

3/16/2010
3/15/2010
2/10/2010

20-R-10

A RESOLUTION

Adopting the City of Evanston Sustainable
Pest Control and Pesticide Reduction Policy

WHEREAS, public health and environmental protection are necessary to promote the general well being and welfare of people, livelihoods and ecosystems; and

WHEREAS, the concept of sustainability obligates and compels municipalities to balance concern for the economic, environmental, and social viability of a community by taking a systematic, holistic, and comprehensive approach to its operations; and

WHEREAS, pesticides are linked to a variety of known adverse health outcomes in people, as well as detrimental environmental impacts to water, soil, air and wildlife; and

WHEREAS, pesticide reduction is a generally accepted and legitimate public policy goal that is consistent with sustainability; and

WHEREAS, alternative approaches to conventional pest management exist which effectively control pests while reducing pesticide applications, promote public health and the environment, and save money when utilized consistently and systematically; and

WHEREAS, the City of Evanston seeks to serve as a model to the public for the use of sustainable pest control practices, including natural lawn care and integrated pest management, as well as increase awareness about such practices; and

WHEREAS, the purpose of this Resolution is to reduce the use of pesticides in the City of Evanston through the implementation of sustainable pest control practices on City-owned or -leased property, and to educate the general public as well as the private sector about these practices;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the City Council hereby adopts the City of Evanston Sustainable Pest Control and Pesticide Reduction Policy to read as follows:

1. It shall be the policy of the City of Evanston to reduce pesticide applications on City-owned or -leased property to the maximum extent feasible through the implementation of least-toxic integrated pest management techniques. The City, in carrying out its operations, shall assume that pesticides are potentially hazardous to human and environmental health.

2. The following words and phrases shall be construed as defined in this section:

a. **Pest:** Any plant, animal, insect, virus, bacteria or other microorganism that occurs where it is not wanted or that causes damage to vegetation or humans or other animals. Pests may include but are not limited to insects, weeds, rodents and fungi.

b. **Pesticide:** Any substance intended to control, destroy, repel, or mitigate a pest. Pesticides include, but are not limited to, herbicides, fungicides, insecticides, rodenticides and any other compounds and organisms, naturally occurring or otherwise, requiring registration or exempt from registration under

the *Federal Insecticide, Rodenticide and Fungicide Act* (7 U.S.C. 136) and subsequent regulations under 40 CFR 150-189.

c. Integrated Pest Management (IPM) Coordinator: The designated City representative for pest control activities.

d. Integrated Pest Management (IPM): A pest management technique that gives preference to the safest pest control methods and uses conventional chemical pesticides only when no other feasible alternative exists. It addresses the underlying causes of pest problems, and seeks to find effective long-term solutions that emphasize prevention.

3. All City employees, agents, and contractors shall adhere to the provisions of this Resolution. The City shall designate an IPM Coordinator for the purpose of ensuring compliance with the provisions of this Resolution. The IPM Coordinator, in consultation with relevant departments, shall develop appropriate language for all City contracts that require compliance with the provisions of this Resolution. A copy of this Resolution shall be attached to all contracts.

4. Prohibited Pesticides:

a. Except for pesticides granted an exemption pursuant to Section 5, effective six (6) months from the date of enactment of this Resolution, no City employee, agent, or contractor shall apply the following pesticides to any City-owned or -leased property:

1) Those classified by the United States Environmental Protection Agency (US EPA) as known, probable, likely, possible, or suspected carcinogens;

2) Those classified by US EPA as Toxicity Category I and Toxicity Category II pesticides under 40 CFR 156.62 and 156.64; or

3) Chemicals known by the State of California to cause cancer or reproductive toxicity as published on the Proposition 65 (*Safe Drinking Water and Toxic Enforcement Act of 1986*) list pursuant to Title 27 of the *California Code of Regulations*.

b. The most current versions of the three lists in a) above are adopted by reference. The IPM Coordinator will maintain links to the lists on the City of Evanston website.

