



**CITY OF  
BLOOMINGTON  
COMMON COUNCIL**

**AGENDA AND NOTICE:  
CLIMATE ACTION & RESILIENCE  
COMMITTEE  
TUESDAY | 6:00 PM  
29 November 2022**

*Allison Conference Room (#225), Showers Building, 401 N. Morton Street  
The public may also access the meeting at the following link:*

<https://bloomington.zoom.us/j/87019879439?pwd=eTlaQTdLMjl1SHRyVTlZQkJrbzJuZz09>

**Chair: Matt Flaherty**

- I. CALL TO ORDER**
- II. ESTABLISH NEXT STEPS FOR PUBLIC AND STAKEHOLDER ENGAGEMENT REGARDING RECOMMENDATIONS ON IMPLEMENTING CAP STRATEGY TL 1-I**
- III. COMMITTEE MEMBER ISSUES/PRIORITIES**
- IV. SCHEDULING**
- V. ADJOURNMENT**



**City of Bloomington  
Office of the Common Council**

# **NOTICE**

**Tuesday, 29 November 2022**

**Council Climate Action and Resilience Committee  
Starting at 6:00 pm**

This meeting will be held in the Allison Conference Room (Suite #225, City Hall, 401 N. Morton St) and may also be accessed electronically via Zoom (see information below).

*Join Zoom Meeting*

<https://bloomington.zoom.us/j/87019879439?pwd=eTlaQTdLMjl1SHRyVTlZQkkrbzjuZz09>

*Meeting ID: 870 1987 9439*

*Passcode: 300804*

*One tap mobile*

*+13052241968,,87019879439# US*

*+13092053325,,87019879439# US*

*Find your local number: <https://bloomington.zoom.us/u/kbLQ90LAdv>*

As a quorum of the Council or its committees may be present, this gathering constitutes a meeting under the Indiana Open Door Law (I.C. § 5-14-1.5). For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

## **Gas-Powered Leaf Blower Sample Legislation**

November 10, 2022

City	Description of Rule
CA, Oakland	Original Ordinance: Prohibits combustion engine-powered leaf blowers.
CA, San Anselmo	Original Ordinance: Two-cycle engine ban and time of day restrictions for electric blowers.
CO, Carbondale	Code: Use of gasoline-powered leaf blowers is prohibited.
CO, City of Aspen	Ordinance: Use of gasoline-powered leaf blowers is prohibited.
CT, Greenwich	Code: Time of day and decibel restrictions.
CT, Ridgefield	Code: Time of day restrictions.
DE, Lewes	Original Ordinance: Gasoline powered-lawn equipment prohibited with phase-out period.
FL, Palm Beach	Original Ordinance: Gasoline-powered leaf blowers prohibited on parcels smaller than one acre.
IL, Evanston	Original Ordinance: Gasoline-powered leaf blowers prohibited with phase-out period.
IL Glencoe	Original Ordinance: Gasoline-powered leaf blowers restricted seasonally and at times of day.
IL, Lincolnwood	Code: Gasoline-powered leaf blowers restricted seasonally and at times of day.
IL, Wilmette	Code: Gasoline-powered leaf blowers restricted seasonally, at times of day, and deration of sustained use.
MA, Arlington	Code: Gas-powered leaf blowers restricted seasonally, days of week, times of day during phase-out period.
MA, Brookline	Code: Gas-powered leaf blowers restricted seasonally, by time of day, and decibels.
MA, Cambridge	Code: Gas-powered leaf blowers restrictions by time of year and day as well as technological requirements, personal protective equipment requirements, and other use standards.
MD, Montgomery, Co.	Original Ordinance: Prohibits the sale and use of combustion engine-powered leaf blowers and authorizes a grant program to replace gas machines.
NC, Chapel Hill	Code: Technological requirements, zone-specifications, time of day restrictions, decibel limits.
NJ, Princeton	Original Ordinance: Gas-powered leaf blowers restricted seasonally, by time of day, exceptions for emergency.
NY, City of White Plains	Code: Gas-powered leaf blowers restricted by time of day and year with phase out period.
NY, Dobbs Ferry	Code: Gas-powered leaf blowers restricted by time of day and year.
NY, Flower Hill	Code: Gas-powered leaf blowers restricted by time of day and year, commercial restrictions, exceptions with waiver.
NY, Greenburgh	Code: Gas-powered leaf blowers restricted by time of year and in certain zones.

NY, New Rochelle	Code: Gas-powered and electric leaf blowers banned seasonally.
NY, Oyster Bay	Code: Gas-powered and electric leaf blowers restricted time and day.
NY, Pleasantville	Code: Gas-powered leaf blowers prohibited seasonally, electric leaf blowers restricted by time and day.
NY, Sleepy Hollow	Code: Time of year and time of day restrictions.
NY, Tarrytown	Code: Gas-powered leaf blowers restricted on summer weekends and holidays.
NY, Thomaston	Code: Gas-powered leaf blowers restricted seasonally.
NY, Town of Huntington	Code: Gas-powered leaf blowers restricted by duration of sustained use, time of day, and day of week.
NY, Town of New Castle	Code: Gas-powered and electric restricted by time of day.
NY, Village of Ardsley	Code: Permit required to operate gas-powered leaf blowers and time of day and year restrictions.
NY, Village of Bronxville	Code: Internal combustion engines restricted by time of year and day.
NY, Village of Great Neck	Code: All leaf blowers restricted seasonally and by time of day.
NY, Village of Larchmont	Code: Internal combustion leaf blowers prohibited as of January 2022, electric leaf blowers restricted by time of day and year.
NY, Village of Tuckahoe	Code: Gasoline-powered leaf blowers restricted by time of year and time of day.
NY, Yonkers	Code: Seasonal ban on gasoline-powered leaf blowers.
WA, Seattle	Resolution: Expressing the intent to phase out gasoline-powered leaf blowers.

## **Oakland, California**

Original Ordinance: Prohibits combustion engine-powered leaf blowers.



CITY ATTORNEY'S OFFICE

# OAKLAND CITY COUNCIL

## ORDINANCE NO. \_\_\_\_\_ C.M.S.

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### AN ORDINANCE ADDING OAKLAND MUNICIPAL CODE CHAPTER 8.64 TO PROHIBIT THE OPERATION OF COMBUSTION ENGINE-POWERED LEAF BLOWERS AND STRING TRIMMERS WITHIN THE TERRITORIAL LIMITS OF THE CITY OF OAKLAND; AND ADOPTING APPROPRIATE CEQA EXEMPTION FINDINGS

**WHEREAS**, combustion engine leaf blowers and string trimmers most often employ two-stroke engines that require a mixture of gasoline and oil<sup>1</sup>. Such engines cause extreme and unreasonable amounts of pollution in several forms<sup>2</sup>: liquid and solid particulate matter (PM), ozone, carbon monoxide, nitrogen oxides, and hydrocarbons (CO, NOx, and HC). Particulate matter air pollution is of special concern as it consists of particles small enough to remain suspended in the air for hours to days unless removed by precipitation or another force. This pollution compounds the Bay Area's particulate matter levels, which are increasing<sup>3</sup>; and

**WHEREAS**, over the course of an hour, a single leaf blower produces as much smog as 17 cars, re-entraining an estimated 2.6 pounds of particulate (PM10) dust emissions per hour of use. Moreover, these machines, along with other motorized handheld equipment, produced more particulate matter emissions than automobile exhaust<sup>4</sup>, according to one study of a group of roadway maintenance workers; and

**WHEREAS**, global demand for fossil fuels continues to accelerate apace<sup>5</sup>, and is the primary driver of greenhouse gas emissions. To minimize chances of breaching the 2 degree Celsius atmospheric temperature threshold that would produce devastating climatic instability, widespread extinctions and resultant

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<sup>1</sup> How Does a Weed Eater Work? <https://homeguides.sfgate.com/weed-eater-work-89639.html>

<sup>2</sup> LEAF BLOWER FACTS, <https://www.nonoise.org/quietnet/cqs/leafblow.htm>

<sup>3</sup> <http://www.lung.org/local-content/california/documents/state-of-the-air/2017/sota-2017-statewide-press-english.pdf>

<sup>4</sup> Particulate matter emissions: Trimmers and chainsaws are worse than highway traffic, <https://www.sciencedaily.com/releases/2013/05/130530094627.htm>

<sup>5</sup> Fossil fuels still dominate U.S. energy consumption despite recent market share decline, <https://www.eia.gov/todayinenergy/detail.php?id=26912>

biodiversity loss, social unrest, and heightened conflict, scientific evidence demonstrates that wealthy countries must reduce total greenhouse gas emissions (GHGs) by at least 10% per year<sup>6</sup>. Therefore, all efforts to curb unnecessary fossil fuel combustion are warranted; and

**WHEREAS**, entrained dust harbors numerous toxins, namely molds, pollens, heavy metals such as lead, arsenic, and mercury, as well as pesticides, animal feces, and viruses. Both blower operators and passersby are exposed to this pollution, although entrained dust is significantly less pollutive compared to combustion engine exhaust; and

**WHEREAS**, before the COVID-19 pandemic, the United States was already undergoing a massive epidemic of chronic, non-communicable, and mostly preventable diseases<sup>7</sup>, one major cause of which is air pollution<sup>8</sup>. Air pollution irritates eyes and throats, harms lungs, and causes cancer<sup>9</sup>, neurological conditions, and premature death, including sudden death from heart attacks. Because combustion engine-powered leaf blowers contribute to local air pollution, they increase the toxic burden on humans, lowering health outcomes and quality of life. Every year, 200,000 people in the United States die prematurely from air pollution<sup>10</sup>; and

**WHEREAS**, according to a new nationwide study from Harvard T.H. Chan School of Public Health that looked at the link between long-term exposure to fine particulate air pollution (PM2.5) and the risk of death from COVID-19, determined that people with COVID-19 who live in U.S. regions with high levels of air pollution are more likely to die from the disease than people who live in less polluted areas<sup>11</sup>; and

**WHEREAS**, the California Air Resources Board reports that air pollution costs the state billions of dollars per year<sup>12</sup> in health care and damage to crops and buildings. Several common air pollutants produced by fossil fuel combustion damage agricultural plants, causing mottled foliage, burning at leaf tips or margins, twig dieback, stunted growth, premature leaf drop, delayed maturity, abortion or early drop of blossoms, and reduced yield or quality. Ozone, sulphur dioxide, nitrogen oxides, ammonia, peroxyacetal nitrate (PAN), chlorine, and ethylene stand out among the most harmful air pollutants. Acidic pollutants deposit on soils, lowering their pH, impeding their ability to incubate food, and rendering them infertile. Acid rain, comprised of the common

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<sup>6</sup> The why and how of radical emissions reductions, Kevin Anderson, <http://www.climatecodered.org/2014/01/radical-emissions-reductions-1-kevin.html>

<sup>7</sup> Air pollution and chronic airway diseases: what should people know and do? <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4740163/>

<sup>8</sup> Children's environmental health, Air Pollution, <https://www.who.int/ceh/risks/cehair/en/>

<sup>9</sup> National Emissions from Lawn and Garden Equipment, <https://www.epa.gov/sites/production/files/2015-09/documents/banks.pdf>

