

# Martin County Fertilizer Ordinance Summary

## October 9, 2014 version

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### **When was the ordinance established?**

The ordinance was approved in 2011 by the Martin County Board of County Commissioners; a revision was approved October 7, 2014.

### **Where does it apply?**

The ordinance applies to landscapes within unincorporated Martin County. Stuart, Sewall's Point, Jupiter Island, and Ocean Breeze Park are not considered part of the unincorporated county. Stuart, Jupiter Island, and Sewall's Point have adopted their own fertilizer ordinances. The Town of Ocean Breeze Park currently has a draft ordinance, which is under consideration.

### **Who does the ordinance apply to?**

The Martin County ordinance applies to any and all applicators of fertilizer within unincorporated Martin County, including homeowners and commercial and institutional applicators, unless the applicator is specifically exempted by the ordinance.

### **Who is exempt?**

The ordinance exempts certain operations from the regulations pertaining to fertilizer application rates, timing, formulation, and other provisions of Section 67.434. Below is a list of the exempted areas/operations:

- Golf courses and other specialized turf areas (athletic fields, cemeteries, parks, activity fields, and other similar areas);
- Bona fide farm operations (nurseries, citrus, row crops, etc.);
- Pastures used for grazing livestock;
- Lands used for bona fide scientific research;
- Areas where soil tests, confirmed and approved by the County, affirm that phosphorus levels are low (below 25 parts per million (ppm)) or very low (below 10 ppm);
- Vegetable gardens, unless they are within 10 feet of any waterbody and/or wetland;
- Yard waste compost, mulches, or other similar materials that are primarily organic in nature and are applied to improve the physical condition of the soil; and
- Reclaimed or Irrigation Quality (IQ) water used for irrigation.

Commercial and institutional fertilizer applicators are required to maintain documentation to support any exemptions they may claim, including records of soil tests, as applicable. Commercial and institutional fertilizer applicators are required to permit the County to sample and test any fertilizer applied or to be applied within the county.

No exemptions are given for the training requirements outlined in Section 67.433.

### **Who will enforce the ordinance?**

The ordinance is enforced by the Martin County Code Enforcement staff. However, education and public support are the real keys to long-term success of the ordinance.

### **What is the fertilizer ban?**



The ordinance includes a ban on the use of fertilizers containing nitrogen or phosphorus between June 1 and September 30. Additionally, no such fertilizers may be applied during a flood watch or warning, tropical storm watch or warning, or a hurricane watch or warning, as issued by the National Weather Service, or if heavy rains (in excess of 2 inches in 24 hours) are expected.

**Does the ordinance regulate fertilizer application outside of the fertilizer ban period?**

Yes, the additional components of the ordinance, which apply year-round, are summarized below:

- All commercial and institutional applicators within unincorporated Martin County shall successfully complete the “Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries” training and all commercial applicators shall be state-certified as Commercial Fertilizer Applicators.
- Trainings are offered by the University of Florida IFAS Extension Martin County (772-288-5654).
- No fertilizers containing phosphorus shall be applied to turf or landscape plants, unless a nutrient deficiency has been documented by UF/IFAS approved testing.
- Fertilizers containing nitrogen shall be formulated to contain no less than 50% slow release nitrogen.
- Fertilizers containing nitrogen or phosphorus should be applied at the lowest rate necessary to correct or prevent nutrient deficiencies without exceeding the maximum application rate specified on the fertilizer label.
- Commercial and institutional applicators shall maintain a record of the pounds per square feet of nitrogen and phosphorus applied to each site during the year.
- Fertilizer containing nitrogen or phosphorus shall not be applied before or within 30 days of seeding or sodding a site, unless hydro-seeding for emergency erosion control or in accordance with a site’s Stormwater Pollution Prevention Plan.
- Total yearly fertilization applications to each site shall not exceed the state’s Fertilization Guidelines for the Southern Region of Florida, per Rule 5E-1.003 FAC. Guidelines are as follows: bahia (2-4 lbs N/1,000 sqft/year), bermuda (5-7 lbs N/1,000 sqft/year), centipede (2-3 lbs N/1,000 sqft/year), St. Augustine (4-6 lbs N/1,000 sqft/year), and zoysia (4-6 lbs N/1,000 sqft/year).
- Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces. If accidentally or intentionally applied, spilled, or otherwise deposited on impervious surfaces, fertilizer shall be immediately and completely contained and removed, either by applying in accordance with the fertilizer label and laws or returning to an appropriate container.
- Fertilizer use is prohibited within 25 feet of water bodies, including wetlands, and seawalls. Newly planted turf and/or landscape plants may be fertilized in this zone only for a 60 day



period, beginning 30 days after planting, if needed. Caution shall be used to prevent direct input of nutrients into the water.

- If you use a fertilizer spreader, you are required to have a deflector shield to prevent nutrient spread into water body buffers and impervious surfaces.
- A voluntary 10-foot no-mow zone is strongly recommended, but not required, from the edge of any waterbody (including canals). This zone may receive periodic maintenance to remove or control invasive or exotic vegetation.
- Vegetative material, including grass clippings, cannot be washed, swept, or blown into stormwater flow-ways, waterbodies or impervious areas.

#### **Where can applicators obtain soil or tissue nutrient deficiency testing?**

The University of Florida/IFAS and the Martin County Extension Service offer soil and tissue nutrient testing. The Martin County Extension Service office, located at 2614 SE Dixie Highway in Stuart, performs soil tests for pH and salinity for a fee of \$3 per sample. The University of Florida/IFAS in Gainesville offers nutrient testing of soils and plant tissues. Plant tissue samples should be brought to the Martin County Extension Service office; the local office will then transmit the samples to Gainesville. Soil nutrient samples should be directly submitted to Gainesville, along with the required forms and fees. Sample submission forms, instructions, and pricing may be obtained from the Martin County Extension Service or on-line at:

<http://edis.ifas.ufl.edu/ss182> - Plant Tissue Nutrient Testing

<http://edis.ifas.ufl.edu/ss187> - Landscape and Vegetable Garden Nutrient Testing

#### **Where can applicators find UF/IFAS recommendations for appropriate fertilizer amounts/rates?**

The UF/IFAS website ([www.SolutionsforyourLife.com](http://www.SolutionsforyourLife.com)) offers information on landscape maintenance, including fertilization. Alternatively, contact the Martin County Extension Office at 772-288-5654 or visit at 2614 SE Dixie Highway, Stuart, Monday through Friday between 8 AM and 5 PM.

#### **Where can I go to find the Martin County ordinance and more information?**

- Martin County's Fertilizer Ordinance website (ordinance, map of unincorporated Martin County, list of products that meet or exceed ordinance requirements, flyer for homeowners) – [http://www.martin.fl.us/portal/page?\\_pageid=73,4448073&\\_dad=portal&\\_schema=PORTAL](http://www.martin.fl.us/portal/page?_pageid=73,4448073&_dad=portal&_schema=PORTAL)
- Town of Jupiter Island – <http://library.municode.com/index.aspx?clientID=11062&stateID=9&statename=Florida>
- Town of Sewall's Point - <http://library.municode.com/index.aspx?clientId=11566>

