

RESOLUTION NO. 02-2023

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA REQUESTING A LEGISLATIVE EXEMPTION FROM THE PREEMPTION LAWS GOVERNING THE REGULATION OF PESTICIDES WITHIN THE TOWN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Governor's Freedom First budget for 2022-23 continues the State's commitment to water quality by allocating more than \$2.2 billion for key environmental priorities, including \$972 million dedicated to Everglades and water quality protection; and

WHEREAS, this funding allows the Florida Department of Environmental Protection (FDEP) and other partners to continue work to expedite Everglades restoration through sound science and project collaboration; implement clean water projects to reduce nutrients in our waterways; assist communities with water supply projects to meet Florida's future water needs; combat blue-green algae and red tide which have harmful environmental and economic impacts on surrounding communities; and improve community resilience through technical assistance and funding to address flooding, erosion and ecosystem changes; and

WHEREAS, currently, Florida law preempts the Town of Jupiter Inlet Colony (TOWN) from regulating the application of pesticides within the TOWN; and

WHEREAS, geographically the TOWN is comprised of a peninsula located on the southern tip of Jupiter Island and is surrounded by water on three (3) sides creating a unique and very fragile marine and estuarine ecosystem particularly susceptible to the effects of harmful synthetic pesticides; and

WHEREAS, the over-application of synthetic chemicals, including pesticides, herbicides and fungicides, on properties within the TOWN creates the potential for these chemicals to percolate into the groundwater and runoff impervious areas during storm events, creating a hazard for TOWN residents and the natural environment including the Intracoastal Waterway, Jupiter Inlet and the Atlantic Ocean; and

WHEREAS, exposure to pesticides is acknowledged by the State of Florida to be harmful to humans, pets and other wildlife, including birds, beneficial pollinators, and aquatic life as evidenced by its mandatory signage program warning residents to keep children and pets off properties recently treated with these chemicals; and

WHEREAS, the Governor of State of Florida has repeatedly recognized that "One size doesn't fit all" on numerous important issues affecting the State, and consistent with this understanding and the Governor's commitment to water quality, the TOWN respectfully requests a legislative exemption from preemption laws governing the applications of pesticides within the TOWN.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA:

SECTION 1. The above recitals are declared to be true and correct and are incorporated herein by reference.

SECTION 2. The Town Administrator is directed to provide a copy of this Resolution to the Governor of the State of Florida, the elected officials of the Town of Palm Beach, Village of North Palm Beach, City of Palm Beach Gardens, Town of Juno Beach, Town of Jupiter, Village of Tequesta, and all members of the Palm Beach County Legislative Delegation.

SECTION 3. This Resolution shall take effective immediately upon its adoption.

PASSED AND ADOPTED this 13 day of March 2023.

TOWN OF JUPITER INLET COLONY,  
FLORIDA

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Mayor, Daniel J. Comerford, III

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Vice-Mayor, Milton J. Block

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Commissioner, Lisa H. Hines

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Commissioner, Marie Rosner

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Commissioner, Richard D. Busto

ATTEST:

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Town Clerk-Ivelisse Chico-Randazzo