<sup>10</sup> Study: Air pollution causes 200,000 early deaths each year in the U.S., <http://news.mit.edu/2013/study-air-pollution-causes-200000-early-deaths-each-year-in-the-us-0829>

<sup>11</sup> Air pollution linked with higher COVID-19 death rates <https://www.hsph.harvard.edu/news/hsph-in-the-news/air-pollution-linked-with-higher-covid-19-death-rates/>

<sup>12</sup> What would you like to know about California's Air Quality?, <https://www.arb.ca.gov/adam/aqfaq/index.html>



pollutants sulphur dioxide and nitrogen dioxide, is the chief cause of corrosive damage to the built environment<sup>13</sup>; and

**WHEREAS**, in addition to air pollution, noise pollution is widespread in cities, posing several health hazards. Combustion-engine powered leaf blowers emit noise pollution in levels known to cause many negative health effects<sup>14</sup>, including stress<sup>15</sup>, cardiovascular problems, gastrointestinal distress, depressed immunity, and interrupted sleep<sup>16</sup>; and

**WHEREAS**, the comfortable hearing range for human beings is 0-90 dB. According to the Occupational Safety and Health Administration (OSHA), blowers measuring 70-75 decibels (dB) at 50 feet can attain 90-100 dB volume at the operator's ear, exceeding comfort levels for most people. Such high noise levels pose a high risk of ear damage, and hearing losses therefrom contribute to industrial accidents. Because workers are closest to the point of origin of the noise, they are most susceptible to suffering hearing damage. Hearing loss causes severe health effects<sup>17</sup>, including increased stress<sup>18</sup>, heart disease risk, gastrointestinal problems, impaired enjoyment of music, entertainment, social interaction, and an impaired ability to recognize sounds of danger. By contrast, electric blowers can be significantly less noisy by tens of decibels<sup>19</sup>; and

**WHEREAS**, hazardous effects of air pollutants and noise are particularly harmful to workers operating combustion engine-powered equipment. Exhaust emissions are particularly concentrated at the point of origin<sup>20</sup> and noise is the loudest the closer to this equipment a person is. Modern protective equipment is not sufficient to protect workers from those hazards; and

**WHEREAS**, urban air pollution and noise<sup>21</sup> not only negatively impact humans, but also flora and fauna, both on land and in water, through photochemical oxidants,

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<sup>13</sup> Detrimental effect of Air pollution, Corrosion on Building

Materials and Historical Structures, [http://ajer.org/papers/v3\(3\)/ZT33359364.pdf](http://ajer.org/papers/v3(3)/ZT33359364.pdf)

<sup>14</sup> Auditory and non-auditory effects of noise on health, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3988259/>

<sup>15</sup> Too Loud! For Too Long! Loud noises damage hearing, <https://www.cdc.gov/vitalsigns/pdf/2017-02-vitalsigns.pdf>

<sup>16</sup> Numerical list of EHCs, [https://www.who.int/ipcs/publications/ehc/ehc\\_numerical/en/](https://www.who.int/ipcs/publications/ehc/ehc_numerical/en/)

<sup>17</sup> Chronic noise exposure, high-frequency hearing loss, and hypertension among automotive assembly workers, <https://pubmed.ncbi.nlm.nih.gov/2401922/>

<sup>18</sup> The Covariance between Air Pollution Annoyance and Noise Annoyance, and Its Relationship with Health-Related Quality of Life, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4997478/>

<sup>19</sup> LEAF BLOWER FACTS, <https://www.nonoise.org/quietnet/cqs/leafblow.htm>

<sup>20</sup> Carbon Monoxide Hazards from Small Gasoline Powered Engines, <https://www.cdc.gov/niosh/topics/co/>

<sup>21</sup> Effects of Air Pollution and Acid Rain on Fish, Wildlife, and Their Habitats: Urban Ecosystems, <https://nepis.epa.gov/Exe/ZyNET.exe/9100UMGS.txt?ZyActionD=ZyDocument&Client=EPA&Index=1981%20Thru%201985&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&UseQField=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D:\ZYFILES\INDEX%20DATA\81THRU85\TXT\0000019\9100UMGS.txt&User=ANONYMOUS&Password=anonymous&SortMethod=hj-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSe>

atmospheric metals, acidifying air pollutants, and miscellaneous urban air pollutants. Airborne pollutants can inhibit plant photosynthesis and bioaccumulate in plant and animal tissues. A well-known example of this is the widespread, global build-up of fossil fuel-sourced mercury in fish, rendering them toxic to human consumption; and

**WHEREAS**, because Oakland is home to several regionally important ecosystems, including the redwood groves of the hills, SF Bay shoreline, wetlands and Lake Merritt, the nation's oldest wildlife sanctuary, it is especially important that urban air pollution be minimized where possible. Curbing the use of fossil fuel-powered leaf blowers and string trimmers in favor of exhaust-free alternatives will further protect local non-human life forms and habitats; and

**WHEREAS**, many municipalities have already either completely banned or restricted the use of<sup>22</sup> combustion engine-powered equipment. Municipalities that have banned combustion engine-powered leaf blowers include the cities of Berkeley, Piedmont, Beverly Hills, Claremont, Laguna Beach, Lawndale, Los Altos, Menlo Park, Santa Monica, and Vancouver, BC; and

**WHEREAS**, viable alternative technologies exist to replace fossil fuel-powered leaf blowers as well as string trimmers. These include both corded and cordless electric machines, rakes, and brooms. Use of this alternative equipment does not have any negative effect on productivity. For example, one study by the Los Angeles Department of Water and Power found that a grandmother using a rake and push broom outperformed electric leaf blowers and almost matched the performance of gas-powered leaf blowers in the same task<sup>23</sup>; and

**WHEREAS**, the combustion engine-powered leaf blower and string trimmer have a net negative effect on human health and climate mitigation efforts compared with their electric analogs. Their ongoing use is therefore unjustifiable, warranting a citywide ban and replacement with battery-powered machines; and

**WHEREAS**, the City of Oakland may adopt ordinances for protection of health and safety pursuant to its general police powers, Sect 106 of the Charter of the City of Oakland, and Article XI of California Constitution;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Recitals:** The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them part of this Ordinance.

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[ekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntr  
y=13](#)

<sup>22</sup> Blower Bans Are Working in California Cities, <https://www.nonoise.org/quietnet/cqs/other.htm>

<sup>23</sup> ASSESSMENT AND PERFORMANCE TESTING, Conducted By The Los Angeles Department of Water and Power, Leaf Blower Task Force <https://www.zapla.org/present/dwptest.html>

**SECTION 2. Addition of Chapter 8.64 to the Oakland Municipal Code:** The Oakland City Council hereby adopts the addition of Chapter 8.64 to the Oakland Municipal Code, as follows:

**Chapter 8.64 Prohibition on Combustion Engine-Powered Leaf Blowers and String Trimmers.**

**8.64.010 – Title.**

This Chapter shall be known as the “Prohibition on Combustion Engine-Powered Leaf Blowers and String Trimmers Ordinance.”

**8.64.020 – Definitions**

“Combustion Engine-Powered Leaf Blower” means any leaf blowing device powered by an internal combustion or rotary engine using gasoline, alcohol or other liquid or gaseous fluid. Lawn mowers and electric leaf blowers are not included in this definition.

“Combustion Engine-Powered String Trimmer” is a string trimmer powered by an internal combustion or rotary engine using gasoline, alcohol, or other liquid or gaseous fluid. Electric string trimmers are not included in this definition.

“Combustion Engine-Powered Yard Equipment” shall mean only combustion engine-powered leaf blowers and combustion engine-powered string trimmers, for purposes of this Chapter.

“Electric Leaf Blower” means any leaf blowing device powered by only electric means, including but not limited to battery-powered leaf blowers and cordless rechargeable leaf blowers.

“Electric String Trimmer” is a string trimmer powered by only electric means including but not limited to battery-powered string trimmers and cordless rechargeable string trimmers.

“Leaf Blower” is any motorized device that is used to blow leaves, dirt, and other debris off sidewalks driveways, lawns, and other surfaces.

“String Trimmer,” also known as a strimmer, line trimmer, whipper-snipper, weed eater or weed whacker, is any motorized tool which uses a flexible monofilament line instead of a blade for cutting grass and other plants near objects, or on steep or irregular terrain.

**Sec. 8.64.030 – Prohibitions.**

A. No person shall operate any Combustion Engine-Powered Yard Equipment within the City in either public or private settings.

B. No owner of real property, tenant in possession of real property, or person in control of real property shall allow the operation of Combustion Engine-Powered Yard Equipment on the property.

C. No person who owns or operates a gardening, landscape maintenance or similar service shall operate or allow an employee or agent of that service to operate Combustion Engine-Powered Yard Equipment within the City.

**Sec. 8.64.040 – Enforcement and Remedies.**

A. Violations. Any person violating this Chapter shall be subject to administrative citations pursuant to O.M.C. Chapter 1.12. In addition, any violation in excess of three violations in a 3-year period shall be a major violation subject to a civil penalty of up to \$1,000 per violation.

B. Infractions. Any person who violates, causes, or permits another person to violate any provision of these regulations is guilty of an infraction unless otherwise provided.

C. Responsible Parties. The responsible parties for any and all violations shall be those parties listed in Section 8.64.030 (B) and (C). Employees of parties listed in Section 8.64.030 (C) are not considered responsible parties under this Ordinance.

D. Public Nuisance. Continued operation of Combustion Engine-Powered Yard Equipment in violation of this Chapter after issuance of a notice is a public nuisance.

**Sec. 8.64.050 – Appeal.**

Violations may be appealed pursuant to OMC 1.12.080 or other alternate or additional standards and procedures as may be promulgated by the City Administrator.

**SECTION 3. Direction to the City Administrator:** Within three months of the adoption of this Ordinance, the City Administrator or designee shall (1) notify the public regarding the Ordinance through the City's and Public Works' websites and/or website pages and (2) send a copy of this Ordinance with an accompanying letter to landscaping businesses and hardware stores operating in the City of Oakland that are likely to sell or operate the equipment prohibited by this Ordinance.

**SECTION 4. Grace Period:** No penalties authorized by this Ordinance shall be imposed during a period of six months beginning on the effective date of the Ordinance. Violations of the Ordinance occurring following the termination of the six-month period shall be subject to the penalties authorized by the Ordinance.

**SECTION 5. Effective Date:** This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

**SECTION 6. Severability:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

**SECTION 7. CEQA Compliance:** This action is exempt from the California Environmental Quality Act ("CEQA") pursuant to sections of the CEQA Guidelines, taken together and each as a separate and independent basis, including but not limited to: Section 15378 (regulatory actions), Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment), and Section 15061(b)(3) (no significant environmental impact). The legislation contains no provisions modifying the physical design, development, or construction of residential or nonresidential structures. Accordingly, it can be seen with certainty that there is no possibility that it: (1) may have a significant effect on the environment and/or (2) would result in any physical changes to the environment.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES –  
ABSENT –  
ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
Acting City Clerk and Clerk of the Council of the City of  
Oakland, California

Date of Attestation: \_\_\_\_\_

## **NOTICE AND DIGEST**

### **AN ORDINANCE ADDING OAKLAND MUNICIPAL CODE CHAPTER 8.64 TO PROHIBIT THE OPERATION OF COMBUSTION ENGINE-POWERED LEAF BLOWERS AND STRING TRIMMERS WITHIN THE TERRITORIAL LIMITS OF THE CITY OF OAKLAND**

This ordinance adds a new Oakland Municipal Code Chapter 8.64 that prohibits the operation of combustion engine-powered leaf blowers and string trimmers.

