

AN ORDINANCE REGULATING THE USE OF LAWN FERTILIZERS

BE IT ORDAINED, by the [MUNICIPALITY] in [COUNTY] and State of New Jersey, as follows;

Section 1. Purpose. It has been determined that the use of fertilizers containing phosphorus, and their eventual presence in stormwater runoff constitutes a threat to the water quality of [MUNICIPALITY], which is inimical to the general welfare. It is the purpose of this Ordinance to decrease the use in the Borough of fertilizers containing phosphorus.

Section 2. Definitions.

The term "Lawn fertilizer" shall mean any substance used to increase soil fertility which contains phosphorus exceeding 0.5% expressed as P205 on a dry basis.

Section 3. Prohibited Conduct.

- A. No person, firm, corporation or franchise, shall apply fertilizer to lawns within the [MUNICIPALITY] which contains phosphorus exceeding 0.5% expressed as P205 on a dry basis.
- B. Lawn fertilizer shall not be applied when the ground is frozen.
- C. Fertilizer applications shall not be made within ten (10) feet of any wetland or body of water.

Section 4. Exemption.

Newly established turf areas shall be exempt from the provisions of this for the first growing season.

Section 5. Penalty for Violations.

Any person, firm, corporation or franchise violating any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine not exceeding \$1,000; imprisonment in the County Jail for a term not exceeding 90 days or by a period of community service not exceeding 90 days or any combination thereof.

Section 6. All Ordinances of [MUNICIPALITY] which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not effect the remaining portion of this Ordinance.

Section 8. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

[MUNICIPALITY]
[COUNTY]
STATE OF NEW JERSEY

SIGNED BY:

ATTESTED BY: