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Naples council approves new fertilizer application law

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A law restricting fertilizers in the city of Naples cleared its final hurdle Wednesday.

The Naples City Council voted unanimously to approve the law, which won a tentative approval last month. The second vote was required before the law could go into effect.

Limits on fertilizers are meant to avoid polluting the city's bays and lakes, where nutrients can cause algae blooms that suck oxygen out of the water, cloud the bottom and kill marine life.

The restrictions are in effect immediately, but part of the law requiring landscape companies to earn an environmental certification doesn't go into effect for 180 days.

Almost 90 companies already have earned the certification as part of a city program in effect since 2006.

Landscape companies must display a certification decal on their vehicles and must have at least one licensed lawn or landscape maintenance professional at each job site, according to the law.

While they don't have to become certified, homeowners who spread their own fertilizer must comply with the rest of the law.

Don't expect fertilizer patrols to be roaming the city, but homeowners should expect to get cited if they are caught in violation, Naples Natural Resources Manager Mike Bauer said.

Enforcement won't be easy, he said.

"We've got to rely on the good faith of homeowners,'' he said. "The homeowners have to take some responsibility for this, too.''

Violations carry a penalty of up to $250 for a first offense and up to $500 for repeat offenses.

The law prohibits the use of fertilizers with phosphorus and nitrogen during the rainy season, between June 1 and Sept. 30.

Otherwise, fertilizers can contain no more than 2 percent phosphorus and must have at least 50 percent slow-release nitrogen. Fertilizer bags have labels that indicate phosphorus and nitrogen content.

Fertilizers can be applied no more than four times per year and cannot exceed one pound per 1,000 square feet per application. The law prohibits fertilizer from landing within 10 feet of the water's edge or on sidewalks or driveways.

Exemptions apply when soil tests show low phosphorus levels and on new turf and landscaping for 60 days after they are planted.

Golf courses also are exempt. Instead, they must follow recommendations from the state Department of

Environmental Protection.

The City Council rejected an earlier version of the law as being too weak and directed city officials to work with the Conservancy of Southwest Florida to beef it up.

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