## **San Anselmo, California**

Original Ordinance: Two-cycle engine ban and time of day restrictions for electric blowers.

**ORDINANCE NO. 1157**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING TITLE 5 TO REPEAL AND REPLACE CHAPTER 7 WITH NEW REGULATIONS TO PROHIBIT TWO-CYCLE GASOLINE-POWERED LEAF BLOWERS AND REPEALING AND REPLACING SECTION 4-7.207 (MOTORIZED LEAF BLOWERS) TO RESTRICT HOURS OF OPERATION FOR LEAF BLOWERS**

**WHEREAS**, the Town of San Anselmo Climate Action Plan includes Program T-10 related to Electric Landscape Equipment and provides that the Town will “Encourage the use of electric landscape equipment powered by renewable energy sources instead of gasoline-powered equipment through engagement campaigns; encourage transition to manual equipment;” and

**WHEREAS**, the Town’s Climate Action Commission participated in the development and supports the adoption of this Ordinance to encourage the use of electric leaf blowers and to further the Climate Action Plan goals; and

**WHEREAS**, the Town Council seeks to reduce Town greenhouse gas emissions by regulating the use of two-cycle gasoline-powered leaf blowers; and

**WHEREAS**, at its meeting of September 22, 2020, the Town Council discussed a draft of this Ordinance that applied a broader ban to two-cycle landscaping equipment and directed staff to narrow the scope of the ordinance to leaf blowers; and

**WHEREAS**, on September 14, 2021, the Town Council conducted a duly noticed public meeting, and introduced this Ordinance; and

**WHEREAS**, the Town Council finds that the provisions of this Ordinance are consistent with the goals and policies of the Town’s General Plan and other adopted ordinances and regulations of the Town.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS FOLLOWS:**

**SECTION 1:** California Environmental Quality Act. The Town Council finds and determines that the adoption of this Ordinance, which is intended to prohibit the use of two-cycle gasoline powered leaf blowers and to encourage the use of electric equipment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 because it can be seen with certainty that there is no possibility that adoption of the Ordinance may have a significant effect on the environment. (14 Cal. Code Regs. § 15061(3)).

**SECTION 2:** Title 5 Sanitation and Health is amended to repeal Chapter 7 (Sale of Obnoxious Confections Prohibited) and replace it with Chapter 7 (Prohibition of Two-Cycle Leaf Blowers) as follows:

**5-7.01 - Purpose and Intent.** The purpose of this Chapter is to establish standards to protect the natural environment, increase sustainability efforts, reduce greenhouse gas emissions, and improve the overall quality of life within the Town of San Anselmo.



### **5-7.02 - Definitions.**

For the purposes of this Chapter, the phrases in this section mean the following:

A. "Two-Cycle Leaf Blower" means a leaf blower that is equipped with a two-cycle internal combustion engine powered by petroleum-based fuels that is used to blow leaves, dirt or other debris off sidewalks, driveways, lawns, or other surfaces.

B. "Electric Leaf Blower" means line current and battery-powered outdoor maintenance equipment used to blow leaves, dirt, or other debris off of sidewalks, driveways, laws or other surfaces.

### **5-7.03 - Prohibition of Two-Cycle Leaf Blowers in the Town of San Anselmo.**

Except as provided in Section 5-7.05, the use or operation of any Two-Cycle Leaf Blower is prohibited within Town limits.

### **5-7.04 - Use of Electric Leaf Blowers**

The use of Electric Leaf Blowers is permitted within Town limits, subject to the following limits:

A. The hours of operation for Electric Leaf Blowers shall be subject to the provisions of Section 4-7.207.

B. Except for Town emergency use, the use of Electric Leaf Blowers shall not extend into the public right-of-way, including streets, sidewalks, and planting strips, in order to maintain safe and healthy thoroughfares for pedestrians and cyclists and to promote active transportation in the Town.

C. Electric Leaf Blowers shall not deposit dirt, dust, leaves, grass clippings, trimmings, green waste, solid waste, or debris onto a neighboring property or into streets, gutters, or storm drains.

### **5-7.05 - Exemptions.**

This chapter does not apply to the Ross Valley School District and Tamalpais Union High School District, or to the Town or Town Contractors in emergency situations.

### **5-7.06 - Enforcement**

A. The Town may use any of the enforcement tools available under the Town Code or State Law, including but not limited to, administrative citations and nuisance abatement, to enforce the provisions of this Chapter.

- B. Any violation of the provisions of this ordinance is hereby declared a public nuisance and shall be subject to abatement in the manner set forth in Title 1 Chapter 2.
- C. The remedies and penalties provided in this section are cumulative and not exclusive. If the Town adopts additional Municipal Code enforcement mechanisms, the Town may use those mechanisms to enforce this ordinance.

**SECTION 3:** San Anselmo Municipal Code Section 4-7.207 (Motorized leaf blowers) is hereby repealed and replaced with the following:

**Section 4-7.207 – Hours of Operation for Leaf Blowers**

(a) As specified in Title 5 Chapter 7 of the Code, it is unlawful for any person to operate a Two-Cycle Leaf Blower at any time in the Town.

(b) Restricted Hours for Leaf Blowers. It shall be unlawful for any person to operate any leaf blower during the following times:

(1) Residential Properties Other Than Multi-Unit Residences. No leaf blower may be operated at any residential property that is not a multi-unit residence except between the hours of nine (9:00) a.m. and five (5:00) p.m. on weekdays and between the hours of ten (10:00) a.m. and four (4:00) p.m. on Saturdays.

(2) Other Properties and Use by Town. No leaf blower may be operated at any multi-unit residence or nonresidential property, and no leaf blower may be operated by on-duty staff or contractors of the Town, except between the hours of seven (7:00) a.m. and five (5:00) p.m. on weekdays, and between the hours of ten (10:00) a.m. and four (4:00) p.m. on Saturdays.

(3) Sundays and Holidays. It shall be unlawful for any person to operate a leaf blower in any area of the Town on Sundays or federal holidays.

**SECTION 4:** Severability. To the extent allowed under State law, the Town Council hereby declares every section, paragraph, sentence, clause and phrase is severable. To the extent allowed under State law, if any section, paragraph, sentence, clause or phrase of this Ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

**SECTION 5:** Inclusion in the San Anselmo Municipal Code. It is the intention of the San Anselmo Town Council that the text in Section 2 and Section 3 be made a part of the San Anselmo Municipal Code and that the text may be renumbered or re-lettered and the word "Ordinance" may be changed to "Section", "Chapter", or such other appropriate word or phrase to accomplish this intention.

**SECTION 6:** This Ordinance shall go into effect thirty (30) days from its adoption and shall be posted or published as required by State law. This Ordinance shall not be enforced until January 1, 2022.

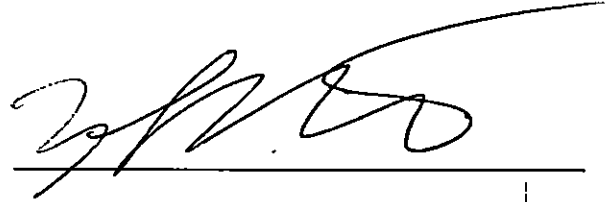
**THE FOREGOING ORDINANCE** was introduced at a regular meeting of the San Anselmo Town Council on September 14, 2021, and was adopted at a regular meeting of the San Anselmo Town Council on September 28, 2021, by the following vote:

**AYES:**       **Colbert, Fineman, Burdo, Burke**

**NOES:**       **None**

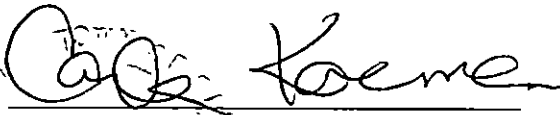
**ABSENT:**   **Greene**

**ABSTAIN:**   **None**

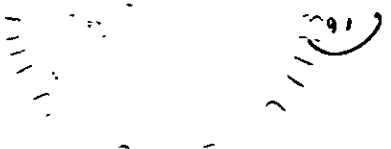


Brian Colbert, Mayor

**ATTEST:**



Carla Kacmar, Town Clerk



## **Carbondale, Colorado**

Code: Use of gasoline-powered leaf blowers is prohibited.

**Sec. 10-9-10. Prohibited noises.**

- (a) It is unlawful for any person to create, cause or allow the continuance of any unreasonably loud, disturbing, unusual, frightening or unnecessary noise which interferes with neighboring residents' reasonable use of their properties. Such noises include, but are not limited to, the following:
  - (1) The intentional sounding of any horn or signaling device, except as an emergency warning device.
  - (2) The sounding of a security alarm for more than five minutes.
  - (3) The repair, rebuilding or testing of any motor vehicle between 9:00 p.m. and 7:00 a.m.
  - (4) The operation of any motor vehicle or motorcycle without a muffler.
  - (5) The congregation, because of or participation in any part of gathering, of people, between 9:00 p.m. and 7:00 a.m. in such a manner as to disturb the peace.
  - (6) The playing of any radio, musical instrument, outdoor speakers, television or any such device in a manner as to disturb the peace of nearby persons.
  - (7) The operation of gasoline-powered blowers, including, but not limited to, lawn and leaf blowers.
  - (8) The yelling, shouting, whistling or singing of a person in the public streets or private property between 9:00 p.m. and 7:00 a.m. in such a manner as to disturb the peace.
  - (9) Construction activities between the hours of 7:00 p.m. and 7:00 a.m. on Monday through Friday and 5:00 p.m. and 7:00 a.m. on Saturday.
  - (10) The use of explosives, firearms or similar devices which create loud sound.
  - (11) The playing, operation or use of any device, including, without limitation, a radio receiving set, tape player, compact disc player, MP3 player, television or other machine or device for the production or amplification of sound, which is attached to or upon any vehicle in a public place in such a manner as to be plainly audible at 25 feet from where such device is operated.
- (b) Any noise which meets all of the following conditions is also declared to be excessive and unusually loud, and therefore unlawful:
  - (1) The source of the noise is located on privately owned property, regardless of whether the property is opened to the use of the public.
  - (2) The noise is measured at or beyond and outside the property line of property on which the noise source is located.
  - (3) The noise is measured as specified in Paragraph (5) below.
  - (4) The noise is continuous, continual or essentially uninterrupted for at least five minutes, or persists for more than a total of 15 minutes in any 60-minute period of time.
  - (5) The noise, at the point of measurement, exceeds the maximum permitted level according to the following:

**Table 10-9-1  
Maximum Permitted Sound Level**

<b>Zone District (where source is located)</b>	<b>7:00 a.m. to 8:00 p.m. to</b>	<b>8:00 p.m. to 7:00 a.m.</b>
Residential	60 dB	55 dB

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Accommodations	60 dB	60 dB
Commercial	75 dB	60 dB
Light Industrial	70 dB	65 dB
General Industrial	75 dB	65 dB
Heavy Industrial	85 dB	75 dB
Open Space	60 dB	55 dB

- (c) For PUD zone districts, the maximum permitted noise level on private property shall be as specified in this Section for the districts most similar to those listed, as determined by the Zoning Administrator, unless other standards are specifically established in the PUD District.
- (d) The penalty for violating this Section shall be as follows:
- (1) First offense: \$100.00.
  - (2) Second offense within a 12-month period following the first offense: \$250.00.
  - (3) Third offense within the same 12-month period: \$500.00.
  - (4) Fourth offense within the same 12-month period: as set forth in Section 1-4-20 of this Code.

