

CHAPTER 5.**ENVIRONMENT****520. TURF FERTILIZER CONTAINING PHOSPHORUS**

Section 520.01. Purpose. Scientific evidence shows that the water quality of lakes, streams and wetlands may be adversely affected by the use of turf fertilizers containing phosphorus on nearby lands as a result of storm water runoff or other causes. The purpose of this ordinance is to regulate the sale and use of turf fertilizer containing phosphorous in order to improve the quality of ground and surface water in the city.

Section 520.03. Sale of Turf Fertilizer.

Subd. 1. No person, firm, corporation, commercial establishment or other entity may sell any turf fertilizer, liquid or granular, within Medina that contains any amount of phosphorous or other compound containing phosphorous, such as phosphate, unless:

- (a) phosphorous-free turf fertilizer is also available for sale at the same location;
- (b) phosphorous-free turf fertilizer and turf fertilizer with phosphorous are separately displayed with each display being clearly marked as to whether the fertilizer contains phosphorous;
- (c) displays of phosphorous-free turf fertilizer are of equal or greater size and prominence as displays of other turf fertilizers; and
- (d) a sign or brochure is on prominent display next to any fertilizer display containing Medina's regulations concerning the use of turf fertilizer with phosphorous.

Subd. 2. For purposes of this ordinance, "turf" means noncrop land planted in closely mowed, managed grasses including, but not limited to, residential and commercial residential property, private golf courses, and property owned by federal, state, or local units of government, including parks, recreation areas, and public golf courses. Turf does not mean pasture, hayland, hay, turf grown on turf farms, or any other form of agricultural production.

Section 520.05. Use of Turf Fertilizer.

Subd. 1. No person, firm, corporation, commercial establishment or other entity may apply or allow or cause the application of a fertilizer containing the plant nutrient phosphorous to turf in Medina, except under conditions listed in subdivision 2.

Subd. 2. Subdivision 1 does not apply when:

- (a) a tissue, soil, or other test by a laboratory or method approved by the Minnesota commissioner of agriculture and performed within the last three years indicates

that the levels of available phosphorous in the soil is insufficient to support healthy turf growth; or

- (b) the property owner or an agent of the property owner is first establishing turf via seed or sod procedures, and only during the first growing season.

Subd. 3. Applications of phosphorous fertilizer authorized under subdivision 2 must not exceed rates recommended by the University of Minnesota and approved by the Minnesota commissioner of agriculture.

Section 520.07. Violations. Violations of the provisions of this ordinance shall be a petty misdemeanor.

Amendment History of this Section

Adopted July 16, 2002 (Ord. 351).