

WHAT BUILDING OWNERS NEED TO KNOW

New York City has joined eight other counties in New York State in an effort to prevent unwanted pesticide exposure by adopting the State's Pesticide Neighbor Notification Law, Local Law 36 of 2005. This law, which took effect on January 1, 2006, requires that commercial lawn pesticide applicators provide occupants of abutting properties 48 hours written notice before applying lawn care pesticides.

If you are the owner of a multiple dwelling (a residential building with three or more apartments) or of a non-residential building (such as an office building, a school, or a store), you or your designated agent must distribute written notice to the occupants within 24 hours of any scheduled pesticide application.

WHICH PROPERTIES ARE 'ABUTTING'?

Abutting properties are those that share any portion of a property line or a boundary point with the treated property. If a publicly-owned road or highway separates the properties, they are NOT considered abutting and do NOT require written notice. If the boundary between the properties is within 150 feet of the application site, the commercial applicator must provide notice to the building owners of abutting properties.

HOW AND WHEN WILL THE COMMERCIAL APPLICATOR NOTIFY ME?

The commercial applicator is required by law to deliver or mail written notification to affected building owners so that it is received at least 48 hours before a scheduled pesticide application.

The notice must contain information about the pesticide application, such as:

- The name of the pesticide.
- The address of the property.
- The date of the application and any alternate application dates.
- The applicator's name, telephone number, and other contact information.

HOW DO I DISTRIBUTE THE NOTICE?

To Residential Tenants: If you are the owner or owner's agent for a multiple dwelling, you must provide each occupant with a copy of the written notice. You can deliver it in person, by stuffing mailboxes or by other ways that assure 24 hour prior notice.

To Non-Residential Tenants: If you are the owner or owner's agent for a non-residential building, such as an office building, a school, or a shopping complex, you must post a copy of the notice at least 24 hours before the application in a conspicuous location that is accessible and visible to everyone entering the building.

MORE INFORMATION

The New York City Department of Health and Mental Hygiene: nyc.gov/health/LL36

The New York State Department of Environmental Conservation: www.dec.state.ny.us/website/dsh/pesticid/owner.pdf

Call 311 to report violations of this law.