(Ord. No. 3, 2006; Ord. No. 15, 2008 §1; prior code 9.45.010; Ord. No. 8, 2015 §1, 8-11-2015)

**City of Aspen, Colorado**

Ordinance: Use of gasoline-powered leaf blowers is prohibited.

**ORDINANCE NO. 33**  
**Series of 2007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO, TO AMEND CERTAIN SECTIONS OF TITLE 18 OF THE ASPEN MUNICIPAL CODE.**

WHEREAS, the City has adopted amendments to Chapter 8.56 of the Aspen Municipal Code relating to Construction Management Plans; and

WHEREAS, said amendments to Chapter 8.56 contradict certain provisions of Chapter 18.04 of the Aspen Municipal Code; and

WHEREAS, the City Council desires to amend certain Sections of Chapter 18 of the Aspen Municipal Code to avoid said contradictions in the Aspen Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO, THAT

**Section 1.**

That Section 18.04.040 of the City of Aspen Municipal Code is hereby amended to read as follows:

**Sec. 18.04.040 Noises prohibited**

a) General prohibitions. It shall be unlawful, with penalties provided in this Code, Section 1.04.080, for any person to create, cause or allow the continuance of any unreasonably loud, disturbing, unusual, frightening or unnecessary noise, which interferes with neighboring residents' reasonable use of their properties. Such noise may include, but is not limited to, the following:

- (1) Horns and signaling devices. The intentional sounding of any horn or signaling device of a motor vehicle on any street or public place continuously or intermittently, except as an emergency warning device.
- (2) The sounding of a security alarm for more than five (5) minutes.
- (3) The repair, rebuilding or testing of any motor vehicle during nighttime.
- (4) Operating or permitting the operation of any motor vehicle or motorcycle not equipped with a muffler or other device in good working order so as to effectively prevent loud or explosive noises therefrom; operating such vehicle in a manner as to constitute unreasonable, disturbing noise that constitutes a nuisance.



(5) Dynamic braking devices (commonly referred to as Jake Brake). Operating any motor vehicle with a dynamic braking device engaged except for the aversion of imminent danger.

(6) Noisy parties. Congregating because of or participating in any party or gathering of people during nighttime in such a manner as to disturb the peace.

(7) The playing of any radio, phonograph, musical instrument, outdoor speakers, televisions or any device in such a manner as to disturb the peace off nearby persons, particularly during nighttime.

(8) The yelling, shouting, whistling, or singing on the public streets or private property at nighttime in such a manner as to disturb the peace.

(9) The use of leaf blowers other than electric-powered leaf blowers.

(10) Construction on Sundays in any zone district.

(11) The use or firing of explosives, firearms or similar devices which create loud sounds.

## **Section 2.**

That Section 18.04.050 of the City of Aspen Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

### **Sec. 18.04.050 Allowed Noises based on time of day and other restrictions**

Any and all activity incidental to the erection, demolition, altering, assembling, installing or equipping of buildings, structures, roads, or other appurtenances thereto, including land clearing, grading, excavating, filling, landscaping, use of power equipment and the delivery, leading or unloading of materials and equipment shall comply with Chapter 8.56.

## **Section 3.**

That Section 18.04.070 of the City of Aspen Municipal Code, relating to noise suppression plans, is hereby repealed in its entirety.

## **Section 4:**

This Ordinance shall not effect any existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.


## **Section 5:**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion

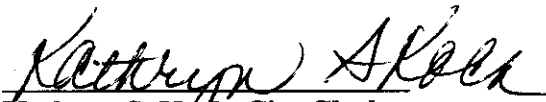
shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.

A public hearing on the ordinance shall be held on the 27th day of august, in the City Council Chambers, Aspen City Hall, Aspen, Colorado.

**INTRODUCED, READ AND ORDERED PUBLISHED** as provided by law, by the City Council of the City of Aspen on the 13th day of August 2007\_\_.

  
\_\_\_\_\_  
Michael C. Ireland, Mayor

**Attest:**

  
\_\_\_\_\_  
Kathryn S. Koch, City Clerk

**FINALLY**, adopted, passed and approved this 4th day of September, 2007.

**Attest:**

  
\_\_\_\_\_  
Kathryn S. Koch, City Clerk

  
\_\_\_\_\_  
Michael C. Ireland, Mayor

## **Greenwich, Connecticut**

Code: Time of day and decibel restrictions.

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## Sec. 6B-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

- (a) *Board of Health* is that Board authorized by Section 25 of Number 444 of the Special Acts of 1939, as amended.
- (b) *Business Zone* shall include BEX-50, WB, LB, LBR, CGB, CGBR, GR, GBO and P Zones as so designated in the current Zoning Regulations and Zoning Map of the Town of Greenwich.
- (c) *Construction* is any and all physical activity at a site necessary or incidental to the erection, placement, demolition, assembling, altering, blasting, cleaning, repairing, installing or equipping of buildings or other structures, public or private highways, roads, premises, parks, utility lines or other property, and shall include but not be limited to land clearing, grading, excavating, filling and paving.
- (d) *Daytime* is 7:00 a.m. to 10:00 p.m. local time.
- (e) *Director* is the Director of Health as defined in the Special Acts of the Town of Greenwich or his/her authorized representative.
- (f) *Emergency* is any occurrence involving actual or imminent danger to persons or damage to property which demands immediate action.
- (g) *Fire Horn* is a sound-producing device activated by compressed air or electronics, located at a fire station, to alert fire-fighting personnel.
- (g.1) *Gasoline-powered leaf blower* is defined as a home or commercial tool, powered by a gasoline engine, that is used primarily for, but not limited to, accumulating leaves, grass clippings, cleaning gutters, and other related tasks.
- (h) *Legal holiday* shall include all legal holidays designated by the Town of Greenwich.
- (i) *Motorboat* is defined as any vessel not more than sixty-five (65) feet in length and propelled by machinery, whether or no such machinery is the principal source of propulsion.
- (j) *Motorcycle* is defined as per Section 14-1(25) of the Connecticut General Statutes.
- (k) *Motor vehicle* is defined as per Section 14-1(26) of the Connecticut General Statutes.
- (l) *Muffler* is a device for abating sounds such as escaping gasses.
- (m) *Nighttime* is 10:01 p.m. to 6:59 a.m. local time.
- (n) *Person* is any individual, firm, partnership, association, syndicate, company, trust, corporation, municipality, agency or political or administrative subdivision of the state or other legal entity of any kind.
- (o) *Premises* is any building, structure, land or portion thereof, including all appurtenances, and shall include yards, lots, courts, inner yards and real properties without buildings or improvements, owned or controlled by a person. The emitter's "premises" includes contiguous publicly dedicated street and highway rights-of-way, all road rights-of-way and waters of the state.
- (p) *Property line* is that real or imaginary line along the ground surface and its vertical extension which:
  - (1) Separates real property owned or controlled by any person from contiguous real property owned or controlled by another person; and
  - (2) Separates real property from the public right-of-way.

- (q) *Public right-of-way* is any street, avenue, boulevard, highway, alley, sidewalk, park, waterway, railroad or similar place which is owned, maintained or controlled by a government entity over which the public in general has a right of passage.
  - (r) *Residential Zone* shall include RA-4, RA-2, RA-1, R-20, R-12, R-7, R-6, R-MF, RC, PHD-E, PHD-N, RPHD-TH, RPHD-SU and R-PR Zones as so designated in the current Zoning Regulations and Zoning Map of the Town of Greenwich.
  - (s) *Weekday* is any day Monday through Friday which is not a legal holiday.
- (Bd. of Health, 2/8/1984; 3/28/1994.)

**Sec. 6B-5. Allowable noise levels.**

- (a) General prohibition. No person shall, except as provided in Section 6B-6, cause, allow or permit the creation, continuance or maintenance of any noise beyond the property lines of his/her premises in excess of the noise levels established in these regulations.
- (b) Impulse noise. No person shall, except as provided in Section 6B-6, cause or allow the emission of impulse noise in excess of eighty (80) dB peak sound pressure level during the nighttime to any residential noise zone. No person shall cause or allow the emission of impulse noise in excess of one hundred (100) dB peak sound pressure at any time to any business or residential zone.
- (c) Noise level standards.
  - (1) No person in a residential zone shall emit noise, except impulses, beyond the property lines of his/her premises exceeding the levels stated herein:

Emitter's Zone	Receptor's Zone		
	Business	Residential/Day	Residential/Night
Residential	55 dBA	55 dBA	45 dBA

- (2) No person in a business zone shall emit noise, except impulses, beyond the property lines of his/her premises exceeding the levels stated herein:

Emitter's Zone	Receptor's Zone		
	Business	Residential/Day	Residential/Night
Business	62 dBA	55 dBA	45 dBA

- (3) Nonconforming uses shall comply with the limits applicable to the district within which the nonconforming use is located.
- (d) High background noise levels. In those individual cases where the background noise levels caused by sources not subject to these regulations exceed the standards contained herein, a source shall be considered to cause excessive noise if the noise emitted by such source exceeds the background noise levels by five (5) dBA, provided that no source subject to the provisions of this chapter shall emit noise in excess of eighty (80) dBA at any time, and provided that this section does not decrease the permissible noise levels of other sections of this chapter.
- (e) Motor vehicle noise. All motor vehicles operated within the limits of the Town of Greenwich shall be subject to the noise standards and decibel levels set forth in the regulations authorized in Section 14-80a of the Connecticut State Statutes. No sound-amplifying devices on or within motor vehicles shall emit noise in excess of the noise levels as specified in Section 6B-5.

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- (f) Recreational motorized vehicles operating off public rights-of-way.
    - (1) Except as permitted under Section 6B-8(a)(2), no person shall operate or cause to be operated any recreational motorized vehicle off a public right-of-way in such a manner that the sound level emitted therefrom exceeds the limits set forth in Section 6B-5(c).
    - (2) This section shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial or noncommercial racing vehicles, motorcycles, go-carts, snowmobiles, amphibious craft, campers and dune buggies, but not including motorboats or aircraft.

(Bd. of Health, 2/8/1984.)

