


**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager   
**DATE:** September 18, 2017  
**SUBJECT:** Ordinance No. 1657, Use of Fertilizers

**Procedure:** Call Up Item  
Mayor asks Attorney to Read Ordinance by Title Only  
City Manager Background  
Public Hearing  
Council Motion & Discussion  
Council Action

**Introduction:** This is a request for City Council to adopt an ordinance related to the use of fertilizers in the City of Oviedo.

**Discussion:** The City of Oviedo, along with other cities located within Seminole County, is a co-permittee under the National Pollutant Discharge (NPDES) permit issued by the Florida Department of Environmental Protection (FDEP). As such, the City is required by FDEP to adopt an ordinance that regulates fertilizers containing nitrogen and/or phosphorous as well as providing specific management guidelines for fertilizer application in order to minimize negative impacts to our natural waterbodies. Seminole County passed its Fertilizer Ordinance with an effective date of February 28, 2017. However, enforcement of the County's ordinance will not begin until October 1, 2017.

Key highlights of Ordinance No. 1657 are as follows:

- Provides certain exceptions for turf management for active recreation areas such as golf courses and athletic fields.
- Fertilizer containing nitrogen or phosphorous cannot be applied to turf during the restricted season from June 1st – September 30th. Fertilizers containing Iron, Manganese and other "micronutrients" also referred to as "summer blends" can be applied during the restricted season to keep lawns healthy and green (as recommended by Florida Yards Neighborhood/Florida Friendly Landscape Program).
- Fertilizer containing nitrogen that is used during the non-restricted season (October 1st – May 31st) must contain at least 50% or more slow release nitrogen. This slow release nitrogen content will increase to 65%, three (3) years after adoption of Ordinance No. 1657

to allow time for educational outreach to residents and retailers. Nitrogen is responsible for growth in plants and also creating chlorophyll (a green lawn!). The City's use of reclaimed water, where available, already contains nitrogen and should be sufficient for residential purposes for a healthy lawn. Leaving lawn clippings on the ground also introduces an acceptable amount to assist with a natural healthy lawn. The overuse of Nitrogen within quick release fertilizer is responsible for overgrowth of lawns requiring more mowing, overstimulates plants requiring more watering creating a more attractive haven for insects, mosquito larva, fungi and disease and leaching into the ground-soil which in turn pollutes groundwater. Nitrogen in concentrated amounts can release ammonia which can cause fish kills. Slow release nitrogen is best for yellowing lawns.

- Fertilizer containing phosphorus cannot be applied to turf or plants unless a state certified soil or tissue test verifies that there is a phosphorus deficiency. Most home applications of fertilizer do not contain phosphorus and phosphorous is a natural macro-nutrient component in grass clippings so leaving grass clippings on the ground provides this natural fertilizer. The reason for banning the additional application of the component is to slow eutrophication from our surface waters, ponds and ditches which can cause fish kills through depleted algae levels, harm wildlife and is responsible for nuisance algae blooms. Eutrophication is the process by which a body of water becomes enriched in dissolved nutrients (such as phosphates) that stimulate growth of aquatic plant life usually resulting in the depletion of dissolved oxygen.
- Use of deflector shields is required when applying fertilizer with a broadcast or rotary spreader.
- No fertilizer may be applied within fifteen (15) feet of any pond, lake, stream, canal, or other waterbody, including wetlands.

Ordinance No. 1657 has been reviewed and edited by the City Attorney. The City Attorney recommends approval. Staff also recommends approval.

**Budget Impact:** There is no impact to the City's Budget by adopting Ordinance No. 1657.

**Strategic Impact:** Furthers the goals of the Natural and Built Systems Strategic Focus Areas by sustaining programs and efforts to conserve natural resources.

**Recommendation:** It is recommended that City Council read Ordinance No. 1657 by title only, conduct a public hearing, and adopt Ordinance No. 1657.

Prepared by: Susan Sheikh, Operational Resources Manager  
Reviewed by: Amanda Kortus, Stormwater Coordinator  
Bobby Wyatt, Public Works Director