

# PROHORT Fact Sheet

## Solutions For Commercial Horticulture Professionals

### 2022 Brings New Fertilizer Ordinance to Hillsborough County

*Susan Haddock, Commercial Horticulture/Integrated Pest Management Agent IV,  
UF/IFAS Extension Hillsborough County*

#### **Hillsborough County Ordinance 21-42**

The Hillsborough County BOCC approved a new ordinance regulating the use of fertilizers containing nitrogen and/or phosphorous, and placement of landscape debris. (Ordinance 21-42).

#### **What is the Purpose of Fertilizer Ordinances?**

Central Florida receives the bulk of its rainfall during the summer months. This rainfall creates stormwater runoff which is rainwater that runs off streets, rooftops, parking lots, lawns and other land surfaces into the closest water body. Stormwater and water from excessive irrigation can move contaminants including nutrients into ponds, rivers, lakes, and the Tampa Bay. Sediments from contaminants and excessive nutrients contribute to reduced water quality. The Florida Department of Environmental Protection has listed a number of water bodies in Hillsborough County as impaired by nutrients. As a result, the ordinance was approved to reduce nutrient adverse effects on water quality.

#### **When Did the Ordinance Go Into Effect?**

The new ordinance went into effect November 17, 2021 and is in addition to the existing Environmental Protection Agency (EPC) of HC Chapter 1-15 Fertilizer Use and Landscape Management Rule that has been in effect since June of 2010.

The new ordinance supersedes the EPC rule, although anything not contained in the new ordinance that is in the EPC rule is still in effect.

#### **Does the Ordinance and Rule Apply to Me?**

The ordinance and rule applies to anyone including residents, home owners, HOA common property management, businesses, governmental entities, and commercial companies that apply fertilizer and provide landscape services to non-agricultural property.

#### **Where Can I Find the Ordinance and Rule?**

You can access at the links below:

*Hillsborough County Ordinance 21-42*

[https://library.municode.com/fl/hillsborough\\_county/ordinances/code\\_of\\_ordinances\\_part\\_a?nodeId=1119997](https://library.municode.com/fl/hillsborough_county/ordinances/code_of_ordinances_part_a?nodeId=1119997)

*EPCHC Fertilizer Use and Landscape Management Rule*

<https://www.epchc.org/home/showpublisheddocument/440/636407511504030000>

#### **Turn over for Ordinance and Rule Provisions**

## What Are The Components of the County Ordinance and the EPS Rule?

### Fertilizer Content, Application Manner and Rate

- Fertilizers containing nitrogen and phosphorous cannot be applied to turfgrass or landscape plants from June 1 through September 30.
- Fertilizers containing phosphorous cannot be applied to turfgrass or landscape plants at any time unless a soil analysis test showing a phosphorous deficiency has been performed by a qualified laboratory and submitted to the County Administrator prior to making any application.
- Fertilizers containing nitrogen must be at least 50% controlled or slow release nitrogen.
- Fertilizers containing nitrogen cannot be applied prior to seeding, or for the first 30 days after seeding or sodding except under specific hydroseeding conditions (see ordinance).
- Nitrogen containing fertilizers must be applied at the rates recommended in the DEP-UF/IFAS manual *Best Management Practices for the Protection of Water Resources by the Green Industry*.  
[https://ffl.ifas.ufl.edu/media/fflifasufledu/docs/GIBMP\\_Manual\\_Web\\_English.pdf](https://ffl.ifas.ufl.edu/media/fflifasufledu/docs/GIBMP_Manual_Web_English.pdf)
- Spreader deflector shields are required on all broadcast or rotary spreaders and must be used to deflect granular fertilizer away from all impervious surfaces and water bodies.
- Fertilizer cannot be applied, spilled or deposited on any impervious surface. If this happens, it must be immediately and completely removed. It can be applied at the recommended rate to turfgrass or landscape plants.
- Fertilizer cannot be washed, swept or blown from impervious surfaces into storm drains, ditches, drainage conveyances, surface waters or roadways.

### Weather Restrictions

- Fertilizers containing nitrogen or phosphorous cannot be applied when, i) it is raining at the application site, or ii) within the time period during which a flood watch or warning, or a tropical storm watch or warning, or a hurricane watch or warning is in effect for any portion of Hillsborough County, issued by the National Weather Service, or iii) within 36 hours prior to a rain event greater than or equal to 2 inches in a 24 hour period is likely.

### Fertilizer Free Zones

- Fertilizer cannot be applied within 10 feet of any surface water.

### Management of Grass Clipping and Vegetative Materials

- Grass clippings, vegetative material and vegetative debris cannot be washed, swept or blown into storm drains.

### Certification and Training

- All commercial applicators including government and institutional applicators must obtain an FDACS Limited Commercial Urban Fertilizer Certification (LUF) aka the fertilizer license. A GIBMP (Green Industries Best Management Practices certification by DEP-UF/IFAS is required to obtain the LUF.
- A vehicle decal issued by EPCHC must be affixed to any vehicle used by the company in connection with landscape maintenance activities and/or the application of fertilizer.

### Recommendations

- A 6 foot low maintenance, no mow zone from the waters edge in the fertilizer free zone.
- Reduction of fertilizer application on properties utilizing reclaimed water. Check with Hillsborough County Water Resources Department for information on reclaimed water nutrient content.

### Enforcement and Penalty

- There are provisions for enforcement and penalty as misdemeanors with fines up to \$500 and/or imprisonment up to 60 days. Code enforcement, law enforcement or others designated by the County may enforce the ordinance.

---

Susan Haddock, Commercial Horticulture/IPM Agent IV UF/IFAS Extension Hillsborough County  
(813)744-5519 ext. 54103 [szcrmchz@ufl.edu](mailto:szcrmchz@ufl.edu) Pub. 02/22

---

Hillsborough County Extension is a cooperative service of Hillsborough County Board of County Commissioners and the University of Florida.  
UF/IFAS is an Equal Opportunity Institution. UF/IFAS Extension, University of Florida, Institute of Food and Agricultural Sciences