

HEALTH & SANITATION ORDINANCE

TOWN OF OWLS HEAD

Adopted - March 6, 1950 (Rubbish Disposal Ordinance)
Adopted - March 9, 1970 (Outlaw Use of Defoliants)
Amended - June 1, 2009

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Section I. Legislative History

At the March 9, 1970 Annual Town Meeting, the Town of Owls Head voted to outlaw the use of defoliant and to stop all roadside spraying with poisons in the Town.

At the March 6, 1950 Annual Town Meeting, the Town voted to adopt a rubbish disposal ordinance prohibiting disposal on any street or public place or property not owned by the disposer.

Section II. Purpose

Herbicides present a clear danger to the groundwater in Owls Head and to plants and trees such as pine trees and rose bushes in areas where they are used. Some individuals and particularly children can be severely affected by some of these chemicals to a point that their lives can be endangered often without knowing what is causing the problem until it is too late. Every effort should be made to keep humans, animals, birds and insects from contacting these compounds while they are active and some for a long time after that period. The use of these compounds should be limited to small areas of use where no other good way of controlling the plant materials is possible. Weed and feed, so called, fertilizers with herbicides in them have been linked to groundwater contamination as well as widespread bird kills. Bees have been devastated by the use of pesticides and herbicides, as well as, other natural enemies. Even the so-called safest of these chemical compounds are not safe enough to entrust our future too.

Section 42-101 Defoliant and Spraying

Article 1. There shall be no use of defoliant within the Town of Owls Head.

- a. The use of herbicides, weed and feed products, granular and spray brush, grass and weed killers, in the Town of Owls Had shall be limited to spot applications by the home or landowner defined as application to individual plants or weeds. No other chemicals or pesticides shall be mixed with herbicides.
- b. The area to be treated shall be posted by means of signs visible to anyone entering the treated area. The sign(s) shall state the date of application and the name of the agent used and shall be left in place for a period of not less than seven (7) days.
- c. No drift, runoff or application shall be permitted onto the land of another without their expressed written permission.
- d. The use of defoliant, chemicals or compounds that kill brush or trees by means of removing their foliage, shall not be permitted in the Town of Owls Head.
- e. This ordinance shall not apply to the use of pesticides by a home or landowner or a licensed applicator to control an outbreak of insects.
- f. The remedy to violation of this ordinance shall be the removal of the affected plant materials and/or soil to a licensed disposal facility.

Article 2. There shall be no roadside spraying with poisons within the Town of Owls Head.

Section 42-102 Rubbish Disposal

No person shall dispose of material which is commonly classified as rubbish, on any street or public place or on any property not his or her own; provided however, this shall not prevent disposal as otherwise permitted, nor delivery to a duly licensed collector.

Section III. Certification of Adoption

We hereby attest that this is a true copy of the HEALTH AND SANITATION ORDINANCE of the Town of Owls Head, Maine, duly adopted at a Town Meeting held on March 6, 1950 (Rubbish Disposal Ordinance), on March 9, 1970 (Outlaw Use of Defoliants) and amended at a Special Town Meeting on:

Amended – June 1, 2009

Selectmen: Nancy Golson

R. L. U.

Linda Post

Attest to: Beverly Peterson
Town Clerk

Date: 6/1/09