

BLUE HILL HEALTHY ECOSYSTEM ORDINANCE FREQUENTLY ASKED QUESTIONS (FAQs)

1. What is the purpose of this Ordinance?

There is a large body of evidence demonstrating that synthetic pesticides have serious detrimental effects on human health and the environment. The purpose of this ordinance is to safeguard the health and welfare of the residents of the Town of Blue Hill and their pets, and to conserve and protect the water bodies and wetlands of our Town, and our wildlife, plants, and soils, by curtailing the use of synthetic pesticides for all outdoor pest and plant management on both public and private property. This is in line with implementation strategies that over 30 other towns have put in place across the state of Maine in recent years.

2. Where can I read the Healthy Ecosystem Ordinance (HEO) in full?

The Healthy Ecosystem Ordinance (HEO) was approved at the Blue Hill Town Meeting of 2020, and went into effect on January 1, 2021. It was amended in 2024 by vote at the Annual Town Meeting. It is located on the web site of the Town of Blue Hill (bluehillme.gov/resources/town-ordinances), under “Health/Welfare Ordinances”.

3. Who will enforce the ordinance?

The Public Health Officer (PHO) will be responsible for enforcing the provisions of the HEO. Upon determining that a violation of any provision of the HEO has occurred, the PHO shall provide written notice to the property owner to identify the violation and impose the fines in Section G of the HEO.

4. Where will pesticides be restricted?

The HEO limits the use of synthetic pesticides for all lawns, gardens, and landscapes, on both public and private property, whether managed by a licensed pesticide applicator, business owner, or property owner. The following areas are included:

- Lawns
- Ornamental gardens
- Sidewalks
- Driveways
- Parks, trails, school yards and playing fields

Note: Contained, small rodent bait boxes or stations around building foundations are permitted by the HEO; and there are some other uses which are also permitted. These are listed in section E “Exemptions” of the HEO and are also listed below in Section 9. Please use per manufacturer’s label.

5. Are there any special restrictions around water bodies: ponds, rivers, streams?

Yes. Application, storage or sale of ALL prohibited pesticides, whether organic or synthetic, are prohibited within 250 feet of the maximum high water line of a water body, wetland or drainage ditch within the Town of Blue Hill. Aquatic life is especially vulnerable to the harmful effects of these chemicals.

6. If I need to use a pesticide, what products can I use?

You can use products labeled and permitted by any of these organizations, as long as the safety criteria and limitations on the label are met:

- **OMRI:** Organic Materials Review Institute. You can search their huge data base: <https://www.omri.org/omri-search>
- **NOP:** the USDA National Organics Program. Look for products where the label says “FOR ORGANIC GARDENING”
- **MOFGA:** Maine Organic Farmers and Gardeners Association can provide information for your specific situation. See www.mofga.org

Products classified as “minimum risk” by the EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) are allowed under the HEO and are included in the above.

Some examples are:

- Horticultural oils, castor oil
- Insecticidal soaps
- Vinegar-based herbicides
- Corn gluten
- Essential oil-based pesticides
- Diatomaceous earth
- Biologically-based pesticides (like bacillus thuringiensis)

7. Why are these products recommended?

First, it has been well established that a sustainable long-term solution for many pests is **building healthy SOIL**, filled with millions of microscopic organisms which make nutrients available to plants. Using organic matter (compost, decayed leaves, grass, etc.) feeds the microorganisms, improves soil structure, and helps to retain moisture, resist erosion, and limit pest infestations. Healthy soil also stores atmospheric carbon, reducing harmful effects on the climate.

Second, organic plant management is based on respect for healthy communities and a healthy environment. It is a long-term strategy that is built on an understanding of the interrelatedness of humans, plants, animals, and the environment in which we live. Since all pesticide products, even those that are organic, have some degree of risk, organic land

managers urge that they only be used as a last resort and in accordance with instructions specified on the label by the manufacturer.

Third, unlike organic products, there is extensive evidence that synthetic pesticides are associated with serious illnesses.

And fourth, materials allowed under the federal organic standards are subject to more rigorous testing than those used in conventional systems (see Section 13 below).

8. Which pesticides will be restricted?

The use of synthetic pesticides is prohibited for lawns, landscapes, and outdoor pest management on public and private property. Also included are ornamental gardens, patios, driveways, parks and playing fields. There are exemptions in the HEO which are listed in Section 9 below.

Examples of synthetic pesticides include :

Herbicides: 2,4-D (Trimec), Glyphosate (RoundUp), Triclopyr (Garlon), MCPP (in many weed-and-feed lawn fertilizers), Dicamba (for managing turf weeds),
Insecticides: Bifenthrin and Permethrin (synthetic pyrethroids), Fipronil (found in pet flea and tick products), and many others.

