

**CITY OF FOREST LAKE
WASHINGTON COUNTY, MINNESOTA
ORDINANCE NO. 683**

AN ORDINANCE AMENDING TITLE III, CHAPTER 35, SECTION 35.01 AND TITLE IX, CHAPTER 100, SECTIONS 100.02, 100.03, AND 100.05(B) AND (G), REMOVING CITY LICENSING REQUIREMENTS AND FEES FOR LAWN FERTILIZER APPLICATORS AND CLARIFYING LANGUAGE RELATED TO PESTICIDE APPLICATION WARNING SIGNS FOR LAWNS

THE CITY COUNCIL OF THE CITY OF FOREST LAKE ORDAINS AS FOLLOWS:

Section 1. Title III, Chapter 35, Section 35.01 Amendment: Title III, Chapter 35, Section 35 of the Forest Lake City Code is hereby amended as follows to remove the license fee shown below. The ~~struck-out-text~~ shows the deleted wording:

Fertilizer/Pesticide Applicators	\$50.00 annual
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Section 2. Title IX, Chapter 100, Section 100.02 Amendment: Title IX, Chapter 100, Section 100.02 of the Forest Lake City Code is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording:

§ 100.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~**COMMERCIAL APPLICATOR.** A person who has a commercial applicator license issued by the Minnesota Commissioner of Agriculture.~~

~~**NONCOMMERCIAL APPLICATOR.** A person with a noncommercial applicator license issued by the Minnesota Commissioner of Agriculture.~~

PEST. An insect, rodent, nematode, fungus, weed, terrestrial or aquatic plant, animal life, virus, bacteria or other organism designated by rule as a pest, except a virus, bacteria or other microorganism on or in living humans or other living animals.

PESTICIDE. A substance or mixture of substances intended to prevent, destroy, repel, or mitigate a pest, and a substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

PLANT REGULATOR. A substance or mixture of substances intended through physiological action to accelerate or retard the rate of growth or rate of maturation of a plant, or to otherwise alter the behavior of ornamental or crop plants or the produce of the plants. **PLANT REGULATOR** does not include substances to the extent that they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants or soil amendments.
(Prior Code, § 31.015)

Section 3. Title IX, Chapter 100, 100.03 Repeal: Title IX, Chapter 100, Section 100.03 of the Forest Lake City Code is hereby repealed in its entirety.

Section 4. Title IX, Chapter 100, Section 100.05(B) Amendment: Title IX, Chapter 100, Section 100.05(B) of the Forest Lake City Code is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording:

§ 100.05 GENERAL REGULATIONS.

(B) Sample analysis cost. The cost of analyzing fertilizer samples taken from ~~commercial applicators or~~ property owners shall be paid by the ~~commercial applicators or~~ property owners if the sample analysis indicates that the phosphorus content exceeds the levels authorized herein.

Section 5. Title IX, Chapter 100, Section 100.05(G) Amendment: Title IX, Chapter 100, Section 100.05(G) of the Forest Lake City Code is hereby amended as follows. The underlined text shows the language added to the code:

(G) Warning signs for pesticide application. All commercial or noncommercial applicators licensed by the Minnesota Department of Agriculture who apply pesticides to turf areas must post or affix warning signs to the property where the pesticides are applied. The warning signs shall comply with the following criteria and contain the following information:

Section 6. Summary Publication. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance amends various provisions of Chapter 100 of the City Code to eliminate the requirement for all persons or entities engaged in the business of commercial lawn fertilizer applicator obtain a license from the City prior to engaging in said business within the City of Forest Lake, clarifies that commercial and noncommercial applicators licensed by the Minnesota Department of Agriculture who apply pesticides to turf areas must post warning signs on the property where the pesticides are applied, and eliminates the annual fertilizer/pesticide applicator license fee found in Chapter 35 of the City Code.

Section 7. Effective Date. This Ordinance shall be in full force and effect upon its adoption and publication as provided by law.

Passed in regular session of the City Council on the 5 day of November, 2018.

CITY OF FOREST LAKE
By: Ben Winnick
Its: Mayor
Attested: By: Patrick Casey
Its: City Administrator/City Clerk

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