

**TOWN OF LAKE GEORGE
LOCAL LAW NO. 4 – 2010**

**RESTRICTIONS ON THE APPLICATION OF
LAWN FERTILIZER WITHIN THE TOWN OF LAKE GEORGE**

BE IT ENACTED by the Town Board of the Town of Lake George as follows:

I. General Prohibition

No person shall at any time apply any lawn fertilizer within the Town of Lake George that is labeled as containing any phosphorus or other compound containing phosphorus.

II. Specific Regulations on Use and Application of Non-Phosphorous Fertilizer

A. No person shall apply lawn fertilizer between December 1st and April 1st.

B. No person shall apply lawn fertilizer to any impervious surface including parking lots, roadways, and sidewalks. [If such application occurs, the fertilizer must be immediately contained and either legally applied to turf or placed in an appropriate container.]

C. No person shall apply lawn fertilizer to any turf or lawn area on any real property within twenty (20) feet of any surface water, except that this restriction shall not apply where a continuous natural vegetative buffer, at least ten (10) feet wide separates a turf or lawn area and surface water.

[D. No resident shall be held responsible if a professional landscaper has been contracted to apply the prohibited chemicals.]

III. Exceptions

A. The prohibitions against the use of lawn fertilizer shall not apply to:

1. Newly established turf or lawn areas during their first growing season.
2. Turf or lawn areas for which soil tests confirm the need for additional phosphorus application. The lawn fertilizer application shall not contain an amount of phosphorus exceeding the amount and rate of application recommended in the soil test evaluation.
3. Agricultural uses, vegetable and flower gardens or application to trees or shrubs.

IV. Enforcement and Penalties

For any first violation of the provisions of this Local Law or any rule or regulation adopted pursuant to this Local Law, a civil penalty not exceeding fifty dollars (\$50.00) shall be imposed. For any second and successive violations, a civil penalty not exceeding one hundred fifty dollars (\$150.00) shall be imposed for each single violation. No civil penalty shall be imposed as provided for herein unless the alleged violator has received notice of the charge against him or her and has had an opportunity to be heard.

This Local Law shall take effect immediately upon filing with the Department of State.