

LEGISLATION

Local pesticide regs tough to enforce, don't make sense

MAYFIELD VILLAGE, Ohio—Enforcement of a pre-notification law here has authorities, LCOs and homeowners confused.

"The ordinance...is really quite unenforceable," says Phil Fogarty, president of the Ohio Lawn Care Association and Crowley Lawn Service, Inc. in Cleveland. The company

operates in the village.

"I don't know how we're going to police it," says Gus Amendola, Mayfield's building commissioner charged with enforcing a 1987 pre-notification law. That law requires that all abutting property owners be given 24 hours notice before pesticide applications by

either professionals or homeowners.

According to law director, Fred P. Ramos, applicators will be notified of the law: "We want to be fair. We don't want to be citing people tomorrow, says Ramos."

Amendola says he was told to start enforcement immediately.

"I'm a little skeptical," says Amendola, "because the 24-hour notice will be difficult." He expects notices to be placed in

mailboxes. "Someone could put the notice in the mailbox at 2 o'clock in the morning and then come back and spray at 8 a.m. How do I know what time they (put the notice in the mailbox.?)?"

Citizens who work during the day are another concern. "People will not get their mail until they come home," Amendola points out.

Also, it's against federal law to place non-mailed items in mailboxes.

Fogarty is trying to come up with a sensible ordinance that can be used in Mayfield and surrounding communities. "I'm attempting to get these cities to sit down with the industry and environmental people and work something out," he says. Fogarty admits that he has a tough job when it comes to seeking suitable pesticide ordinances. The co-host of a gardening radio show, Fogarty is bringing 2,4-D developer, Wendell Mullison, to town. The plan was to have Mullison meet with local officials, yet one mayor up for reelection this fall told Fogarty that he wouldn't be seen in public with Mullison.

Fogarty still hopes a solution can be negotiated. "I'm trying to get something accomplished, not draw battlelines," he says.

—Jim Guyette □

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EVENTS

AUGUST

13: Associated Green Industries of Northeastern Ohio summer field day, Great Lakes Evergreens, Madison, Ohio. Contact: AGI, (216) 572-2784.

15: The Wisconsin Nurserymen's Association, summer field day and trade show, Lied's Nursery Farms, Sussex, Wisc. Contact: (414) 246-7445.

21: Michigan Nursery and Landscape Assoc., field day, The Cottage Gardens, Inc., Lansing, Mich. Contact: MNLA, 819

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