

1 [Amendment of the Integrated Pest Management Program]
2 AMENDING CHAPTER 39 OF PART I OF THE SAN FRANCISCO MUNICIPAL CODE
3 (ADMINISTRATIVE CODE), THE INTEGRATED PEST MANAGEMENT ORDINANCE,
4 SECTIONS 39.5 AND 39.6 TO TRANSFER THE DUTIES OF THE AGRICULTURAL
5 COMMISSIONER TO THE DEPARTMENT OF THE ENVIRONMENT.

6 Note: Additions are underlined; deletions are in ((double parentheses)).

7 Be it ordained by the People of the City and County of San Francisco:

8 Section 1. FINDINGS. The Board of Supervisors of the City and County of San
9 Francisco hereby finds and declares that consolidating the administration of the Integrated
10 Pest Management Program in the Department of the Environment will promote greater
11 efficiency, timeliness of response and effectiveness in the administration of the Program,
12 thereby benefiting the public and regulated community.

13 Section 2. Chapter 39 of the San Francisco Administrative Code is hereby amended
14 by amending Sections 39.5 and 39.6 to read as follows:

15 **SEC. 39.5. NOTICE OF PESTICIDE USE.** (a) Except as provided in Subdivisions (b)
16 through (e) hereof, within 120 days of the effective date of this ordinance, any City department
17 that uses any pesticide shall comply with the following notification procedures:

18 (1) Signs shall be posted at least four days before application of the pesticide
19 product and remain posted at least four days after application of the pesticide.

20 (2) Signs shall be posted (i) at every entry point where the pesticide is applied if the
21 pesticide is applied in an enclosed area, and (ii) in highly visible locations around the
22 perimeter of the area where the pesticide is applied if the pesticide is applied in an open area.

23 (3) Signs shall be of a standardized design that are easily recognizable to the public
24 and workers.

25 (4) Signs shall contain the name and active ingredient of the pesticide product, the

MAYOR WILLIE L. BROWN, JR.

BOARD OF SUPERVISORS

Supervisor Newsom

Page 1

1 target pest, the date of pesticide use, the signal word indicating the toxicity category of the
2 pesticide product, the date for re-entry to the area treated, and the name and contact number
3 for the City department responsible for the application.

4 (b) City departments shall not be required to post signs in accordance with
5 Subsection (a) in right-of-way locations that the general public does not use for recreational
6 purposes. However, each City department that uses pesticides in such right-of-way locations
7 shall develop and maintain a public access telephone number about pesticide applications in
8 the right-of-way areas. Information readily available by calling the public access number shall
9 include for any pesticide that will be applied within the next four days or has been applied
10 within the last four days: A description of the area of the pesticide application, the name and
11 active ingredient of the pesticide product, the target pest, the date of pesticide use, the signal
12 word indicating the toxicity category of the pesticide product, the re-entry period of the area
13 treated and the name and contact number for the City department responsible for the
14 application. Information about the public access telephone number shall be posted in a public
15 location at the City department's main office building.

16 (c) City departments using baits shall not be required to post signs in accordance
17 with Subsection (a). However, each City department that uses pesticidal baits shall post on a
18 permanent sign: (1) in each building or vehicle where the baits are used, (2) at the City
19 department's main office or a similar location where the public obtains information regarding
20 the building or vehicle, and (3) when baits are used outdoors to control rats and other pests, in
21 a conspicuous location outside of the area where the baits are used. The sign shall indicate
22 the name and active ingredient of the baits used in and around the building or vehicle, the
23 target pests, the signal word indicating the toxicity category of the pesticide product, the area
24 or areas where the baits are commonly placed, and the contact number for the City
25 department responsible for the bait application.

1 (d) City departments may obtain authorization from the Department of the
2 Environment ((Agricultural Commissioner)) to apply a pesticide without providing a four-day
3 advance notification in the event of a public health emergency or to comply with worker safety
4 requirements. Signs meeting the requirements of Subsection (a)(2) through Subsection (a)(4)
5 shall be posted at the time of application and remain posted four days following the
6 application. A City department applying pesticides for which an exemption is granted pursuant
7 to this Subsection (d), shall report any pesticide usage to the Commission on the Environment
8 within 30 days of application.

9 (e) The Commission on the Environment may grant exemptions to the notification
10 requirements for certain other specific one-time pesticide uses and may authorize permanent
11 changes in the way City departments notify the public about pesticide use in some specific
12 circumstances, upon a finding that good cause exists to allow an exemption to the notification
13 requirements. Prior to granting an exemption pursuant to this subsection, the City department
14 requesting the exemption shall identify the specific situations in which it is not possible to
15 comply with the notification requirements and propose alternative notification procedures. The
16 Commission on the Environment shall review and approve the alternative notification
17 procedures. A City department applying pesticides for which an exemption is granted
18 pursuant to this Subsection (e), shall report any pesticide usage to the Commission on the
19 Environment within 30 days of application.

