



City of North Port

RESOLUTION NO. 2018-R-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, ENCOURAGING THE NON-USE OF FERTILIZERS YEAR-ROUND; DIRECTING STAFF TO DEVELOP AN EDUCATIONAL PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Port recognizes that local nutrient pollutants can affect the regional watershed, and the City of North Port desires to be part of a regional effort to improve water quality; and,

WHEREAS, water quality is critical to the City of North Port's environmental, economic, and recreational prosperity and to the health, safety and welfare of the citizens of the City; and

WHEREAS, the current red tide bloom, other algae, and water related problems have heightened community concerns about water quality; and

WHEREAS, there is a need to develop a stronger knowledge of the connection between the stormwater flow from yards, commercial, light industrial and agricultural facilities, streets, and stormwater systems and natural water bodies among all those who live, work, and recreate in the City; and

WHEREAS, nutrients are essential elements for plant and algal growth and commonly used in various forms as a fertilizer for lawns and landscape application; and

WHEREAS, if reclaimed water is available, residents, commercial, light industrial, and agricultural users are encouraged to use reclaimed water which contains essential nutrients in lieu of fertilizers. Proper application of reclaimed water shall be practiced minimizing excessive reclaimed water runoff into the City's waterbodies; and

WHEREAS, leaching and runoff of nutrients from improper or excess fertilization practices can contribute to nitrogen and phosphorus pollution of the City's waterbodies; and

WHEREAS, the Code of the City of North Port, Florida, Chapter 22 – Environmental and Natural Resources, Article II – Fertilizer and Landscape Management prohibits the application of fertilizers containing nitrogen and/or phosphorus to turf from June 1 through September 30; and

WHEREAS, Florida law partially preempts local governments from regulating the use of fertilizers; and

WHEREAS, the City finds that a voluntary expansion of the prohibition on the application of fertilizers on turf and/or landscape plants to year-round would improve water quality; and

WHEREAS, this Resolution is part of a multifaceted effort by the City to improve water quality.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 – INCORPORATION OF RECITALS

- 1.01 The above recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by reference..

SECTION 2 – RESOLUTION

- 2.01 The City Commission hereby encourages all persons, businesses, associations, clubs, and/or organizations to discontinue, year-round, the application of any fertilizer, including pesticide/fertilizer mixtures, containing nitrogen and/or phosphorus to turf, sod, lawns, trees, shrubs, groundcover, or any other landscape plant, and encourages the reduction of fertilizer in hydroseed mixtures.
- 2.01 The City Commission hereby directs staff to develop an educational program for the residents, businesses, associations, clubs, and organizations of the City regarding the effects of fertilizer on water quality, methods to reduce fertilizer usage and the proper application and usage of fertilizer.

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this Resolution and any other Resolution or portions thereof, the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

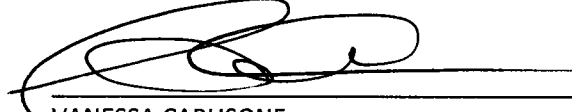
- 4.01 In any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

SECTION 5 – EFFECTIVE DATE

- 5.01 This Resolution shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

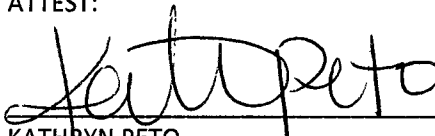
PASSED and DULY ADOPTED by the City Commission of the City of North Port, Florida this 9th day of October 2018.

THE CITY OF NORTH PORT, FLORIDA




VANESSA CARUSONE
MAYOR

ATTEST:



KATHRYN PETO
INTERIM CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:



AMBER L. SLAYTON
CITY ATTORNEY