

By Senator Constantine

22-00429A-09

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1 A bill to be entitled
2 An act relating to protecting urban and residential
3 environments and water; creating s. 403.9335, F.S.;
4 providing a short title; creating s. 403.9336, F.S.;
5 providing legislative findings; creating s. 403.9337,
6 F.S.; encouraging county and municipal governments to
7 adopt and enforce the Model Ordinance for Florida-
8 Friendly Fertilizer Use on Urban Landscapes or an
9 equivalent requirement as a mechanism for protecting
10 local surface water and ground water quality;
11 requiring a county government or municipal government
12 located within the watershed of a water body or water
13 segment that is listed by the Department of
14 Environmental Protection as impaired to adopt the
15 model ordinance; providing that additional or more
16 stringent provisions may be adopted; creating s.
17 403.9338, F.S.; defining the term "commercial
18 fertilizer applicator"; requiring that a commercial
19 fertilizer applicator obtain training and
20 certification from the Green Industry Best Management
21 Practices program; providing an effective date.

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23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Section 403.9335, Florida Statutes, is created
26 to read:

27 403.9335 Short title.—Sections 403.9335-403.9338 may be
28 cited as the "Protection of Urban and Residential Environments
29 and Water Act."

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30 Section 2. Section 403.9336, Florida Statutes, is created
31 to read:

32 403.9336 Legislative findings.—The Legislature finds that
33 the implementation of the Model Ordinance for Florida-Friendly
34 Fertilizer Use on Urban Landscapes (2008), which was developed
35 in conjunction with the Florida Consumer Fertilizer Task Force
36 by the department, the Department of Agriculture and Consumer
37 Services, and the University of Florida Institute of Food and
38 Agricultural Sciences, will assist in protecting the quality of
39 Florida's surface water and ground water resources. The
40 Legislature further finds that local circumstances, including
41 the varying types and conditions of water bodies, site-specific
42 soils and geology, and urban or rural densities and
43 characteristics, necessitates that additional or more stringent
44 fertilizer-management practices be implemented at the local
45 government level.

46 Section 3. Section 403.9337, Florida Statutes, is created
47 to read:

48 403.9337 Adoption of the Model Ordinance for Florida-
49 Friendly Fertilizer Use on Urban Landscapes.—

50 (1) All county and municipal governments are encouraged to
51 adopt and enforce the Model Ordinance for Florida-Friendly
52 Fertilizer Use on Urban Landscapes or an equivalent requirement
53 as a mechanism for protecting local surface water and ground
54 water quality.

55 (2) Each county and municipal government located within the
56 watershed of a water body or water segment that is listed by the
57 department as impaired by nutrients pursuant to s. 403.067,
58 shall adopt, at a minimum, the Model Ordinance for Florida-

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59 Friendly Fertilizer Use on Urban Landscapes. However, a county
60 or municipal government may adopt additional provisions to or
61 more stringent provisions than the model ordinance.

62 Section 4. Section 403.9338, Florida Statutes, is created
63 to read:

64 403.9338 Commercial fertilizer applicator certification.-

65 (1) For purposes of this section, the term "commercial
66 fertilizer applicator" means a person who applies fertilizer for
67 payment or other consideration to property that is not owned by
68 the applicator.

69 (2) A commercial fertilizer applicator must obtain training
70 and certification from the Green Industry Best Management
71 Practices program, which is cooperatively implemented by the
72 department and the Institute of Food and Agricultural Sciences
73 at the University of Florida.

74 Section 5. This act shall take effect July 1, 2009.