

ORDINANCE NO. ____ SUPPLEMENTAL
PROHIBITING THE USE AND APPLICATION OF
NON-ORGANIC SUBSTANCES ON CITY-OWNED PROPERTIES

WHEREAS, the City of Stamford recognizes that the health and safety of its citizens is of paramount concern and that high standards for the promotion and protection of the health and safety of the people are expected to underlie municipal action; and

WHEREAS, it is in the interest of our city and all its residents to protect the ecological integrity of the Long Island Sound and to improve water quality throughout the region; and

WHEREAS, many non-organic substances are harmful to humans, pets, wildlife, including threatened and endangered species, soil microbiology, plants, and natural ecosystems; and

WHEREAS, there exists a plethora of effective and safe viable alternative solutions to the controversial use of non-organic substances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD that Chapter 143, Health Standards, of the City of Stamford Code of Ordinances be amended as follows:

CHAPTER 143 - HEALTH STANDARDS

Sec. 143-16. –Required Use of Organic Products on City Property.

A. Definitions.

“City Property” means any property owned, occupied, or controlled by the City of Stamford, including but not limited to parks, streets, sidewalks, grassy areas adjacent to city streets and sidewalks, waters, waterways, fields, athletic fields, beaches, and open spaces.

“Organic Product” means any products or materials:

- (1) Sanctioned as organic in accordance with the Organic Materials Review Institute (OMRI); or
- (2) Whose active ingredients are all listed in the OMRI Generic Materials List; or
- (3) Listed in the National Organic Program (NOP) Code of Federal Regulations Title 7 - Subtitle B - Chapter I - Subchapter M - Part 205 - Subpart G - Section §205.601; or
- (4) Designated and labeled as “for organic production” per the National Organic Program (NOP);
or
- (5) As prescribed by certified organic agents or contractors accredited through the Northeast Organic Farming Association (NOFA), provided that such prescription is in accordance with the land care and maintenance practices sanctioned by NOFA in its Standards for Organic Land Care for clients who ask for organic services.

“Prohibited Product” means any product, material, pesticide, fungicide, insecticide, herbicide, rodenticide or fertilizer that is not an “Organic Product” or a “Permanently Banned Product.”

“Permanently Banned Product” means any product, material, substance, pesticide, fungicide, insecticide, herbicide, rodenticide, or fertilizer that contains (1) Glyphosate, (2) 2,4-D, (3) 1,3-D, (4) Neonicotinoids, or (5) Chlorpyrifos.

B. Use of Organic Products.

The City of Stamford, its officers, employees, and agents shall only use and apply pesticides, fungicides, insecticides, herbicides, rodenticides and fertilizers on City Property that is an “Organic Product,” as defined herein. Organic Products shall be used in schools and on school grounds, unless a Prohibited Product is expressly permitted to be used at those locations by law.

C. Use of Prohibited Products in Emergency Situations.

The Director of Health may issue an emergency order allowing the use of a Prohibited Product to remediate an imminent threat to human health, the environment, or to the public welfare and safety. Upon issuing the order, the Director of Health shall give written notice to the Mayor, the President of the Board of Representatives, and the Health of Commission of the emergency and of the necessity to use the Prohibited Product. The use of the Prohibited Products may continue until the threat is eliminated or until such earlier time as the Health Commission may determine.

D. Application to Use Prohibited Products.

(1) Any officer, employee, or agent of the City may apply to the Director of Health for permission to use a Prohibited Product to remediate a particular condition on City Property. The Director of Health may grant the application upon a showing that reasonable attempts have been made to remediate the condition using Organic Products; that the attempted use of the Organic Products have failed to reasonably remediate the condition; and that a Prohibited Product has proven to be effective against such condition in the past. In addition, the application must include a plan to prevent the post remediation reoccurrence of the condition using Organic Products. The Director of Health shall give written notice of the granting of any such application to the Mayor, the President of the Board of Representatives, and the Health Commission.

(2) The application and the Director of Health's determination shall be posted on the City of Stamford website for public inspection and shall be made available in hardcopy at the City of Stamford Department of Health and Town Clerk office for review during normal business hours.

E. Exemptions.

Notwithstanding the requirement to use Organic Products on City Property, a Prohibited Product may be used:

- (1) At a municipal golf course for maintenance; and
- (2) By the Stamford Fire Department and Stamford Police Department when engaging in public safety activities. This exemption does not extend to the maintenance of City Property used or occupied by the Stamford Fire Department and Stamford Police Department.

F. Permanently Banned Products.

The use of a Permanently Banned Product on City Property is prohibited in all cases except:

- (1) At a municipal golf course for maintenance; and
- (2) By the Stamford Fire Department and Stamford Police Department when engaging in public safety activities. This exemption does not extend to the maintenance of City Property used or occupied by the Stamford Fire Department and Stamford Police Department; and
- (3) Where, at the effective date of this ordinance, an existing protocol uses such Permanently Banned Product on City Property to control the presence of an Invasive Species, as that term is defined by the Connecticut Invasive Plants Council in accordance with Connecticut General Statutes §§ 22a-381a through 22a-381d.

G. Lists of Available Organic Products

The Health Department shall maintain for inspection by City of Stamford officers, employees and agents, and the public (1) a list of all available Organic Products that may be used as defined herein; and (2) a record containing the NOP, OMRI, and NOFA web addresses to the appropriate lists of such Organic Products. The Health Department shall post the web addresses to the lists on the City of Stamford website.

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H. Annual Written Report.

The Director of Health or their designee shall, on an annual basis, deliver a written report specifying the Organic and non-Organic Products used on City Property. The Director of Health or their designee shall deliver the report to the Mayor and the President of the Board of Representatives; and shall post the report on the City of Stamford website for public inspection; and shall make the report available in hardcopy at the City of Stamford Department of Health and Town Clerk office for public inspection during normal business hours.

This ordinance shall become effective on July 1st, 2022.