

HB 2409 gives homeowners freedom of choice

Your Turn

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Guest columnists

Many Oregon homeowners in homeowner associations are concerned about landscape contractors spraying pesticides on their property. Oregon House Bill 2409, which became effective Jan. 1, fixes this problem.

It applies to homeowners in HOAs whose association maintains the landscape of property owners, most frequently their front yards. The law was passed in response to heightened concern about the overuse of toxic pesticides that can affect the health of children, pets and people with health challenges.

HOA homeowners can now request advance notification of pesticide applications and also opt out of pesticide applications on their own property. If a homeowner elects to be excluded, they must agree to maintain their yard to the HOA's common standard. HOAs enforce compliance regarding maintenance to the association's standards, if necessary. This law applies to a homeowner's private lot, but not common areas and does not affect other privately owned homes.

HB 2409 provides an important opportunity for those concerned about toxics to communicate with their HOA. HOA boards, association managers and landscape contractors have the administrative responsibility to ensure compliance.

So how does a homeowner discuss an updated landscape contract? Go to the HOA board and ask for a review of the landscape contract. Review if and how much (as an example) glyphosate (RoundUp, etc.) or neonicotinoids (bee killing insecticides) have been used in the past. Are nontoxic methods being used first? A new contract could include the use of: Mulch, nontoxic pre-emergents, nontoxic herbicides and insecticides.

The HOA can develop a policy of "toxic pesticide use as a last resort." Residents of HOAs can write new policies to focus on using nontoxic alternatives like those found in the "Products Compatible with Organic Landscape Management" document published by BeyondPesticides.org.

Owners may want to discuss their concerns for landscape maintenance in common areas with their HOA. The same risks to human health and pollinator survival still apply if pesticides are used on a common area.

Finally, why does this matter? Some herbicides and insecticides can persist on plants and in soil for long periods and their residues can harm pets and pollinators many months after they were originally sprayed. Many people want their home and community safe for their kids, pets and pollinators. People are becoming increasingly aware of carcinogenic and otherwise toxic effects of many herbicides and insecticides.

As Oregonians, HB 2409 gives us a choice to protect our communities from harm.

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