

# Homeowners Beware: Do's and Don'ts of Applying Fertilizer and Placing Landscape Debris Have Changed

**New ordinance regulates fertilizer use and debris placement in unincorporated Hillsborough County**

Hillsborough County's new rules on the use of fertilizers containing nitrogen and/or phosphorous are intended to protect the environment, particularly area streams, rivers, lakes, and Tampa Bay.

The ordinance passed by the County's Board of County Commissioners in November 2021 has the same intent as existing regulations in some neighboring counties and the City of Tampa: eliminate urban/suburban landscape stormwater and irrigation runoff that may hold fertilizers containing nitrogen and phosphorous that spur excess algae growth in area water bodies.

The problem may worsen during summer months when Central Florida receives much of its rainfall. It is especially problematic where there are no plants along shorelines to consume nutrients. Excessive algae growth in water bodies blocks sunlight needed for seagrass and other desirable aquatic plants to grow. When aquatic plant growth is reduced, oxygen levels decrease. Lower oxygen levels as well as toxins contained in some algae can cause fish kills.

The new ordinance regulates use of fertilizer in unincorporated areas of Hillsborough County. The regulations took effect immediately and enhance existing Hillsborough County Environmental Protection Commission rules.

Here are some key provisions of the new Hillsborough County ordinance, edited for brevity:

- Fertilizers containing nitrogen and phosphorous may not be applied on turfgrass or landscape plants from June 1 through Sept. 30, though the ordinance does not prohibit stores from selling the material during this application blackout.



- Fertilizers containing phosphorous may not be placed on turfgrass or landscape plants at any time unless a soil analysis showing a phosphorous deficiency has been performed by a qualified laboratory.
- Fertilizers containing nitrogen must be at least 50 percent controlled or slow-release.
- Fertilizer may not be applied, spilled, or deposited on any impervious surface. If fertilizer does land on these surfaces it must be removed and may not be washed, swept, or blown into storm drains, ditches, or water bodies.
- Fertilizers containing nitrogen or phosphorous may not be applied when it is raining, within 36 hours of a predicted rainfall of at least two inches, during a flood watch or warning, or when a tropical storm or hurricane looms.
- Fertilizer may not be spread within 10 feet of any surface water or water body.
- Fertilizer spreaders must have a shield which deflects granules away from impervious surfaces and water bodies.
- Grass clippings, vegetative material, and vegetative debris may not be washed, swept, or blown into storm drains.
- Violation of any of the ordinance's provisions is a misdemeanor and can result in a fine of up to \$500 and/or up to 60 days in jail.

**See a full rundown** of the new ordinance's provisions.

**Learn how** to interpret the label on a bag of fertilizer.

Contact Hillsborough County Extension for more information, either by **email** or at (813) 744-5519.

*NOTE: Mention of a commercial product does not constitute a recommendation of the product by the University of Florida's Institute of Food and Agricultural Sciences, nor does it imply its approval to the exclusion of other products.*



*Solutions For Commercial Horticulture Professionals*

## 2022 Brings New Fertilizer Ordinance to Hillsborough County

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### **Hillsborough County Ordinance 21-42**

The Hillsborough County BOCC approved a new ordinance regulating the use of fertilizers containing nitrogen and/or phosphorous, and placement of landscape debris. (Ordinance 21-42).

### **What is the Purpose of Fertilizer Ordinances?**

Central Florida receives the bulk of its rainfall during the summer months. This rainfall creates stormwater runoff which is rainwater that runs off streets, rooftops, parking lots, lawns and other land surfaces into the closest water body. Stormwater and water from excessive irrigation can move contaminants including nutrients into ponds, rivers, lakes, and the Tampa Bay. Sediments from contaminants and excessive nutrients contribute to reduced water quality. The Florida Department of Environmental Protection has listed a number of water bodies in Hillsborough County as impaired by nutrients. As a result, the ordinance was approved to reduce nutrient adverse effects on water quality.

### **When Did the Ordinance Go Into Effect?**

The new ordinance went into effect November 17, 2021 and is in addition to the existing Environmental Protection Agency (EPC) of HC Chapter 1-15 Fertilizer Use and Landscape Management Rule that has been in effect since June of 2010.

