


Councilmember Mary M. Cheh

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6 A BILL
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10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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14 To require the Mayor to establish a guide for safe, sustainable grounds maintenance practices,
15 including a minimum list of requirements, and to establish a voluntary certification
16 program for District property owners and lessees to certify that they meet the minimum
17 list of requirements.

18 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
19 act may be cited as the “Green Yards Recognition Act of 2016”.

20 Sec. 2. Definitions.

21 For the purposes of this act, the term:

22 (1) “Integrated pest management” shall has the same meaning as provided in section 2(8)
23 of the Pesticide Education and Control Amendment Act of 2012, effective October 23, 2012
24 (D.C. Law 19-191; D.C. Official Code § 8-431(8)).

25 (2) “Lawn care equipment” means leaf blowers, lawn mowers, weed eaters, snow
26 blowers, and other equipment intended for the maintenance or care of outdoor property that
27 requires a power supply other than human strength.

28 (3) “Minimum risk pesticides” means pesticides designated as a “minimum risk
29 pesticide” under section 25(b) of the Federal Insecticide, Fungicide and Rodenticide Act and
30 listed in 40 C.F.R. § 152.25(f).

31 (4) “Organic pesticides” means pesticides including no active ingredients other than those
32 recommended by the National Organic Standards Board pursuant to 7 U.S.C. § 6518, as
33 amended, and published as the National List at 7 C.F.R. §§ 205.601 and 205.60.

34 Sec. 3. Green Yards Recognition Program.

35 (a) The Department of Energy and Environment (“Department”) shall administer a Green
36 Yards Recognition Program (“Program”) to encourage District residents, businesses, and other
37 property owners to maintain their grounds using only safe and sustainable practices.

38 (b) Within 120 days of the effective date of this act, the Program shall establish a guide to
39 safe and sustainable grounds maintenance, including a list of minimum requirements and
40 prohibited practices for safe and sustainable grounds maintenance, and make that list available
41 online to the public. At a minimum, the list shall include:

- 42 (1) Participation in the Department’s Riversmart Homes Program;
- 43 (2) Use of integrated pest management for pest control;
- 44 (3) Use of only organic pesticides or minimum risk pesticides; and
- 45 (4) Use of only electric- or battery-powered lawn care equipment, unless there is
46 no feasible electric- or battery-powered equivalent of the equipment available to consumers.

47 (c) No later than 30 days after the publication of the requirements listed in subsection (b)
48 of this section, the Department shall make available online a form allowing a District property
49 owner or lessee to voluntarily certify to the Department that the owner or lessee meets all of the
50 requirements listed pursuant to subsection (b) of this section. The form shall include an option
51 allowing the property owner or lessee to order a Program yard sign pursuant to subsection (d) of
52 this section at the time they submit their certification.

53 (d) The Department shall design a Program yard sign that affirms the participation of the
54 property owner or lessee in the Program. The Department may charge a fee to the property
55 owner or lessee to cover the cost of production of the Program yard signs.

56 (e) The Department may, at its discretion, revoke the Program certification of a property
57 owner or lessee immediately upon learning that the property owner or lessee has violated the
58 requirements listed pursuant to subsection (b) of this section since the time of certification. A
59 property owner or lessee whose certification has been revoked may not reapply for certification
60 for one year following the revocation.

61 (f) The Department may expand the Program to include varying types or levels of
62 certification, and to incorporate awards or other methods of recognition and incentives for
63 participants.

64 Sec. 4. Rules.

65 The Department, pursuant to the District of Columbia Administrative Procedure Act,
66 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may promulgate
67 regulations to implement the provisions of this act.

68 Sec. 5. Fiscal impact statement.

69 The Council adopts the fiscal impact statement in the Committee Report as the
70 fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975,
71 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

72 Sec. 6. Effective date.

73 This act shall take effect following approval by the Mayor (or in the event of veto by the
74 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
75 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

76 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
77 Columbia Register.