20
21 **SEC. 39.6. IMPLEMENTATION OF CITY INTEGRATED PEST MANAGEMENT**
22 **POLICY.** (a) Within 90 days of the effective date of Section 39.1(d) each City department that
23 uses pesticides shall submit to the Department of the Environment a plan for implementing
24 the City Integrated Pest Management (IPM) Policy. The Commission on the Environment may
25 require periodic IPM plan updates. The IPM implementation plans and any periodic updates

MAYOR WILLIE L. BROWN, JR.
BOARD OF SUPERVISORS

1 shall be consistent with the requirements of this Section and any guidelines developed by the
2 Department of the Environment pursuant to this Chapter.

3 (b) A City department IPM implementation plan shall outline the ways in which the
4 City department shall comply with the City IPM Policy in Section 39.1(d). The City department
5 IPM implementation plan shall include pesticide applications performed by pesticide
6 applicators at the request of the City department. The IPM implementation plan shall contain a
7 list of the types and quantities of chemicals used as of December 31, 1996, the types of pest
8 problems, the alternatives adopted to date, alternatives proposed for adoption within the next
9 six months, and the primary IPM contact for the City department.

10 (c) At the request of the Department of the Environment, the Commission may
11 determine that a City department's IPM implementation plan is not in conformity with the City
12 IPM Policy. Upon a determination of nonconformity, the City department shall submit a
13 revised plan to the Department of the Environment in accordance with a schedule established
14 by the Commission.

15 (d) The ((Agricultural Commissioner and the)) Department of the Environment shall
16 assist City departments in implementing the City IPM Policy by developing public educational
17 information about IPM plans and programs and the City's IPM Policy.

18 (e) The Department of the Environment ((Agricultural Commissioner)) shall
19 establish an IPM Policy implementation program to assist City departments in implementing
20 the City IPM Policy. The Department of the Environment ((Agricultural Commissioner)) shall
21 establish a data bank of information concerning pesticide use by City departments and the
22 efficacy of alternatives used by City departments. All City departments that use pesticides
23 shall participate in the Department of the Environment's ((Agricultural Commissioner's))
24 program by:

25 (1) Identifying the types of pest problems that the City Department has;

1 (2) Identifying types and quantities of pesticides currently in use by the City
2 department;

3 (3) Identifying the use of alternatives for banned pesticides;

4 (4) Designating City department contact personnel who are responsible for the
5 service for which the pesticides are used to regularly assess the efficacy of alternatives and to
6 act as a resource for other City departments; and

7 (5) Providing regular reports as required by the Department of the Environment
8 ((Agricultural Commissioner)) on the City department's efforts to implement the City IPM
9 Policy.

10 (f) The Department of the Environment ((Agricultural Commissioner)) shall
11 determine the cost of maintaining the IPM implementation program. The Department of the
12 Environment ((Agricultural Commissioner)) may request that the City departments that use
13 pesticides provide work orders to the Department of the Environment ((Agricultural
14 Commissioner)) to cover the cost of maintaining the program.

15 (g) No later than July 1, 1997 and quarterly thereafter, the Department of the
16 Environment ((Agricultural Commissioner)) shall report to the Commission on the Environment
17 on the status of City department efforts to implement the City IPM Policy. The Department of
18
19
20
21
22
23
24
25

1 the Environment shall provide an annual report to the Board of Supervisors on the status of
2 City department efforts.

3

4

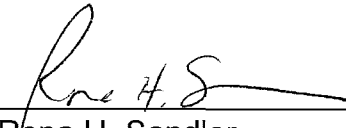
5 APPROVED AS TO FORM:

6 LOUISE H. RENNE, City Attorney

7

8

9

10 By: 
11 Rona H. Sandler
12 Deputy City Attorney

13

14

15

16

17

18

19

20

21

22

23

24

25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 991246

Date Passed:

Ordinance amending Administrative Code (The Integrated Pest Management Ordinance) Sections 39.5 and 39.6 to transfer the duties of the Agricultural Commissioner to the Department of the Environment.

August 2, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

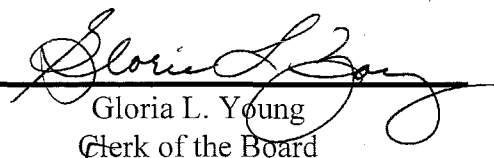
August 9, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 2 - Katz, Teng

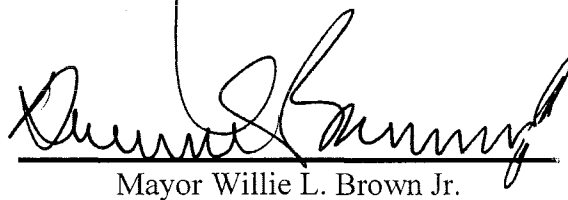
File No. 991246

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on August 9, 1999 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

AUG 20 1999

Date Approved


Mayor Willie L. Brown Jr.