

RESOLUTION NO. ____ - 2021

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2021, entitled "A LOCAL LAW amending Chapter 691 of the Laws of Westchester County Relating to Pesticide Notification." The public hearing will be held at __.m. on the ____ day of _____, 2021 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee has reviewed “A LOCAL LAW amending Chapter 691 of the Laws of Westchester County Relating to Pesticide Notification.”

Your Committee is aware that Chapter 691 was enacted by Local Law 2000-22, which adopted the special notice requirements for commercial and residential applications of pesticides to lawns as established by Section 33-1004 of the New York State Environmental Conservation Law. Under Section 33-1004, the County was authorized to adopt a law, in full conformity with Sections 33-1004 and 33-1005 of the Environmental Conservation Law.

Your Committee has been informed that the State of New York has amended Sections 33-1004 and 33-1005, to provide that certain signs and notices relating to pesticides have to be printed in both English and Spanish, and other languages designated by the Department of Environmental Conservation. As a result, the County’s Pesticide Notification law needs to be amended to conform with the new language provided for in Sections 33-1004 and 33-1005. Thus, the proposed Local Law modifies Chapter 691 to maintain conformity with New York State Law, so that the County’s Pesticide Notification Law can remain in force and effect.

Your Committee is aware that this Honorable Board must comply with the requirements of the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations. *See* Title 6, Part 617 of the New York Code Rules and Regulations (N.Y.C.R.R.). The Department of Planning has reviewed the applicable SEQRA regulations,

and has concluded that this proposed Local Law needs no further environmental review. Your Committee concurs in this conclusion.

In light of all of the foregoing, your Committee recommends the adoption of this Local Law.

Dated: *May 17* 2021
White Plains, New York

Chair
Benjamin Boyfunt
Debat Jashi
K. O'Sullivan

Chair
Benjamin Boyfunt
Kidley Clark

COMMITTEE ON

Legislation

Environment & Health

Dated: May 17, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Legislation



Environment & Health



Ruth Walter
Catherine F. Parker

FISCAL IMPACT STATEMENT

SUBJECT: Pesticide Notification Law

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: N/A

Potential Related Operating Budget Expenses: Annual Amount 0

Describe: No fiscal impact.

Potential Related Operating Budget Revenues: Annual Amount 0

Describe: No fiscal impact.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: No fiscal impact.

Next Four Years: No fiscal impact.

Prepared by: Pamela Scobbo

Title: Analyst

Department: Budget

Date: May 13, 2021

Reviewed By: 

Budget Director

Date: 5/13/21

TO: Justin Adin, Deputy County Attorney
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM
Director of Environmental Planning



DATE: April 26, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR AMENDMENT
TO THE PESTICIDE NOTIFICATION LAW**

PROJECT/ACTION: Adoption of a local law that will amend Chapter 691 of the Laws of Westchester County relating to Pesticide Notification. The State of New York has recently amended Sections 33-1004 and 33-1005 of the Environmental Conservation Law to provide that certain signs and notices relating to pesticides have to be printed in both English and Spanish, and any other languages designated by the Department of Environmental Conservation. As such, the County's Pesticide Notification Law will be amended accordingly to conform with the State's new requirement.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:

- DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)():**

COMMENTS: None

DSK/cnm

cc: Steven Bass, Assistant to the County Executive
Norma Drummond, Commissioner
Claudia Maxwell, Associate Environmental Planner

LOCAL LAW INTRO. NO. -2021

A LOCAL LAW amending Chapter 691 of the Laws of Westchester County Relating to Pesticide Notification

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1: Section 691.31(1) of the Laws of Westchester County is hereby amended to read as follows:

1. All persons performing residential lawn applications treating an area of more than 100 square feet shall affix markers to be placed within or along the perimeter of the area where pesticides will be applied. Markers are to be placed so as to be clearly visible to persons immediately outside the perimeter of such property. [Such m]Markers shall be posted at least 12 inches above the ground and shall be at least four inches by five inches in size. Such markers shall be in both the English and Spanish languages, and any other languages required by rules or regulations enacted by the New York State Department of Environmental Conservation.

Section 2: This Local Law shall take effect immediately.