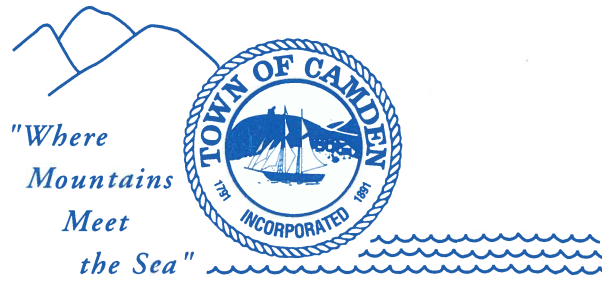


Office of:
Town Manager
Tax Assessor
Tax Collector
Town Clerk
Treasurer
Code Officer
Finance Director
Harbor Clerk



Town Office
P.O. Box 1207
29 Elm Street
Camden, Maine 04843
Phone (207)236-3353
Fax (207)236-7956
<http://www.camdenmaine.gov>

I certify that the following Article of the Town of Camden Town Meeting Warrant held on Tuesday June 10, 2025, was approved by voters with the total number of votes cast being :

1,441 YES

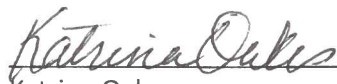
626 NO


ARTICLE 5

Shall the Town amend Chapter 194, Pesticides, by amending the notice requirements and exempting certain applications.

Note: This amendment would exempt the notice, reporting and posting requirements for the application of section 25(b) pesticides which are exempt from USEPA FIFRA regulations for minimal risk pesticides, which pose little to no risk to human health and the environment (such as organic/natural tick treatments.) The amendment also exempts the application of pesticides via any root flare or trunk injection application via macro or micro injection; the application of rodenticides used in bait stations and the emergency application of pesticides needed to address such pests as stinging insects and also exempts the treatment of wood decaying insects. To be consistent with the Maine Right to Farm Law, licensed agricultural applications would also be exempt. Additionally, "pesticide" is amended to exclude Phosphorus (P2O5) free fertilization applications that meet or exceed ANSI which permit organic applications

The notice provisions amend who gets notified and how, depending upon the type of application. The amendments allow for "approximate or anticipated" dates of application to provide flexibility due to the manufacturers' labeling requirements as well as State of Federal requirements for applications under certain weather conditions such as precipitation and wind speeds. Signage / posting requirements would also be amended. The amendments also make the maintenance of signs the responsibility of the property owner after placement by the licensed applicator. A copy of the proposed amendments is available for review in the Town Clerk's Office during regular business hours and on the Town of Camden's website at www.camdenmaine.gov


Katrina Oakes
Town Clerk, Camden, Maine


Date



Chapter 194 Pesticides and Herbicides

§ 194-1 Applicability; effective date.

- A. This chapter shall apply to the outdoor application(s) of any pesticide by Maine-licensed applicators on any land in the Town of Camden.
- B. The effective date of this chapter shall be January 1, 2025.

§ 194-2 Definitions.

APPLICATION The spreading of pesticides over or on any outdoor area by any means in liquid or dry form, including but not limited to broadcasting, pasting, ground spraying, aerial spraying, foliar application, soil injection, and surface utilization.

DIRECT ABUTTERS The properties that share a property line with a property where a pesticide is being applied, as well as those properties across the street or across a public or private right of way from the application site.

HERBICIDE See "pesticide."

LICENSED APPLICATOR Any person licensed by the State of Maine and regulated by the rules of the Maine Board of Pesticide Control, as may be amended, to apply pesticides as defined, including but not limited to ~~private, agricultural and~~ commercial (master and/or operator) applicators and/or anyone under the direct supervision of a certified applicator.

PESTICIDE Any substance or mixture of substances intended to kill, prevent, repel, mitigate, control, or desiccate species designated as a pest, including but not limited to plants, weeds, insects, or other organisms, and including but not limited to herbicides, fungicides, insecticides, rodenticides, disinfectants, and antibiotics, and any fertilizer mixture which contains any of the foregoing. The term shall also mean any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant. Pesticides shall include but not be limited to registered, limited and general use pesticides as may be defined in state law and as regulated by the Maine Board of Pesticide Control. The term does not include any Phosphorus (P2O5) free fertilization applications that meet or exceed ANSI standards with at least 50% of Nitrogen being water-insoluble or controlled release. This includes organic applications.

