

READ THE MEASURE FOR YOURSELF

Measure 17-63

The Freedom from Pesticides Bill of Rights

Section 1. Findings and Intent

We the people of Josephine County declare that we possess a fundamental and inherent right to govern our own communities.

We the people of Josephine County assert our right to self-government to adopt this ordinance, which creates a freedom from pesticides bill of rights for the people of Josephine County, which protects the ecosystems, surrounding lands, and public health of the citizens of Josephine County from pesticide use.

We the people of Josephine County recognize that current laws and regulations permit and protect the use of pesticides, threaten our public health, and interfere with our right to community self-government. A large number of pesticides, such as DDT and atrazine, have been proven harmful to both humans and the environment. Knowing over 88,000 chemicals are in use in the United States, the risks from trespass, due to the failure of our federal, state and local governments to protect us, are no longer acceptable.

We the people of Josephine County, in order to protect the rights enumerated within this ordinance, declare that all pesticide use by corporate and government entities (the largest users of pesticides) on all lands within Josephine County except for private residential properties must be prohibited.

Accordingly, the people of Josephine County adopt this Ordinance, which prohibits corporations and governmental entities from engaging in the use of pesticides on all lands within Josephine County except for private residential properties.

Measure 17-63 bans pesticide use by all government entities and all businesses in the county including schools, farms, forestry, restaurants and even our hospital and clinics

Local schools and daycare centers could no longer use pesticides to control fleas, cockroaches, head lice, ticks and other disease-carrying pests on their property

Allows residents to sue other residents, farmers, foresters, businesses, schools, hospitals and clinics on behalf of inanimate objects such as trees and plants

Section 3. Prohibitions Necessary to Secure the Freedom from Pesticides Bill of Rights

(a) It shall be unlawful for any corporation or governmental entity to violate any right secured by this Ordinance.

(b) It shall be unlawful for any corporation or governmental entity holding an applicator license to engage in the application of pesticides within Josephine County.

(c) Corporations or governmental entities engaged in the application of pesticides in any municipality or designated jurisdiction adjacent to Josephine County shall be strictly liable for damages caused by those pesticides to the residents and ecosystems within Josephine County.

Measure 17-63 overrides state criminal laws and protects people who commit crimes such as assault and trespass in order to enforce the measure

The measure allows private citizens to take any direct action necessary to prevent farmers, foresters, hospitals and schools from using pesticides including assault, trespass or other criminal acts to enforce the measure

Section 4. Enforcement

(a) The Josephine County government, any resident, or group of residents can enforce this Ordinance through an action brought in a court of competent jurisdiction. In such an action, the County, resident or group of residents shall be entitled to recover damages and all costs of litigation, including, without limitation, expert and attorney's fees.

(b) Any action brought to remedy the violation of the rights of natural communities or ecosystems shall list the natural community or ecosystem as a plaintiff in the action, damages sought must bear a relationship to the damage inflicted upon the natural community or ecosystem, awarded damages must be payable to the municipality for the restricted use of repairing the natural community or ecosystem, and those damages shall not be limited to laboratory and legal fees.

(c) Any person, or group of persons, acting within the municipality, shall also be authorized by this ordinance to enforce the provisions of the law through direct action, if the local government or any court of competent jurisdiction fails to enforce the rights and prohibitions of this ordinance.

If enforcement through direct action is commenced, this ordinance shall prohibit any action by any private or public actor to file civil or criminal actions against those participating in direct action.

"Direct action" as used by this provision, shall mean any activities or actions carried out to directly enforce the rights and prohibitions contained within this ordinance.

Harms Josephine County businesses and their customers, because local restaurants, hotels and markets use pesticides to control insects, rodents, bed bugs and other disease-carrying pests

Section 9. Definitions

(a) "Chemical Trespass" means the involuntary introduction of toxic chemicals into the human body, the air, water, soil, natural community and/or ecosystem.

(b) "Corporations," for purposes of this ordinance, shall include any corporation, limited partnership, limited liability partnership, business trust, public benefit corporation, business entity, or limited liability company organized under the laws of any state of the United States or under the laws of any country.

(c) "Ecosystems" shall include, but not be limited to, wetlands, streams, rivers, aquifers, and other water systems, as well as all naturally occurring habitats that sustain wildlife, people, flora and fauna, soil-dwelling or aquatic organisms.

(d) "Engage in the Application of Pesticides" shall mean the physical deposition of pesticides into the land, water, or air of Josephine County, and shall also include, but not be limited to, all actions taken to prepare for that physical deposition.

(e) "Natural Communities" means communities of wildlife, flora, fauna, soil-dwelling, aerial, and aquatic organisms, as well as humans and human communities that have established sustainable interdependencies within a proliferating and diverse matrix of organisms, within a natural ecosystem.

(f) "Pesticides" means any synthetic chemicals, or synthetic chemical mixtures, that can be classified as algicides, avicides, bactericides, fungicides, herbicides, insecticides, miticides, acaricides, molluscicides, nematocides, rodenticides, or virucides, and shall include, but not be limited to, restricted and non-restricted pesticides used to destroy plant, fungal, and/or animal 'pests'.

Measure 17-63 prohibits our local hospital and clinics from using bactericides, fungicides or even disinfectants to keep their facilities sanitary and free of infectious germs

NO ON 17-63
MEASURE
It's Extreme. It's Irresponsible.

READ THE MEASURE. READ THE VOTERS' PAMPHLET. IT'S EXTREME. IT'S IRRESPONSIBLE.