### **Sec. 6B-6. Prohibited noise activities.**

In addition to the foregoing, the following acts and the causing thereof are declared to be in violation of this chapter:

- (a) Construction.
  - (1) No person shall operate or permit the operation of any tools or equipment used in construction, drilling or demolition work between the hours of 6:00 p.m. and 7:00 a.m. the following day on weekdays and before 9:00 a.m. and after 5:00 p.m. on Saturdays or at any time on Sundays or holidays such that the sound therefrom exceeds the limits set forth in Section 6B-5.
  - (2) Section 6B-6(a) does not apply to the use of domestic power tools subject to Section 6B-6(e).
- (b) Refuse. No person shall operate a refuse-collection vehicle between the hours of 9:00 p.m. and 5:00 a.m. unless otherwise approved by the Director of Health.
- (c) Motorboats. All motorboats operated on any waterway within the jurisdiction of the Town of Greenwich shall be subject to the noise level standards set forth in Section 15-129 of the Connecticut General Statutes.
- (d) Exhaust discharge. No person shall discharge into the ambient air the blow-down of any steam vent of the exhaust of any stationary internal combustion engine or air-compressor equipment, unless such discharge is through a muffler as defined by Section 6B-2(j) of this chapter or through an apparatus providing equal noise reduction.
- (e) Domestic power tools/equipment.
  - (1) No person shall operate or permit the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool or other tool between the hours of 9:00 p.m. and 8:00 a.m. the following day such that the sound therefrom exceeds the limits set forth in Section 6B-5.
  - (2) Section 6B-6(e) does not apply to the use of snow-removal equipment.
  - (3) No person shall operate or permit the operation of any gasoline-powered leaf blower between 6:00 p.m. and 8:00 a.m. Monday through Friday and between 3:00 p.m. and 9:00 a.m. Saturday, Sunday and Holidays.
  - (4) Commercial and/or residential property parcels of one-quarter (1/4) acre or less may only be serviced by one (1) gasoline-powered leaf blower at any given time.
  - (5) Premises located in the Town of Greenwich may only be serviced by one (1) gasoline-powered leaf blower, at any given time, from Memorial Day through Labor Day, inclusive.

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- (f) Equipment for emergency activity use. No person shall operate necessary emergency equipment for maintenance purposes during non-emergencies between the hours of 5:00 p.m. and 9:00 a.m. on weekdays (M—F) and at no time on Saturday or Sunday.

(Bd. of Health, 2/8/1984; 3/28/1994; 5/15/1996; 1/26/2012.)

**Ridgefield, Connecticut**

Code: Time of day restrictions.



## Chapter 250

### NOISE

**[HISTORY: Adopted by the Town of Ridgefield 10-10-2001 (Ch. 7, Art. III of the 1974 Code); amended 2-5-2003. Subsequent amendments noted where applicable.]**

#### GENERAL REFERENCES

Alarm systems — See Ch. 112.

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#### § 250-1. Authority and purpose.

Pursuant to the general authority of C.G.S. § 7-148 and the specific authority of C.G.S. § 22a-73(c), it is hereby resolved that, to preserve and promote the health, safety and general welfare of the citizens of the Town of Ridgefield (the "Town"), it is in the common interest to enact reasonable regulations pertaining to the reduction, control and/or prevention of noise so as to promote a general environment free from excessive noise and vibration.

#### § 250-2. Definitions.

When used in this chapter, and future revisions thereto, the terms below shall have the meanings set forth thereafter. Terms not defined below shall have the meanings set forth in the regulations of the State of Connecticut, Department of Environmental Protection, Regulations of Connecticut State Agencies (RCSA).

**CONSTRUCTION** — Any and all physical activity at a site necessary or incidental to the erection, placement, demolition, assembly, altering, blasting, cleaning, repairing, installing or equipping of buildings or other structures, public or private highways, roads, accessways, premises, parks, utility lines or other property, and shall include, but shall not be limited to, land clearing, grading, excavating, filling and paving, and site preparation.

**DAYTIME** — The hours between 7:00 a.m. and 8:59 p.m.

**DECIBEL** — A logarithmic unit of measurement used in determining magnitude of sound. The symbol is dB.

**EMERGENCY** — Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

**EMITTER** — Any person who creates, causes to be created or allows the noise.

**IMPULSE NOISE** — Noise of short duration (generally less than one second) of high intensity, abrupt onset and rapid decay, and often rapidly changing composition.

**MOTOR VEHICLE** — As defined in C.G.S. § 14-1(a)(51).

**NIGHTTIME** — The hours between 9:00 p.m. and 6:59 a.m.

**NOISE** — Any excessive sound or disturbance, the intensity of which exceeds the standards set forth in this chapter.

**NOISE LEVEL** — The sound-pressure level, in decibels, as measured with a sound-level meter, using the A-weighting network. The level so read is designated dB(A) or dBA.

**NONRESIDENTIAL ZONE** — Those areas of the Town designated by the zoning regulations of the Town, as they may be from time to time amended, as B-1, B-2, B-3, CDD, RCDD, DPD and CBD. Notwithstanding the foregoing, nonresidential zone shall mean only those uses defined in § 22a-69-2.4 as "commercial" uses, and those uses defined in § 22a-69-2.5 as "industrial" uses, under the RSCA.

**PERSON** — Any individual, firm, partnership, association, syndicate, company, trust, corporation, agency or administrative subdivision of the state or other legal entity of any kind.

**PREMISES** — Any building, structure, land or portion thereof, including all appurtenances, and yards, lots, courts, inner yards and real properties, without buildings or improvements, owned or controlled by a person.

**PROPERTY MAINTENANCE EQUIPMENT** — All engine- or motor-powered tools and equipment used occasionally in the repair and upkeep of exterior property and including but not limited to lawn mowers, riding tractors, wood chippers, power saws, leaf blowers, and the like.

**RECEPTOR** — The person who receives the noise impact.

**RESIDENTIAL ZONE** — Those areas of the Town designated by the zoning regulations of the Town, as they may be from time to time amended, as RAAA, RAA, RA, R-20, R-10, R-7, R-5, R-5.1, MFDD, CAH and CCF.

**SOUND** — A transmission of energy through solid, liquid or gaseous media in the form of vibrations which constitute alterations in pressure or position of the particles in the medium and which, in air, evoke physiological sensations, including but not limited to auditory response when impinging on the ear.

**SOUND-LEVEL METER** — An instrument to take sound level measurements and which should conform, as a minimum, to the operational specifications of the American National Standards Institute for sound-level meters.

**§ 250-3. Noise levels.**

A. Noise levels and guidelines.

- (1) It shall be unlawful for any person to emit or cause to be emitted any noise beyond the boundaries of his/her/its premises in excess of the following noise levels:

	<b>Receptor</b>	
	<b>Residential Day/ Night</b>	<b>Nonresidential Day/Night</b>
Residential zone emitter to:	55 dbA/45 dbA	55 dbA/45 dbA
Nonresidential zone emitter to:	55 dbA/45 dbA	62 dbA/45 dbA

- (2) Measurements shall be taken at a point that is located approximately one foot from the boundary of the emitter's premises and/or a point that is located

approximately one foot within the boundary of the receptor's premises. The emitter's premises includes his/her/its individual unit of land or ground or contiguous parcels under the same ownership, as indicated by the public land records. The limitations recited above shall be determined based upon the receptor's property classification. Notwithstanding the above, the actual permitted use of the property shall control.

- B. Impulse noise. In the case of impulse noise, the permitted noise levels, regardless of the type of emitter or receptor, shall be 100 dB peak sound-pressure level daytime and 80 dB peak sound-pressure level nighttime.
- C. Animals. It shall be unlawful for any person to allow any animal or bird owned by him or under his control, by causing frequent or long-continued noise, to disturb the comfort or repose of any person. The residential decibel levels referred to in Subsection B above shall apply to noise caused by animals and birds.

#### **§ 250-4. Exceptions.**

This chapter shall not apply to noise emitted by or related to:

- A. The unamplified human voice.
- B. A bell or chime from any building clock, school or church.
- C. Sound created by a public emergency sound signal attached to an authorized emergency vehicle in the immediate act of responding to an emergency, as authorized by C.G.S. §§ 14-1(a)(5) and 14-80(f) and all amendments thereto, or located within or attached to a building, pole or other structure for the purpose of sounding an alarm relating to fire or civil preparedness; provided, however, that no person shall cause, suffer, allow or permit the operation of any intrusion alarm which, from time of activation of audible signal, emits noise for a period of time exceeding 10 minutes when attached to any vehicle or 30 minutes when attached to any building or structure. The repetition of activation of the audible signal of an intrusion alarm due to malfunction, lack of proper maintenance, or lack of reasonable care shall not be permitted hereunder.<sup>1</sup>
- D. Noises created by snow removal equipment at any time shall be exempted provided that such equipment shall be maintained in good repair so as to minimize noise, and noise discharged from exhausts shall be adequately muffled to prevent loud and/or explosive noises therefrom.
- E. Activities specifically licensed or sanctioned by, or under permit of, the Town, including but not limited to municipal parades, fireworks, historical reenactments, concerts and sporting events.
- F. Noise generated by engine-powered or motor-driven lawn care or maintenance equipment shall be exempted between the hours of 7:00 a.m. and 9:00 p.m., provided that noise discharged from exhausts is adequately muffled to prevent loud and/or explosive noises therefrom.

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1. Editor's Note: See also Ch. 112, Alarm Systems.

- G. Construction equipment while engaged in premises construction, between 7:00 a.m. and 6:00 p.m. from Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday.
- H. State or municipally authorized and licensed drilling or blasting between 8:00 a.m. and 5:00 p.m., from Monday through Friday.
- I. Solid waste and recycling collection between the hours of 7:00 a.m. and 6:00 p.m.
- J. Federal Aviation Administration preempted aircraft flights.
- K. Home and commercial generators during periods of lost power.
- L. Nighttime public road maintenance and line painting.
- M. Actions during and necessitated by an emergency.
- N. Warning devices required by the Occupational Safety and Health Administration (OSHA) or other state or federal safety regulations.

#### **§ 250-5. Standards for equipment and instruments.**

Acoustic measurements and equipment to ascertain compliance with, or violation of, this chapter shall be in substantial conformity with the standards and practices established by professional organizations such as the American National Standards Institute. Instruments shall be of standard design, properly calibrated and maintained for the purposes of noise regulation. Instruments shall conform, at a minimum, to the standards of the American National Standards Institute for sound-level meters.

#### **§ 250-6. Variances.**

- A. A person may apply to the First Selectman for a variance from one or more of the provisions of this chapter, provided that the applicant provides the First Selectman, or his/her designated assistant, at least 10 days prior to the proposed activity, with the following:
  - (1) The location of the proposed activity;
  - (2) Time period and hours of operation;
  - (3) Nature and intensity of anticipated noise; and
  - (4) Such other information which the First Selectman may reasonably deem necessary.
- B. A variance may be granted if the First Selectman reasonably concludes that the noise levels will not endanger public health and compliance with this chapter would result in unreasonable hardship to the applicant. Notwithstanding the foregoing, no variance shall allow noise in violation of the State of Connecticut Department of Environmental Protection, Regulations of Connecticut State Agencies.
- C. The First Selectman shall issue a decision, in writing, within three business days of the submission of a completed application. Appeals shall be made to a committee of two Selectmen appointed by the First Selectman and thence to the State

Department of Public Health, all as provided by statutes governing Department of Public Health appeals generally.