5. Notwithstanding any other provision of this Resolution, this Resolution shall not apply to the use of pesticides for the following purposes:

- a. Anti-microbial pesticides and hand sanitizers;
 - b. Pesticides used for the purposes of maintaining safe drinking water; treating waste water, sewage or sludge; maintaining heating, cooling and ventilation systems; and those used to maintain water quality in swimming pools;
 - c. Pesticides prescribed by a licensed veterinarian for the control of parasites of wild, domestic, or exotic animals;
 - d. Pesticides classified as minimum risk pesticides and exempted from registration by the US EPA under 40 CFR 152.25, or those not requiring regulation under the *Federal Insecticide, Fungicide and Rodenticide Act* (7 U.S.C. 136);
 - e. Rodenticide baits in tamper-resistant containers or rodenticide baits placed directly into rodent burrows so they are inaccessible to children, pets, or wildlife;
 - f. Non-volatile insecticide baits in tamper-resistant containers or placed so they are inaccessible to children, pets, and wildlife;
 - g. Biological or microbial pesticides; or
 - h. Boric acid, disodium tetrahydrate, silica gels, and diatomaceous earth.
6. Except for pesticides granted an exemption pursuant to Section 5, effective two (2) years from the date of enactment of this Resolution, no City employee, agent, or contractor shall apply any pesticide on City-owned or -leased property.
7. Except for pesticides granted an exemption pursuant to Section 5, within thirty (30) days of the effective date of this Resolution, the City shall comply with the following notification procedures:
- a. Signs shall be posted at least seventy-two (72) hours prior to any pesticide application and remain posted for at least four (4) days after application.
 - b. Signs shall be posted at every entry point where the pesticide is applied if applied in an enclosed area and in highly visible areas around the perimeter if the pesticide is applied in an open area.

c. Signs shall be of a standardized design that is readily visible, easily recognizable and understandable to employees, agents, contractors, and the public.

d. Signage shall contain the following information: common name and active ingredient(s) of each pesticide applied, the target pest, the date and time of pesticide application, and the name and telephone number of the IPM Coordinator.

e. Where signage is impractical, the IPM Coordinator shall determine an appropriate alternative method of notification that provides at least twenty-four (24) hours notice prior to any pesticide application.

f. In the event that a pest outbreak poses an immediate threat to public health and safety or of significant economic damage to property, notification shall be concurrent with pesticide application or as soon thereafter as is practical.

g. Pesticides applied to rights-of-way and other areas not used by, or easily accessible to, the public are exempt from the notification provisions of this section.

8. In the event that a pest outbreak poses an immediate threat to public health and safety or threatens to cause significant economic damage to property, the Director of the Evanston Health Department may grant a waiver of the restrictions in Sections 4 and 6, not to exceed thirty (30) days.

9. Each City department or agency that uses pesticides shall keep records of all pesticide management activities for at least three (3) years or as required by state and federal law, whichever is greater. These records shall include the following information: target pest; common name, active ingredient and quantity of pesticide used; EPA registration number, where applicable; date of application; non-pesticide control methods used; proof of notification; and any exemptions granted by the IPM Coordinator.

10. Effective one (1) year from the date of enactment of this Resolution and every two (2) years thereafter, the IPM coordinator shall submit a report on the City's use of pesticides and pesticide reduction efforts to the City Council for review.

11. The IPM Coordinator, or another qualified agency or organization selected by the IPM Coordinator, shall conduct at least one training session every two (2) years for relevant department managers and staff responsible for pest control or the use of any pesticide on City-owned or -leased property

regarding this Resolution, sustainable pest management practices and City outreach efforts. All contractors engaged in pest control activities on City-owned or -leased property shall be required to attend such training sessions and meetings or shall provide proof of equivalent education.

12. Nothing in this policy shall be construed to usurp state and federal authority, or that of the North Shore Mosquito Abatement District, controlling the registration and application of pesticides, whether for public health purposes, mosquito abatement, private sector applications or otherwise. All uses of pesticides must be in accordance with applicable state and federal laws.

SECTION 2: That the City Manager is hereby authorized and directed to implement the City of Evanston Sustainable Pest Control and Pesticide Reduction Policy.

SECTION 3: That this Resolution 20-R-10 shall be in full force and effect from and after the date of its passage and approval in the manner provided by law.

Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene, City Clerk

Adopted: _____, 2010