



Legislation Text

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Int. No. 800

By Council Members Kallos, Rosenthal, Constantinides, Eugene, Koo, Mealy, Menchaca, Johnson, Levin, Perkins, Chin, Richards, Levine, Maisel, Espinal, Cohen, Van Bramer, Treyger, Williams and Rose

A Local Law to amend the administrative code of the city of New York, in relation to the use of pesticides by City agencies.

Be it enacted by the Council as follows:

Section 1. Section 17-1203 of chapter 12 of title 17 of the administrative code of the city of New York is amended to read as follows:

§17-1203 Reduction of pesticide use. a. Effective six months after the enactment of the local law that added this section, no city agency or contractor shall apply to any property owned or leased by the city any pesticide classified as Toxicity Category I by the United States environmental protection agency as of April 1, 2005, provided that for any pesticide classified as Toxicity Category I by the United States environmental protection agency after April 1, 2005, no such agency or contractor shall apply such pesticide after six months of its having been so classified, except as provided for in sections 17-1205 or 17-1206 of this chapter.

b. Effective twelve months after the enactment of the local law that added this section, no city agency or contractor shall apply to any property owned or leased by the city any pesticide classified as a human carcinogen, likely to be carcinogenic to humans, a known/likely carcinogen, a probable human carcinogen, or a possible human carcinogen by the office of pesticide programs of the United States environmental protection agency as of April 1, 2005, except as provided for in sections 17-1205 or 17-1206 of this chapter.

c. Effective eighteen months after enactment of the local law that added this section, no city agency or contractor shall apply to any property owned or leased by the city any pesticide classified by the California

office of environmental health hazard assessment as a developmental toxin as of April 1, 2005, except as provided for in sections 17-1205 or 17-1206 of this chapter.

d. Effective twelve months after the enactment of the local law that amended this section, no city agency or contractor shall apply to any property owned or leased by the city any pesticide other than a biological pesticide, except as provided for in sections 17-1205 and 17-1206 of this chapter.

[d.] e. On February 1, 2007, and every February 1 thereafter, the department shall submit to the City Council a report listing changes made to the list of pesticides classified as a human carcinogen, likely to be carcinogenic to humans, a known/likely carcinogen, a probable human carcinogen, or a possible human carcinogen by the office of pesticide programs of the United States environmental protection agency and the list of pesticides classified as developmental toxins by the California office of environmental health hazard assessment after April 1, 2005. Such reports shall also include, for each pesticide added to or removed from such classifications, whether and to what extent such pesticide is used by city agencies or contractors in the city of New York.

§ 2. Section 17-1205 of chapter 12 of title 17 of the administrative code of the city of New York is amended to read as follows:

§17-1205 Exemptions. a. The restrictions established pursuant to section 17-1203 of this chapter shall not apply to the following:

(1) pesticides otherwise lawfully used for the purpose of maintaining a safe drinking water supply at drinking water treatment plants, wastewater treatment plants, reservoirs, and related collection, distribution and treatment facilities;

(2) anti-microbial pesticides;

(3) pesticides applied to professional sports playing fields, golf courses or used to maintain water quality in swimming pools;

(4) pesticides used for the purpose of maintaining heating, ventilation and air conditioning systems,

cooling towers and other industrial cooling and heating systems;

(5) pesticides used for the purpose of rodent control in containerized baits or placed directly into rodent burrows or placed in areas inaccessible to children or pets;

(6) pesticides or classes of pesticides classified by the United States environmental protection agency as not requiring regulation under the federal insecticide, fungicide and rodenticide act, and therefore exempt from such regulation when intended for use, and used only in the manner specified; and

(7) [biological pesticides; and

(8)] boric acid and disodium tetrahydrate, silica gels, diatomaceous earth, and nonvolatile insect bait in tamper resistant containers.

§ 3. This local law shall take effect immediately.

KS  
LS #2219  
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