**§ 250-7. Motor vehicles.**

- A. All motor vehicles operated within the limits of the Town shall be subject to the noise standards and decibel levels set forth in Regulations of Connecticut State Agencies, §§ 14-80-1a through 14-80a-10a, as the same may be from time to time amended.
- B. No sound-amplifying devices on or within motor vehicles shall emit noise in excess of the noise level specified in this chapter.

**§ 250-8. Enforcement; penalties for offenses.**

- A. The Town's Police Department shall be responsible for investigating, and documenting through acoustic measurements, violations of this chapter. Violators may be served with an infraction notice, which shall be known as a "noise ticket." Payment of the fine prescribed by such noise ticket within the time specified thereon shall constitute a plea of nolo contendere and shall save the violator harmless from prosecution for the offense cited. Fines shall be in the amount of \$60 for the first offense and \$77 for each subsequent offense. Said fine amounts as may be levied may be adjusted without further municipal action so as to be in conformity with the State of Connecticut Superior Court Mail in Violations and Infraction Schedule, as it may be amended from time to time. Nothing in this chapter shall prevent the Police Department, because of the perceived nature of the offense, from proceeding not under the terms of this chapter but under the provisions of C.G.S. §§ 53a-181 and 53a-182, as they may be amended from time to time, which sections relate, generally, to breach of peace, etc. An appeal process relative to noise tickets is established below. The First Selectman shall appoint a hearing officer who shall serve at his/her discretion to hear appeals from the issuance of noise tickets. A person shall have 30 days from the date of the noise ticket to deliver a written application for a hearing. The hearing officer shall hold a hearing within five days of the receipt of the application, and his/her decision shall be final.
- B. In accordance with § 221a-69-3.6 of the RCSA, in those individual cases where the background noise levels caused by sources not subject to this chapter exceed the standards contained herein, a source shall be considered to cause excessive noise if the noise emitted by such source exceeds the background noise level by 5 dBA, provided that no source subject to the provisions of § 250-3 shall emit noise in excess of 80 dBA at any time, and provided that this subsection does not decrease the permissible levels of the other sections of this chapter.

**§ 250-9. Severability; effect on other laws.**

Any provision of this chapter held to be unconstitutional or superseded by state law or regulation shall not serve to invalidate the remaining unaffected provisions hereof. No provision of this chapter shall serve to validate any activity otherwise prohibited by state or local law or lawfully enacted zoning regulation.

**§ 250-10. When effective.**

This chapter shall become effective 15 days after publication thereof in a newspaper having general circulation in the Town or on the date of its approval by the Noise Control Office (or its successor agency), Division of Environmental Quality, Department of Environmental Protection of the State of Connecticut, whichever shall last occur.

## **Lewes, Delaware**

Original Ordinance: Gasoline-powered lawn equipment prohibited with phase-out period.

1 **AN ORDINANCE TO AMEND**  
2 **THE MUNICIPAL CODE OF THE CITY OF LEWES, DELAWARE,**  
3 **TO CREATE A NEW CHAPTER 95 ENVIRONMENTAL**  
4 **PROTECTION**  
5  
6

7 **WHEREAS**, the Mayor and City Council recognize the rich natural environment  
8 within and surrounding Lewes; and  
9

10 **WHEREAS**, the Mayor and City Council are committed to taking a leadership role in  
11 protecting the natural environment, reducing greenhouse gases, and promoting sustainability;  
12 and  
13

14 **WHEREAS**, the Mayor and City Council deem it appropriate to enact regulations to  
15 protect the environment;  
16

17 **BE IT ORDAINED** by the Mayor and City Council, in session met, a quorum  
18 pertaining at all times thereto, in the manner following to-wit:

19 **Section 1.** Chapters 121, Littering, and Chapter 137, Outdoor Smoking, of the  
20 Municipal Code of the City of Lewes are deleted in their entirety.  
21

22 **Section 2.** Chapter 95, Environmental Protection, of the Municipal Code of the City  
23 of Lewes, Delaware, is added as follows:

24 **§ 95-1 Gasoline-Powered Landscaping Equipment**

25 For the purposes of this section, gasoline-powered landscaping equipment shall mean  
26 gasoline-powered lawn mowers, leaf blowers, weed eaters, trimmers, chain saws, and other  
27 machines that are used to maintain lawns and landscaping.

28 A. Policy. It is the policy of the City to reduce greenhouse emissions that contribute to  
29 climate change. Gasoline engines emit large quantities of pollutants into the air,  
30 including carbon monoxide, hydrocarbons, and nitrous oxides, degrading the air  
31 quality, and contribute to noise pollution and hearing loss.

32 B. Effective on December 31, 2025, gasoline-powered lawnmowers and leaf blowers  
33 shall not be operated within the City. Effective on December 31, 2022, other  
34 gasoline-powered landscaping machines shall not be operated within the City.

35 **§ 95-2 Littering**

36 A. Definitions. For the purpose of this chapter, the following terms shall have the  
37 meanings indicated:

38 AIRCRAFT — Any contrivance now known or hereafter invented, used or  
39 designed for navigation or for flight in the air. The word "aircraft" shall include  
40 helicopters and lighter-than-air dirigible balloons.



204 prohibition and there shall be provided a cigarette/cigar butt disposal  
205 container.

206 b. No person shall be prosecuted for violation of this chapter unless signs, readily  
207 visible to the public, are posted in appropriate places at those areas where  
208 smoking is prohibited, indicating that smoking is prohibited and that violations  
209 are subject to penalties.

210 **§ 95-4. Violations and penalties.**

211 Any person, firm or corporation violating any of the provisions of this chapter shall, upon  
212 conviction, be subject to a fine of not less than \$25 nor more than \$200 and/or imprisonment  
213 for a term of not less than 10 days nor more than 30 days for the first such conviction. For a  
214 second or subsequent conviction, any person, firm or corporation shall, upon conviction, be  
215 subject to a fine of not less than \$50 nor more than \$500 and/or imprisonment for a term of  
216 not less than 20 days nor more than 60 days for each such conviction. Each day that a  
217 violation of any of the provisions of this chapter continues shall be deemed and taken to be a  
218 separate and distinct violation.

219  
220 **Section 3.** This Ordinance shall take effect immediately upon its adoption by the  
221 Mayor and City Council of the City of Lewes.

222 Adopted by the Mayor and City Council  
223 of the City of Lewes  
224 \_\_\_\_\_, 2020  
225  
226

227 I, Rob Morgan, Secretary of the City Council of the City of Lewes, do hereby certify that the  
228 foregoing is a true and correct copy of the ordinance passed by the Mayor and City Council at  
229 its regular meeting on \_\_\_\_\_, at which a quorum was present and voting throughout  
230 and the same is still in full force and effect.  
231  
232

233 \_\_\_\_\_  
234 Secretary  
235  
236

237 **SYNOPSIS:** This Ordinance amends the City noise ordinance to consolidate environmental  
238 protection provisions into a single chapter of the code and to prohibit certain types of  
239 gasoline-powered landscaping equipment effective December 31, 2022 and other types three  
240 years later.

## **Palm Beach, Florida**

Original Ordinance: Gasoline-powered leaf blowers prohibited on parcels smaller than one acre.

**ORDINANCE NO. 29-2021**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 42 OF THE TOWN CODE OF ORDINANCES AT ARTICLE V. NOISE AT SECTIONS 42-197. SPECIFIC ACTS PROHIBITED AND AT SECTION 42-230. LAWN MAINTENANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE**

Be It Ordained by the Town Council of the Town of Palm Beach as follows:

Section 1: Chapter 42 titled Environmental is hereby amended at Section 42-197, titled Specific Acts Prohibited and at Section 42-230 titled Lawn Maintenance to read as follows:

**Sec. 42-197. Specific acts prohibited.**

The following acts shall be unlawful whether or not such acts constitute a violation of section 42-196:

- (1) *Keeping of animals.* The keeping of any animal or bird that causes loud and raucous noise, or frequent noise audible within any receiving dwelling, hotel or other type of residence.
- (2) *Playing of radio, television, phonograph, similar device.* The playing of any radio, television, phonograph, compact disc player, tape player, musical instrument, or other sound-making device audible within any receiving dwelling, hotel or other type of residence between the hours of 12:00 midnight and ~~7:00~~ 9:00 a.m. or at any such time so that the sound created by such device violates the standards set forth in section 42-196.
- (3) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting the playing, using or operating of any radio or television receiving sets, musical instrument, phonograph, compact disc player, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
- (4) *Noises near churches, schools.* The creation of any noise on any street or other public way adjacent to any church, school or institution of learning while the same is in session that unreasonably interferes with the workings of such institution.

- (5) *Loading and unloading operations.* The creation at any time of loud and raucous noise in connection with loading or unloading any vehicle, or the opening and destruction of bales, crates or containers.
- (6) *Noises to attract attention.* The use of any drum, pan, pail, bell, horn, trumpet, loudspeaker or other instrument or sound-making device for the purpose of attracting attention to any performance, show, sale, display or merchandise.
- (7) *Yelling, shouting, similar noises.* Yelling, shouting, hooting, whistling or singing on the public streets between the hours of 12:00 midnight and ~~7:00~~ 9:00 a.m., or at any time or place in a manner violating the standards set forth in section 42-196.
- (8) *Blowers.* The operation of any noise-creating blower or power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.
- (9) *Operation of car radios.* The operation of radios or other mechanical sound making devices or instruments in vehicles as hereby regulated and controlled by F.S. § 316.3045.
- (10) *Operation of sound making devices in public areas.* The operation of radios or tape players or other mechanical sound making devices or instruments in or upon a public street, highway, building, sidewalk, park, thoroughfare or other public area or located in or upon a public access area, such as a parking lot, etc., if such sound can be heard from more than 50 feet, measured in a straight line from its source.
- (11) *Commercial loading and unloading operations, certain times prohibited for locations in or adjacent to residentially zoned areas.* The commercial loading and unloading of any vehicle, or the opening, destruction and/or disposal of bales, crates, containers, or any other item for businesses located in or adjacent to residentially zoned areas, shall be prohibited between the hours of 8:00 p.m. and 8:00 a.m.
- (12) *Gasoline powered leaf blowers.*
  - (a) *Definition.* Leaf blowers shall mean any air blowing machine that uses a concentrated stream of air to push, propel or blow dirt, dust, leaves, grass clippings, trimmings, cuttings, refuse or debris.
  - (b) The use of gasoline powered leaf blowers is prohibited on any property within the town, which is less than one acre in size. ~~This prohibition shall be effective as of October 1, 2017.~~ Effective May 1, 2022, gasoline powered leaf blowers shall be prohibited on any size property within the town.

