

## CHAPTER 114: CHEMICAL LAWN SPRAYING FIRMS

### Section

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### § 114.01 APPLICABILITY.

This chapter shall apply only to commercial lawn herbicide and pesticide applications, and to bulk storage of herbicides or pesticides within the city.  
(Ord. 162, passed 1-1-89)

### § 114.02 OPERATING PERMIT.

(A) No person shall engage in the commercial application of lawn herbicide or lawn pesticide without an annual permit issued by the city.

(B) Applications for a lawn herbicide or lawn pesticide applicator permit shall be filed at least 30 days in advance of the proposed initial lawn herbicide or lawn pesticide applications each year with the City Administrator.

(C) Commercial lawn spraying permit applications are available at the city offices and shall include the following:

- (1) The name, address and telephone number of the commercial applicator;
- (2) The names of employees applying herbicides or pesticides on lawns;
- (3) A copy of the State Department of Agriculture herbicide and pesticide applicator license;

and

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(4) The annual fee for a commercial lawn herbicide or lawn pesticide applicator firms, which shall be \$30.

(Ord. 162, passed 1-1-89) Penalty, see § 10.99

### § 114.03 INSURANCE OR BOND REQUIRED.

(A) No license may be issued, maintained or renewed by a licensee unless the licensee demonstrates proof of financial responsibility by providing with the application form either of the following:

(1) Liability insurance that is in effect for the license period issued by an insurer licensed to do business in the State of Minnesota providing at least \$300,000 of coverage because of bodily injury to any one person in any one occurrence, \$600,000 because of bodily injury to two or more persons in any one occurrence, \$100,000 because of injury to or destruction of property of others in any one occurrence; or

(2) A performance bond in the amount of \$1,000.

(B) A liability insurance policy required by this section must provide that it may not be canceled for:

(1) Any cause, except for nonpayment of premium, by either the insured or the insurer, unless the canceling party has first given 60 days of notice in writing to the city of intent to cancel the policy; and

(2) Nonpayment of premium, unless the canceling party has first given ten days of notice in writing to the issuing authority of intent to cancel the policy. A bond required by this section must be conditional upon compliance with the city code and all city regulations, rules and requirements. Any action to collect the bond proceeds shall not prevent the city from filing criminal complaints for ordinance violations.

(Ord. 162, passed 1-1-89; Am. Ord. 279, passed 3-2-15)

### § 114.04 [RESERVED].

### § 114.05 POSSESSION OF LICENSE.

The commercial lawn fertilizer license shall be in the possession of any employees working for the lawn fertilizing company making fertilizer applications in the city limits.

(Ord. 162, passed 1-1-89)

**§ 114.06 STATE AND CITY REGULATIONS.**

The licensee shall comply with the provisions of M.S. Chapters 18B, 18C and 18D and rules promulgated thereunder, and amendments thereto. The licensee shall carry a valid copy of the state license at all times when making fertilizer applications in the city limits. The licensee shall comply with the city code and all city regulations, rules and requirements.

(Ord. 162, passed 1-1-89; Am. Ord. 279, passed 3-2-15)

**§ 114.07 APPLICATION POSTING.**

(A) All commercial applicators who apply lawn pesticides/herbicides within the city limits are required by state statutes to post warning markers on the borders of the property being treated. The warning markers shall be a minimum of 18 inches above the top of the grass line or grade line, whichever is higher. The warning notices must be no more than five feet from all of the borders of the affected property. The markers must remain posted for 24 hours after the application.

(B) The markers must contain at least the following information:

(1) The name of the company applying the pesticides/herbicides; and

(2) A warning that persons should stay off the lawn for 24 hours after it has been sprayed.

(Ord. 162, passed 1-1-89)

