

RESOLUTION NO. 028-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING EXEMPTION FROM PREEMPTIVE LAWS CONTROLLING THE APPLICATIONS OF PESTICIDES

WHEREAS the Governor's Freedom First budget for 2022-23 continues his commitment to water quality by allocating more than \$2.2 billion for key environmental priorities, including dedicating \$972 million to Everglades and water quality protection, and

WHEREAS with this historic funding, DEP and partners will be able to continue work to expedite Everglades restoration through sound science and project collaboration; implement clean water projects to reduce nutrients in our waterways; assist communities with water supply projects to meet Florida's future water needs; combat blue-green algae and red tide that have harmful environmental and economic impacts on our communities; and make our communities more resilient through technical assistance and funding to address flooding, erosion and ecosystem changes, and

WHEREAS the over-application of toxic pesticides, herbicides and fungicides on residential and commercial properties within the Town of Palm Beach has become a hazard that undermines human and environmental health, and

WHEREAS the state preemption of pesticide regulation has caused unintended consequences to non-agricultural, small, barrier island towns such as Palm Beach and has resulted in unnecessary exposure to harmful, synthetic pesticides that migrate onto its public walkways and into its waterways, and

WHEREAS toxic pesticides sprayed onto trees and vegetation drip, flow and pool on the Town's public trails, walkways, and sidewalks, frequented by its residents, visitors, and their pets, inadvertently exposing them to these chemicals, and

WHEREAS applications of these toxic pesticides on trees and vegetation by spraying, granular dosing, drenching and injecting at the roots of vegetation end up in the Town's storm water runoff flowing into the Lake Worth Lagoon and Atlantic Ocean, causing a deleterious effect on marine life and plants, and

WHEREAS exposure to pesticides is acknowledged by the State of Florida to be harmful to humans, pets and other wildlife, including birds, beneficial pollinators, and aquatic life, through its mandatory signage program, warning residents to keep children and pets off properties recently treated with these chemicals, and

WHEREAS the Town of Palm Beach should be exempted from preemptive laws meant to protect specific Florida industries, such as commercial agriculture, when no such industry is present now, or will ever be present, on the residential island of Palm Beach, and

WHEREAS the most important powers a city in Florida has are its Home Rule powers and the Florida legislature has continued to unnecessarily erode municipalities' ability to enact home rule to the detriment of local residential communities' ability to protect the health, safety and welfare of its residents, visitors, pets, and wildlife, and

WHEREAS the Governor of Florida has repeatedly recognized that "One size doesn't fit all" on numerous important issues affecting the people of Florida, and

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, consistent with the Governor's commitment to water quality, environmental protection, and public safety, the Town of Palm Beach respectfully requests it be exempted from preemptive laws controlling the applications of pesticides in order that the Town might effectively manage the unnecessary over exposure of these chemicals to its population, wildlife and waterways.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February, 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk