

The Neighbor Notification Law*

Commercial Lawn Applicators are required to notify abutting property dwellers or owners of proposed pesticide application at least 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 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 January 1, 2007.

What is a commercial lawn application?

A commercial lawn application is any liquid or aerosol 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. For this purpose, see the Neighbor Notification Law for Homeowners
- 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 the behalf of municipal corporations, public authorities, or utilities (visual notification requirements apply)
- 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 an 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 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 at least 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?

Copies are available at no-charge at the following locations:

- Local Town, Village or City Hall
- Libraries
- Ulster County Website
www.co.ulster.ny.us/health
- Ulster County Health Department
Environmental Sanitation Division
300 Flatbush Avenue
Kingston, NY 12401
(845) 340-3021
- Cornell Cooperative Extension
10 Westbrook Lane
Kingston, NY 12401
- New York State Department of Environmental Conservation's Website
www.dec.state.ny.us

For more information, call the
Ulster County
Health Department
(845) 340-3021
or
see our website at

www.co.ulster.ny.us/health

Enforcement and Penalties

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

Administrative penalties for commercial applicators are a maximum of \$5,000 for a first violation and a maximum of \$10,000 for a subsequent offense. *These penalties may only be assessed after a hearing or opportunity to be heard.*

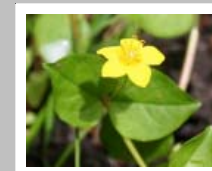
Criminal sanctions are generally a misdemeanor punishable by a fine not to exceed \$5,000 (\$10,000 for subsequent offenses) for each day during which the violation continues or by imprisonment for a term of not more than one year, or by both a fine and imprisonment. *Criminal prosecutions are conducted 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 Ulster County Health Department or visit our website at www.co.ulster.ny.us/health.



The Neighbor Notification Law for Commercial Applicators



What you need to know before applying pesticides.

ULSTER COUNTY
HEALTH DEPARTMENT
Dean N. Palen, P. E., M.B.A., Director