

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0047

Sponsored by: Councilmembers Simon, Rogers, Miller and Jones	An Ordinance prohibiting the use of pesticides on property owned by Cuyahoga County and requiring the adoption of an Integrated Pest Management Program for County-owned properties, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Cuyahoga County recognizes that there is an ongoing need to manage pests to protect public health and safety, our environment and County assets; and

WHEREAS, Cuyahoga County recognizes that many pesticides are toxic and that the use of pesticides containing known carcinogens is a threat to the health, safety and welfare of Cuyahoga County residents; and

WHEREAS, Council desires to ensure that the County appropriately manages threats to public health and safety and welfare by prohibiting the use of pesticides on property owned by Cuyahoga County and by requiring the adoption of an Integrated Pest Management Program; and

WHEREAS, it is necessary that this Ordinance become effective immediately in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a county department.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Definitions.

As used in this Ordinance,

“Integrated Pest Management (IPM)” means a decision making, record-keeping process for managing pests that uses monitoring to determine pest injury levels, and combines biological, cultural, mechanical, physical, and chemical tools and other management practices to control pests in a safe, cost effective, and environmentally sound manner that contributes to the protection of public health and sustainability. This method uses extensive knowledge about pests, such as infestations, thresholds, life histories, environmental requirements, and natural

control of pests. The method involves the use of non-chemical pest-control methods and the careful use of least-toxic chemical methods when non-chemical methods have been exhausted or are not feasible.

“Larvicide” shall mean a pesticide designed to kill larval pests.

“Organic Pest Management (OPM)” means an approach to eliminate vectors using only products derived from natural ingredients (animal or vegetable) such as natural oils, minerals from the earth, and plants.

“Pesticide” shall mean any spray adjuvant, substance or mixture of synthetic chemical substances, which is intended to be used for defoliating plants, regulating plant growth or for preventing, destroying, repelling, or mitigating any pest which may infest or be detrimental to vegetation, man, animals or households, or be present in any agricultural or non-agricultural environment, including fungicides, herbicides, insecticides, nematocides, rodenticides, desiccants, defoliant, and plant growth regulators.

“Organic Pesticide” shall mean a pesticide that is strictly of animal or vegetable origin.

“Public Health” shall mean the science and practice of protecting and improving the health of a community, as by preventive medicine, health education, control of communicable diseases, application of sanitary measures, and monitoring of environmental hazards.

“Rodenticides” shall mean a pesticide designed to kill rodent pests.

“Vector” shall mean any agent (animal, insect, or microorganism) that carries and transmits an infectious pathogen into another organism.

SECTION 2. Prohibition of the use of Pesticides on County-owned Property.

The use of pesticides on property owned by Cuyahoga County is hereby prohibited.

SECTION 3. Exceptions.

- (a) The application of larvicides and rodenticides is permitted as a public health measure necessary to reduce the spread of disease vectors pursuant to the recommendations and guidance provided by the Centers for Disease Control and Prevention, the US EPA and the Ohio Department of Agriculture. Any rodenticides used shall be placed in tamper-proof products, unless designed and registered for specific environments inaccessible to humans and pets.

- (b) The use of pesticides may be approved with a mandatory finding by the Department of Public Works through consultation with the City of Cleveland Department of Public Health or the Cuyahoga County Board of Health affirming after a finding that the health, safety and welfare of the community is so threatened that no reasonable alternative is available and the prohibition of the use of pesticides would create the potential for allowing a significant adverse impact to the public. Under said emergency circumstance, the Cuyahoga County Board of Health and the Department of Public Works shall report their findings to County Council at its next regularly scheduled meeting.

SECTION 4. Integrated Pest Management.

- (a) Adoption of Program: The County shall adopt an Integrated Pest Management (IPM) program for County-owned properties.
- (b) IPM Program Requirements: The following steps outline the basic approach used in an IPM program:
 - 1) Monitoring and scouting the turf or landscape in question;
 - 2) Accurate record-keeping documenting any potential pest problems;
 - 3) Evaluation of the site with regard to any injury caused by a pest in question and a determination made on which course of treatment to follow;
 - 4) Chosen treatment to be the least damaging to the general environment and one that best preserves the natural ecosystem;
 - 5) Chosen treatment to be the most likely to produce long-term reductions in pest control requirements. The effective implementation must be operationally feasible, and must be cost effective in the short and long term;
 - 6) Chosen treatment must minimize negative impact to non-target organisms;
 - 7) Chosen treatment must be the least disruptive of natural controls available;
 - 8) Chosen treatment must be the least hazardous to human health;
 - 9) All non-chemical and organic treatments available for the targeted pest should be exhausted prior to the use of synthetic chemical treatments.

- (c) The Department of Public Works shall provide training in IPM for all employees responsible for pest management.

SECTION 5. Effective Date. Provided this Ordinance receives the affirmative vote of eight of the members of Council, it shall take effect immediately upon the signature of the County Executive. It is hereby determined to be necessary that this Ordinance become immediately effective in order that Cuyahoga County services may continue to be provided in a consistent manner, and so that the usual and daily operations of government may continue to function.

SECTION 6. That the Clerk of Council, in cooperation with Councilmembers, is hereby directed to transmit copies of this Resolution to all Mayors and Council Presidents of municipalities located in Cuyahoga County to encourage passage of similar legislation.

SECTION 7. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Ms. Simon, seconded by Mr. Rogers, the foregoing Ordinance was duly enacted.

Yeas: Simon, Miller, Brady, Germana, Gallagher, Conwell, Jones, Rogers and Connally

Nays: Schron

County Council President	Date
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County Executive	Date
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Clerk of Council	Date
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First Reading/Referred to Committee: September 27, 2011
Committee(s) Assigned: Environment & Sustainability

Additional Sponsorship Requested on the Floor: September 27, 2011

Second Reading: March 27, 2012

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