

Town of Schleswig
Manitowoc County

Ordinance No. 2007 – 5

Ordinance to Regulate Fertilizer Usage

1. Authority. This ordinance is adopted under authority of the Town Board.

2. Purpose and Intent. The Town Board finds that Schleswig's lakes and streams are natural assets which enhance the environmental, recreational, cultural, and economic resources of the area and contribute to the general health and welfare of the public. The purpose of this ordinance is to set forth regulations which will enable the Town to protect its water resources for the health, safety, and welfare of the public without detracting from the natural beauty of homeowner's lawns and gardens. The Town Board further finds that regulating the amount of nutrients and contaminants contained in fertilizer, including phosphorous, that enter the bodies of water as a result of runoff from lawns and turf will aid in the improvement and maintenance of lake water quality.

3. Applicability. This ordinance applies in all areas of the Town of Schleswig.

4. Definitions.

a) "Agricultural uses" means beekeeping, dairying, egg production, floriculture, fish or fur farming, forest and game management, grazing, livestock raising, orchards, plant greenhouse and nurseries, poultry raising, grain raising, grass raising, raising of fruits and berries, sod farming and vegetable raising.

b) Fertilizer means a fertilizer that contains the three chief plant nutrients nitrogen, phosphoric acid, and potash.

c) Lawn fertilizer means any fertilizer, whether distributed by property owner, renter or commercial entity, distributed for nonagricultural use, such as for lawns, golf courses, parks and cemeteries. Lawn fertilizer does not include fertilizer products intended primarily for garden or indoor use, or product intended for snow or ice removal.

5. Regulation of the Use and Application of Lawn Fertilizer.

a) Effective January 1, 2008, no person shall apply any lawn fertilizer within the Town of Schleswig that is labeled as containing more than 0% phosphorus or other compound containing phosphorus, such as phosphate, except as provided in Section 6.


- 8. Penalty.** Any person who violates Section 5 in the application of fertilizer shall be subject to a fifty (\$50.00) dollar fine per violation. Any commercial fertilizer applicator, residential or commercial developer, industrial or commercial owner, or other person who violates Section 5, shall be subject to a forfeiture of seventy five (\$75.00) dollars for the first (1st) violation within a twelve (12) month period, or one hundred fifty (\$150.00) for the (2nd) violation within a twelve month period, and three hundred (\$300.00) dollars for the third and each subsequent violation with twelve (12) month period.
- 9. Severability Clause.** If any section provision or portion of this ordinance is ruled invalid by a court, the remainder of the ordinance shall not for that reason be rendered ineffective or invalid.
- 10. Effective Date.** This ordinance shall become effective January 1, 2008.

Adopted this 13th day of December, 2007



Dennis R. Salzman, Town Chairman

Attest:



JoEllen Gramling, Town Clerk