The new ordinance supersedes the EPC rule, although anything not contained in the new ordinance that is in the EPC rule is still in effect.

### **Does the Ordinance and Rule Apply to Me?**

The ordinance and rule applies to anyone including residents, home owners, HOA common property management, businesses, governmental entities, and commercial companies that apply fertilizer and provide landscape services to non-agricultural property.

### **Where Can I Find the Ordinance and Rule?**

You can access at the links below:

*Hillsborough County Ordinance 21-42*

[https://library.municode.com/fl/hillsborough\\_county/ordinances/code\\_of\\_ordinances\\_part\\_a?nodeId=1119997](https://library.municode.com/fl/hillsborough_county/ordinances/code_of_ordinances_part_a?nodeId=1119997)

*EPCHC Fertilizer Use and Landscape Management Rule*

<https://www.epchc.org/home/showpublisheddocument/440/636407511504030000>

### **Turn over for Ordinance and Rule Provisions**



## What Are The Components of the County Ordinance and the EPS Rule?

### Fertilizer Content, Application Manner and Rate

- Fertilizers containing nitrogen and phosphorous cannot be applied to turfgrass or landscape plants from June 1 through September 30.
- Fertilizers containing phosphorous cannot be applied to turfgrass or landscape plants at any time unless a soil analysis test showing a phosphorous deficiency has been performed by a qualified laboratory and submitted to the County Administrator prior to making any application.
- Fertilizers containing nitrogen must be at least 50% controlled or slow release nitrogen.
- Fertilizers containing nitrogen cannot be applied prior to seeding, or for the first 30 days after seeding or sodding except under specific hydroseeding conditions (see ordinance).
- Nitrogen containing fertilizers must be applied at the rates recommended in the DEP-UF/IFAS manual *Best Management Practices for the Protection of Water Resources by the Green Industry*.  
[https://ffl.ifas.ufl.edu/media/fflifasufledu/docs/GIBMP\\_Manual\\_Web\\_English.pdf](https://ffl.ifas.ufl.edu/media/fflifasufledu/docs/GIBMP_Manual_Web_English.pdf)
- Spreader deflector shields are required on all broadcast or rotary spreaders and must be used to deflect granular fertilizer away from all impervious surfaces and water bodies.
- Fertilizer cannot be applied, spilled or deposited on any impervious surface. If this happens, it must be immediately and completely removed. It can be applied at the recommended rate to turfgrass or landscape plants.
- Fertilizer cannot be washed, swept or blown from impervious surfaces into storm drains, ditches, drainage conveyances, surface waters or roadways.

### Weather Restrictions

- Fertilizers containing nitrogen or phosphorous cannot be applied when, i) it is raining at the application site, or ii) within the time period during which a flood watch or warning, or a tropical storm watch or warning, or a hurricane watch or warning is in effect for any portion of Hillsborough County, issued by the National Weather Service, or iii) within 36 hours prior to a rain event greater than or equal to 2 inches in a 24 hour period is likely.

### Fertilizer Free Zones

- Fertilizer cannot be applied within 10 feet of any surface water.

### Management of Grass Clipping and Vegetative Materials

- Grass clippings, vegetative material and vegetative debris cannot be washed, swept or blown into storm drains.

### Certification and Training

- All commercial applicators including government and institutional applicators must obtain an FDACS Limited Commercial Urban Fertilizer Certification (LUF) aka the fertilizer license. A GIBMP (Green Industries Best Management Practices certification by DEP-UF/IFAS is required to obtain the LUF.
- A vehicle decal issued by EPCHC must be affixed to any vehicle used by the company in connection with landscape maintenance activities and/or the application of fertilizer.

### Recommendations

- A 6 foot low maintenance, no mow zone from the waters edge in the fertilizer free zone.
- Reduction of fertilizer application on properties utilizing reclaimed water. Check with Hillsborough County Water Resources Department for information on reclaimed water nutrient content.

### Enforcement and Penalty

- There are provisions for enforcement and penalty as misdemeanors with fines up to \$500 and/or imprisonment up to 60 days. Code enforcement, law enforcement or others designated by the County may enforce the ordinance.

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