**Sec. 42-230. Lawn maintenance.**

- (a) Lawn maintenance in the town shall be limited to the hours outlined for construction work at section 42-199 and all gas or electric powered lawn maintenance equipment, including leaf blowers, shall be subject to the same restrictions as heavy equipment as described in said section.
- (b) Nothing in this section shall preclude the operation of lawn maintenance equipment by residents after 9:00 a.m. on Saturdays, Sundays or legal holidays, including the Friday immediately after Thanksgiving. Further, golf course maintenance equipment within the town is not restricted during the hours outlined herein: however, such golf course maintenance equipment shall not be used before 8:00 a.m. or after 5:30 p.m. on any day at locations within 300 feet of residential properties, except in the event of valid emergencies and once per month for purposes of chemical spraying or fertilizing, The sound level meter measurement shall be no greater than 75 dBA measured 50 feet from the point of operation of the equipment. The sound level meter measurement shall not be applicable to lawn maintenance equipment used on golf courses.
- (c) Lawn maintenance equipment includes but is not limited to lawn mowers, edgers, hedge trimmers, yard tractors, leaf blowers, lawn vacuum machines, and monofilament line grass trimmers.
- (d) Leaf blowers shall not exceed a decibel level of 65 dBA as measured at 50 feet from the point of operation. It shall be unlawful to blow, sweep or rake yard trash or clippings into the public street or storm drains.
- (e) There shall be no commencement of large scale landscape installation at any time on Saturdays.

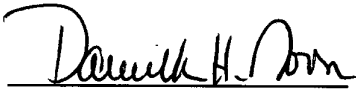
Section 2: Severability. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.


Section 3: Repeal of Ordinances in Conflict. All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 4: Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5: Effective Date. This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

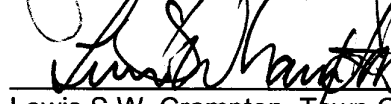
PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 14<sup>th</sup> day of December, 2021, and for second and final reading on this 11<sup>th</sup> day of January, 2022.

  
Danielle H. Moore, Mayor

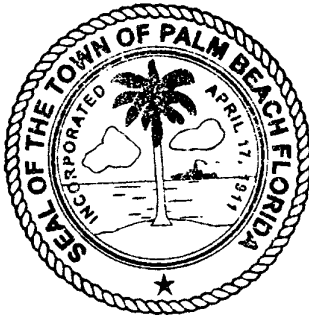
  
Margaret A. Zerdman, Town Council President

  
Bobbie Lindsay, Town Council President Pro Tem

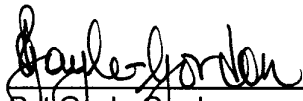
  
Julie Arashog, Town Council Member

  
Lewis S.W. Crampton, Town Council Member

  
Edward A. Cooney, Town Council Member



ATTEST:

  
Ray Gayle Gordon  
Acting Town Clerk

## **Evanston, Illinois**

Original Ordinance: Gasoline-powered leaf blowers prohibited with phase-out period.

**116-O-21**

**AN ORDINANCE**

**Amending the City of Evanston’s Leaf Blower Policy to Remove Leaf Blowers from 9-5-20, “Noises Prohibited” and to add the Leaf Blower Policy to Title 8, “Health and Sanitation”**

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

**SECTION 1:** That Section 9-5-20, “Noises Prohibited” of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

**9-5-20. – NOISES PROHIBITED.**

*(D) Drums; Hammers; ~~Blowers.~~*

~~4. Leaf Blowers: A person may use any backpack mounted or handheld gasoline powered leaf blower type of machine only during the following days of each year:~~

~~March 30 to May 15; and~~

~~October 15 to the first Thursday of December.~~

~~A person may use any backpack mounted or handheld gasoline powered leaf blower type of machine on those days only during the following times:~~

~~Monday through Friday, 9:00 a.m. to 5:00 p.m.~~

~~Saturday 12:00 p.m. to 4:00 p.m.~~

~~Leave flower usage is prohibited on all recognized City holidays.~~

~~Any person who uses a leaf blower or any person who permits the private or commercial use of a leaf blower on their property during restricted days or times, shall be fined one hundred dollars (\$100.00).~~

**SECTION 2:** That Title 8, “Health and Sanitation” of the Evanston City Code of 2012, as amended is hereby further amended to add as follows:



**CHAPTER 26 – LEAF BLOWERS.****8-26-1. – TITLE.**

This Chapter shall be titled and referred to as the “Leaf Blower Ordinance.”

**8-26-2. – PURPOSE AND INTENT.**

The purpose of this Chapter is to promote sustainable landscape practices in the City of Evanston by transitioning from the use of gas-powered leaf blowers to the use of electric leaf blowers by April 1, 2023.

**8-26-3. - DEFINITIONS.**

For purposes of this Chapter, the words and terms listed shall have the meanings ascribed to them in this Section:

<u><i>ELECTRIC LEAF BLOWER.</i></u>	<u>Any leaf blower that is powered solely by electricity.</u>
<u><i>GAS POWERED LEAF BLOWER.</i></u>	<u>Any leaf blower that is powered by gasoline or propane.</u>
<u><i>PORTABLE GENERATOR</i></u>	<u>Includes both stand-alone fossil fuel powered generators and generators powered by vehicle engines.</u>

**8-26-4. – USE OF LEAF BLOWERS BEFORE APRIL 1, 2023.**

Before April 1, 2023, gasoline-powered or propane-powered leaf blowers may be used only during the following days of the year:

March 30 to May 15; and

October 15 to the first Thursday in December

There are no seasonal restrictions on the use of electric leaf blowers.

**8-26-5 – USE OF LEAF BLOWERS AFTER APRIL 1, 2023**

The use of gasoline-powered or propane-powered leaf blowers is not permitted after April 1, 2023.

Electric leaf blowers may continue to be used with no seasonal restrictions.

The use of portable generators to power electric leaf blowers or to recharge leaf blower batteries is not permitted.

**8-26-6. – PERMITTED HOURS OF LEAF BLOWER USE.**

Permitted hours for the use of any leaf blower shall be as follows:

<u>Monday through Friday</u>	<u>9:00 a.m. to 5:00 p.m.</u>
<u>Saturday</u>	<u>9:00 a.m. to 4:00 p.m.</u>
<u>Sunday</u>	<u>12:00 p.m. to 4:00 p.m.</u>

Leaf blower usage is prohibited on all recognized City holidays.

**8-26-7. – USE OF LEAF BLOWERS FOR SPRAYING PESTICIDE PROHIBITED.**

The use of any type of blower to spray pesticide is prohibited.

**8-26-8. – EXCEPTIONS.**

The provisions of this Chapter shall not apply to:

City baseball fields and artificial turf fields;

In play areas of golf courses;

Construction projects involving paving, repair, or patching of public streets.

**8-26-9. – PENALTIES.**

Any person who uses a leaf blower or permits the private or commercial use of a leaf blower on their property in violation of this Chapter shall be subject to the following penalties:

First Offense: Written Warning.

Second Offense: \$100.00 fine.

Third Offense: \$150.00 fine.

Fourth Offense: \$200.00 fine.

Five and any subsequent offenses: \$250.00 fine.

**SECTION 3:** That the findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5:** That this Ordinance 116-O-21 shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

**SECTION 6:** That if any provision of this Ordinance 116-O-21 or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance 116-O-21 that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance 116-O-21 is severable.

Introduced: November 08, 2021

Approved:

Adopted: November 08, 2021

11/10, 2021

*Daniel Biss*

\_\_\_\_\_  
Daniel Biss, Mayor

Attest:

Approved as to form:

*Stephanie Mendoza*

*Nicholas E. Cummings*

\_\_\_\_\_  
Stephanie Mendoza, City Clerk

\_\_\_\_\_  
Nicholas E. Cummings, Corporation Counsel

## **Glencoe, Illinois**

Original Ordinance: Gasoline-powered leaf blowers restricted seasonally and at times of day.

## § 24-38 NUISANCES - ENUMERATED.

The following things, actions and conditions are declared nuisances:

(a) *Offensive noises - audio, musical and similar equipment.* To maintain or operate or cause or permit to be operated, in any building or on any public or private premises in the village any television, radio, phonograph, tape player, amplified musical instrument, loudspeaker or any similar device capable of receiving, transmitting, amplifying or projecting sound or noise, in such manner as to be plainly audible:

(1) At a distance of 1,000 feet from such boundary at any time;

(2) At a distance of 150 feet from the boundary of the premises upon which such device is operated between 11:00 p.m. and 8:00 a.m.; provided, however, that in its discretion the board of trustees may, upon request from an eleemosynary or community service organization to conduct a specific event or activity having a civic purpose (as defined in article II, § 12, of the Village of Glencoe's zoning ordinance), permit such audio, musical or similar equipment or devices to be operated between 11:00 p.m. and 12:00 a.m. upon a determination that such event or activity will be in the best interest of the village; provided further that the issuance of any such permit shall give no right or entitlement to any person or group for any renewal or re-issuance of a similar permit for any future or similar event or activity; or

(3) Within any adjacent schoolhouse, house of public worship or public office or assembly hall while such facility is in use for school, worship or public business purposes.

(Ord. No. 91-14-1855)

(b) *Same - work operations.*

(1) To conduct any construction operations, tree removal or trimming, or to operate or use any generator, compressor, pile driver, power shovels, pneumatic hammers, derricks, steam or electrical hoists, or other building or construction tool or apparatus ("work operations"), the use of which is attended with noise that is audible on any public or private property adjoining the premises on which such tool or apparatus is operated or such work operations are conducted, except:

A. In cases of emergencies;

B. Between the hours of 7:00 a.m. and 6:00 p.m. on Mondays through Fridays; and

C. Between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays.

(2) No work operations, as defined in this section, shall be permitted on Sundays, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day.

(3) Notwithstanding the foregoing, nothing in this subsection shall be construed to deem work operations performed by or on behalf of the village as a nuisance wherever conducted.

(Ord. No. 04-09-3098; Ord. 2011-16-3297)

(c) *Same - lawn maintenance activities.*

(1) To conduct any lawn maintenance activities involving the operation of any lawn maintenance equipment, including without limitation mowers, tractors, trimmers, vacuums, tillers or hedge clippers, the use of which is attended with noise that is plainly audible beyond the boundaries of the premises upon which such equipment is operated or used, except between the hours of 7:00 a.m. and 7:00 p.m. on Mondays through Fridays, inclusive, and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No such lawn maintenance activities involving the operation of any lawn maintenance equipment shall be permitted on Sundays, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day. These limitations shall not apply to the operation of lawn maintenance equipment by occupants of the property on which such equipment is in use.

(Ord. No. 91-17-1858; Ord. No. 97-7-2030; Ord. No. 07-14-3191)

(2) The use of gasoline-powered leaf blowers shall be prohibited at all times except between March 15 and May 15 and between September 15 and December 15 of each year. Other than the times where use is prohibited by the preceding sentence, the use of gasoline-powered leaf blowers shall be subject to the day and time restrictions set forth in the preceding subsection for lawn maintenance activities involving lawn maintenance equipment.

(Ord. No. 98-2-2045; Ord. No. 2000-23-3005; 07-14-3191)

(3) In the event of a storm or other emergency, upon determining that it is in the best interest of the safety and welfare of the village, the village manager may waive enforcement of the foregoing restrictions.

(4) Nothing in these restrictions shall be construed to deem lawn maintenance operations on golf courses or on publicly owned property as nuisances, wherever or however conducted.

