered commercial lawn applications:

- the application of pesticide for the purpose of producing an agricultural commodity
- residential application of pesticides to your own property
- the application of pesticides around or near the foundation of a building for the purpose of indoor pest control
- the application of pesticides by or on behalf of agencies except that agencies are subject to commercial lawn application visual notification requirements of this Part, once promulgated, where such application is within 100 feet of a dwelling, multiple dwelling, public building or public park
- the application of pesticides on golf courses or turf farms

What Does the Law Require for Commercial Lawn Applicators?

Existing Statewide Requirements: Applicators must be certified or be working under the direct supervision of a n applicator who is certified.

Applicators must meet all requirements in Title 10 of Article 33 of the ECL including existing requirements for written lawn care contracts and posting of visual notification markers.

Applicators must comply with requirements of ECL by supplying a copy of the pesticide label information, including any warnings, for each pesticide used.

New Neighbor Notification Requirements:

The New Neighbor Notification Law requirements for commercial lawn applicators involve giving 48 hour written notice for abutting properties with a property boundary within 150 feet of the lawn pesticide application site.

Where Can I Get a Copy of the Law?

Please obtain a copy of the Neighbor Notification Law which contains the requirements as a commercial lawn applicator. Copies are available at no-charge at the following locations:

- Local Town or City Hall
- Libraries
- Health Department District Offices
- Health Department Website
www.westchestergov.com/health
- By calling the Westchester County Department of Health at (914) 813-5000 for a copy to be mailed to you.
- Call the Westchester County Office of Consumer Protection at (914) 995-2155.

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

Enforcement and Penalties

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

Administrative penalties are a maximum of \$5000 for a first violation and a maximum of \$10000 for a subsequent offense. *These penalties may only be assessed after a hearing or opportunity to be heard.*

Criminal sanctions are generally a misdemeanor punishable by a fine not to exceed \$5000 (\$10000 for subsequent offenses) for each day during which the violation continues or by imprisonment for a term of not more than one year, or by both a fine and imprisonment. *Criminal prosecutions are conducted by the Attorney General or by a District Attorney.*

These penalties do not affect the rights of any other persons seeking damages arising out of a violation.

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.

Westchester
gov.com

George Latimer, Westchester County Executive

The Neighbor Notification Law for Commercial Applicators



What you need to know before applying pesticides.

DEPARTMENT OF HEALTH
Sherlita Amler, MD, Commissioner