9. Are there any exemptions?

Yes. If necessary, synthetic pesticides may be used in the circumstances listed below, per the HEO, Section E. When a pesticide's use is exempted, the pesticide must be used in the manner specified by the manufacturer on the label.

- A.** Commercial production of fruits, vegetables, or livestock.
- B.** Pet supplies for tick and flea treatment.
- C.** Disinfectants, germicides, bactericides, miticides, and virucides.
- D.** Insect repellents for bodily application.
- E.** Indoor pesticide use.
- F.** Rodent control supplies.
- G.** Swimming pool and hot tub supplies.
- H.** General use paints, stains, wood preservatives and sealants.
- I.** Products used to treat drinking water and wastewater.
- J.** Injections of pesticides into trees to control Dutch elm disease, emerald ash borer or browntail moth, by licensed pesticide applicators and under the oversight of the Blue Hill Tree Warden.

10. Can I apply for a waiver?

Yes, people may apply to the PHO for a waiver for specific pest emergencies that pose an immediate threat to human health and safety, to animals, or to the environment. A waiver can only be approved for a specific incident, and is viable for a period of up to 30 days. Renewals can be granted under certain circumstances. Section F of the HEO and Appendix A describe the waiver application process and the required information that must be included.

11. What type of neighborhood notification is required if a waiver is granted?

The property owner shall post readily visible notification signs along their property lines with the information required by Section H, of the HEO, Public Notification of Pesticide Use, and illustrated in Appendix, D, Sample Pesticide Notification Sign. The signs must be posted no fewer than 48 hours in advance of applying synthetic pesticides on their property, and remain in place until at least 48 hours after completion of the application.

12. Safe handling of pesticides

For information on safe handling of pesticides, see Appendix E of the HEO, How to Read a Pesticide Label. Licensed [pesticide applicators are trained in pesticide safety](#).

13. What have other communities in Maine done?

A growing number of municipalities and organizations in Maine now limit synthetic pesticide use on public and private property. As of December, 2023, over 30 municipalities have enacted a variety of local ordinances which regulate synthetic pesticide use. Examples of community organizations that practice organic land care are the Native Gardens of Blue Hill, Coastal Maine Botanical Garden in Boothbay and Wilson Museum in Castine.

14. Aren't pesticides regulated for safety by the US Environmental Protection Agency (EPA) and the Maine Board of Pesticide Control (MBPC)?

Not adequately. Pesticides are regulated for safety by the EPA and MBPC. However, the laws they administer are limited. A number of municipalities in Maine have decided to go beyond the minimum requirements of federal and state laws and regulations to protect the health and welfare of their communities,

Many pesticides have not been adequately tested for adverse effects. Independent scientific findings have revealed serious inadequacies in the current regulations governing pesticide use. The EPA requires testing on only the reported "Active ingredient" which is a mere 1-5% of the product. The remaining 95- 99% consists of

proprietary ingredients, many of which may be highly toxic.

15. If our goal is to reduce toxins in our environment, why not go with Integrated Pest Management (IPM)?

This Ordinance is consistent with the principles of Integrated Pest Management (IPM), which are: first, identify the pest problem, then the underlying causes, and finally, utilize the least toxic options. Under IPM, pesticides should be used only if everything else fails; but **IPM actually allows the use of all types of synthetic pesticides.**

An organic land care approach follows the beginning steps of the IPM process, and goes farther, to emphasize soil health to support healthy plants, and to recommend allowed organic pesticides to be used only as needed. The Blue Hill HEO follows this approach, and allows for exemptions only in very specific circumstances (see Section 9 above).

16. Why can't we just implement an education and outreach campaign, instead of an Ordinance?

Education and outreach, while important, do not ensure adherence to healthy practices or ensure change of habits. The Town of Blue Hill adopted this ordinance to set a standard to follow, and to provide an additional incentive to limit the use of toxic synthetic pesticides.

17. Can I continue to use my landscaping company?

Yes, as long they will follow the HEO directives and use OMRI-recommended or other products listed in the HEO as permitted for use in Blue Hill. Organic methods are key to long-term healthy and attractive yards, gardens and landscapes that do not need synthetic chemical treatments.

18. Will local landscaping businesses be adversely affected?

Quite the opposite. Increasing numbers of communities in Maine are adopting similar ordinances and many companies are expanding to include organic management practices to meet the preferences of their customers. We anticipate excellent opportunities for these professionals. The demand for organic and non-toxic land care is clearly growing throughout Maine.