§ 194-3 Notice required; notice content.

- A. Prior to the application of any pesticide by a licensed applicator, the applicator shall provide written notice to direct abutters and the town. Written notice may vary depending on the type of services provided by the applicator. For instance, applicators

that provide subscription or ongoing application services, such as monthly contractual services to a specific client, may provide one written notice prior to commencing applications annually. This notification must include the information required in subsection "B." below, in addition to the anticipated application schedule for the subscription services (i.e. monthly application to commence on XXX date) Alternatively, the licensed applicator shall provide written notice at least five (5) days prior to the anticipated application date to the direct abutters and to the Town's Planning and Development Department. ~~at least two days in advance of the application to the Town of Camden's Planning and Development Department, the direct abutters with whom a property line is shared, and those properties within 250 feet of the application area, including those properties across public and private rights-of-way or streets.~~

- B. Notice content. The written notice shall include the ~~proposed~~ approximate or anticipated date or dates and time of the application and shall list the trade names and USEPA registration number of the pesticides that will be applied and shall indicate which pest is being treated. The notice shall also provide a property sketch of the proposed application locations. The notice shall also include the name of the licensed applicator and contact information. The approximate or estimated date(s) of application provided on the notice(s) provides the applicator with the flexibility to apply the pesticides in accordance with the manufacturer's and State or Federal requirements for application under certain weather conditions such as precipitation and wind speeds.

§ 194-4 Signage required.

Prior to application, ~~but at least 30 minutes before,~~ the licensed applicator shall place and/or post warning signage or placards in conspicuous locations near abutting properties and ~~near~~ public and private streets or rights-of-way notifying the public and abutting property owners of imminent application of pesticides. Signage shall include the date and time of the application and the trade name and USEPA registration number of the pesticide applied. The wording shall be legible to the average person.

Such signage shall be placed every ~~50-200~~ feet along the developed portions of abutting property lines and/or along public or private streets or rights-of-way. Signs shall be ~~a minimum of one square foot in printed area~~ sized appropriately to include the information noted above in this section, and shall ~~be placed a minimum of one foot above the grade, ground or vegetation, and shall~~ remain in place ~~per the State of Maine Board of Pesticide Control's requirements but at~~ a minimum of seven days from the date and time of application. Such signage shall be in addition to any requirements of the Maine Board of Pesticide Control.

Maintenance of signs. The property owner is responsible to maintain the signs once placed by the licensed applicator for the time period detailed above.

§ 194-5 Exempt Applications

This chapter shall not apply to the application of 25(b) pesticides that are exempt from USEPA FIFRA regulations and determined to be minimum risk pesticides, as they pose little to no risk to human health and the environment. Nor shall these requirements apply to the application of pesticides via any root flare or trunk injection application via macro or micro injection. Nor shall these requirements apply to the application of rodenticides used in bait stations and the emergency application of pesticides needed to address such pests as stinging insects. Nor shall they apply to the application on a building's exterior for the treatment of wood decaying insects. This chapter shall not apply to licensed agricultural applications.

§ 194-~~5~~ 6. Annual rReporting.

In addition to complying with the Maine Board of Pesticides Control rules regarding recordkeeping and reporting, State of Maine licensed applicators doing business in Camden are required to submit an annual summary report to the Town's Planning and Development Office on or before February 1 of each year. The report shall contain the following information for applications of pesticides performed in the Town during the prior calendar year: target site, pesticide brand name, EPA registration number, total undiluted formulation (in pounds or gallons), pests being treated, and total area treated as listed and as amended on the Commercial Applicator Annual Summary Report required by the Board of Pesticide Control.

§ 194-~~6-7~~ Enforcement; violations and penalties; appeals.

- A. The Code Enforcement Officer or their designee shall be responsible for enforcing the provisions of this chapter. Upon determining that a violation of any provision of this chapter has occurred, the CEO shall provide written notice to the violator to identify the violation and shall specify a course of remedial action which may include a provision for consent agreements as specified in Chapter 290. Violations shall be subject to the penalties prescribed in 30-A M.R.S.A. § 4452.
- B. Appeals. An appeal from the action of the Code Enforcement Officer, or their designee, under this chapter may be sought through the provisions of Article VII in Chapter 290, Zoning.