(d) *Same - offensive noises.* To produce or project by any means at any time any noise audible beyond the boundary of the premises from which it emanates which is, by reason of loudness, pitch, intensity, frequency or time of day unreasonably offensive to the peace and quiet of the neighborhood or any person residing in the vicinity;

(e) *Same - persons liable; exception.* The owner of the property from which any noise declared a nuisance hereunder is being produced, the person or persons in actual control of such property and the person or persons producing, or in control

of the device producing, any such noise shall be liable for violation of this section; provided, however, the village and its officers, employees and agents shall be exempt for all liability in regard to such nuisances when such noise is produced in the course of official village business or services;

(f) *Keeping cattle and swine.* To own, keep or use any railroad car, yard, pen, place or premises, in or upon which cattle or swine shall be confined or kept, so as to be offensive to those residing in the vicinity, or to be an annoyance to others;

(g) *Noisome substances and matter - depositing, etc.* To cause or suffer the carcass of any animal, or any offal, filth or noisome substance to be collected, deposited or to remain in any place, or to deposit any night soil, dead animal, or filthy, offensive or noisome substance upon any lot, street, alley, highway, park or other place;

(h) *Same - importation and transportation.* To bring into or transport through the village, the body or carcass of any unslaughtered dead animal, offal, blood, bones, rank stuff in a state of decomposition or any putrid or offensive animal matter;

(i) *Same - spilling, etc.* To permit any swill, brine, urine or other offensive animal substance, or any stinking liquid or other filthy matter of any kind, to run or fall from or out of any building, vehicle or erection into or upon any street or public place;

(j) *Same - time for removal.* For any person to permit any offal, filth, refuse, animal or vegetable matter, which is liable to become putrid or offensive, or injurious to health, to remain on any premises used or occupied by him or her for a longer period than four hours at any one time;

(k) *Offensive smells - generally.* To conduct any business or use any premises so as to create such an offensive smell as may taint the air and render it unwholesome or disagreeable to others;

(l) *Same - business, etc., premises.* To erect, continue or use any building or other place for the exercise of any trade, employment or manufacture which, by occasioning noxious exhalations, offensive smells or otherwise, is offensive or dangerous to the health of individuals or of the public;

(m) *Watercourses, etc. - throwing offensive matter.* To throw or deposit any offal or other offensive matter, or the carcass of any animal, in any watercourse, lake, pond, spring or well;

(n) *Same - polluting.* To corrupt, or render unwholesome or impure the water of any spring, river, stream, pond or lake, to the injury or prejudice of others; and

(o) *Same - obstructing navigable waters.* To obstruct or impede, without legal authority, the passage of any navigable river or waters.

(Ord. No. 80-23-1623)

## **Lincolnwood, Illinois**

Code: Gasoline-powered leaf blowers restricted seasonally and at times of day.

Village of Lincolnwood, IL  
Wednesday, October 26, 2022

## Chapter 17. General Offenses

### Article 2. OFFENSES AGAINST PERSONS

#### 17-2-16. Noises generally.

It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Village. Specifically, and without limitation of the foregoing, the following acts and noises are hereby declared to be loud, disturbing and unnecessary noises in violation of this Section **17-2-16** of this Code and defined as nuisances.

- (A) Sound devices: the using, operating, or permitting to be played, used or operated any radio receiving set, television set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants. The operation of any such set, instrument, phonograph, machine or device from 10:00 p.m. until 7:00 a.m. on the following day on Sundays through Thursdays, and from 11:00 p.m. until 7:00 a.m. on the following day on Fridays and Saturdays, in such a manner as to be plainly audible at a distance of 20 feet from where such set, instrument, phonograph, machine or device, or speaker thereof, is located, or at the lot line of the property upon which such set, instrument, phonograph, machine or device is located, whichever is the greater distance therefrom, shall be prima facie evidence of a violation of this Section **17-2-16(A)**.
- (B) Air-conditioning units and equipment.
- (1) The using, operating, or permitting to be used or operated of any refrigerating equipment, fans, humidifiers, dehumidifiers, or other air-circulating or air-conditioning equipment in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants. The operation of any such equipment in such manner as to be plainly audible at a distance of 30 feet from where such equipment is located, or at the lot line of the property upon which such equipment is located, whichever is the greater distance therefrom, shall be prima facie evidence of a violation of this Section **17-2-16(B)**.
  - (2) In any air-cooled air-conditioning installation in attics or spaces directly under any roof, the condensers must be located in such a manner that the discharge created by condenser fans is directed to the front or rear of said premises, so that said discharged air is not directed at the adjoining properties.
- (C) Instruments, loudspeakers and amplifiers for advertising: the using, operating or permitting to be played, used, or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, instrument, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
- (D) Yelling and shouting: yelling, shouting, hooting, whistling, or singing on the public streets at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.



- (E) Animals and birds: the keeping of any animal or bird which, by causing frequent or long continued noise, disturbs the comfort or repose of any persons in the vicinity.
- (F) Exhausts: the discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (G) Construction or repairing of buildings: noise emanating from any erection (including excavating), demolition, alteration or repair of any building in violation of Section **14-15-10(M)** of this Code.  
[Amended 7-20-2021 by Ord. No. 2021-3539]
- (H) Use of gasoline-powered leaf blowers restricted.  
[Amended 5-1-2012 by Ord. No. 2012-2998]
  - (1) The use of any gasoline-powered leaf blower, whether backpack-mounted, wheel-mounted or handheld, which includes electric leaf blowers connected to portable gasoline-powered electric generators, is prohibited: as follows:
    - (a) In the B-1, B-2, B-3, O-,1 PUD, and M-B Zoning Districts of the Village (as defined in Chapter **15** of this Code), before the hour of 9:00 a.m. and after the hour of 5:00 p.m. on Mondays through Fridays, inclusive, and at all times on Saturdays, Sundays, and holidays; and
    - (b) In all other zoning districts of the Village: (i) at all and times from May 15 through September 30 of each year; and (ii) from October 1 of any year through May 14 of the next year, before the hour of 7:00 a.m. and after the hour of 6:00 p.m. on Mondays through Fridays, inclusive, and before the hours of 7:00 a.m. and after 12:00 noon on Saturdays, and at all times on Sundays and holidays.
  - (2) In the event of a storm or other emergency, upon determining that it is in the best interests of the safety and welfare of the Village to use gasoline-powered leaf blowers in cleanup or restoration activities, the Village Manager may waive the enforcement of the foregoing restrictions.
  - (3) Nothing in this Section **17-2-16(H)** shall be construed to deem lawn maintenance activities on golf courses or on publicly owned properties as nuisances, whenever conducted.
- (I) Horns and signaling devices: the sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the Village, except as a danger warning; or the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable period of time.
- (J) Defect in vehicle or load: the use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- (K) Loading, unloading, and opening boxes: the creation of loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers between the hours of 10:00 p.m. and 6:00 a.m.
- (L) Noises near schools, houses of worship, and hospitals: the creation of any excessive noise on any street adjacent to any school, institution of learning, or house of worship while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, but only if conspicuous signs are displayed in such streets indicating that the proximity of a school, house of worship, or hospital.
- (M) Pile drivers, hammers of all types, etc.: the operation between the hours of 10:00 p.m. and 6:00 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise.

(N) Garbage and refuse collection: noise emanating from any garbage or refuse collection performed in violation of Article 1 of Chapter **11** of this Code.

**Wilmette, Illinois**

Code: Gasoline-powered leaf blowers restricted seasonally, at times of day, and duration of sustained use.

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**Sec. 16-115. Landscape equipment noise.**

- (a) Commercial operation of power-operated lawn or landscape maintenance equipment, including without limitation tractors, mowers, tillers, trimmers, vacuums, hedge clippers or leaf blowers, performed by commercial landscapers, lawn service contractors or other similar businesses required to obtain therefor a business license pursuant to chapter 24 hired by a property owner or occupant to perform such landscape maintenance services on the owner's or occupant's property, other than during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday.
- (1) Nothing in this subsection (a) shall be deemed to prohibit a property owner, tenant or manager utilizing its own employees or an individual residential occupant operating lawn or landscape maintenance equipment, other than a lawn or leaf blower as provided in subsection (b) of this section, upon the property where said occupant resides. However, no such occupant or employee of the occupant shall operate lawn or landscape maintenance equipment prior to 9:00 a.m. or after 8:00 p.m. on Saturdays or Sundays.
- (2) The provisions of this subsection (a) shall not apply to:
- a. Golf courses;
  - b. Public parks;
  - c. Any property owned, leased or operated by the Wilmette Park District.
- (b) Operating a gasoline-powered lawn or leaf-blower, which shall be deemed to include an electrically-operated leaf blower powered by a gasoline-powered portable electric generator;
- (1) For more than 30 minutes in any three-hour period on lots of one-half acre (21,780 square feet) or less, between the dates of October 1 through and including May 14 of the following calendar year; or
- (2) At any time between the dates of May 15 through and including September 30, provided, that the prohibitions set forth in this subsection (b)(2) shall not apply to places or uses, as the case may be:
- a. Golf courses;
  - b. Public parks;
  - c. Any property owned, leased or operated by the Wilmette Park District;
  - d. The use of such devices for roof, gutter and downspout cleaning;
  - e. The use of such devices for cleaning and preparation of asphalt surfaces prior to seal coating, or in the paving, repair or patching of public streets and alleys.
- (c) Each commercial landscape or lawn service business required to obtain a business license pursuant to the provisions of chapter 24 shall, at the time of receiving a business license from the village, be informed by the village in writing of the provisions of this section, provided that any failure of the village to provide such written information shall not be deemed a defense to a violation of this section or otherwise impair or affect any prosecution brought for a violation thereof.
- (d) Nothing in this section shall be construed to:
- (1) Relieve any person or entity from compliance with section 16-91; or
- (2) Prohibit a property owner or occupant from suffering or permitting on the owner's or occupant's property any noise that is not audible at the property line, or any activity that does not generate noise audible at the property line.

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(Code 1993, § 14-6.6; Ord. No. 99-O-50, 6-8-1999; Ord. No. 2006-O-55, 10-24-2006; Ord. No. 2013-O-66, 10-22-2013)

**Arlington, Massachusetts**

Code: Gas-powered leaf blowers restricted seasonally, days of week, times of day during phase-out period.

## **Arlington, Massachusetts**

1. For purposes of this subsection, the following terms shall be defined as follows:

- (a) “Leaf blower”- Any powered machine used to blow leaves, dirt and other matter by forced air for landscape maintenance.
- (b) “Gas powered leaf blower” – A leaf blower powered by gas or gas and oil.
- (c) “Electric leaf blower” – A leaf blower powered by attaching a cord to an electricity source or rechargeable batteries.
- (d) “Commercial landscaper” – A person or entity that receives compensation to utilize landscaping equipment on another’s property.
- (e) “Resident” – The legal owner of record of real property, as listed by the tax assessor’s records, operating on their own property; tenants operating on the property for which they hold a lease; and condominium associations operating on condominium property.
- (f) “The Town” – Town of Arlington municipal employees, operating on municipal property.

2. The use of gas powered leaf blowers is prohibited between May 31st and September 15th except in accordance with the transition and phase out schedule as set forth below:

(a) Commercial and Municipal Users Transition Period May 31, 2022 – March 15, 2025

During the transition period, gas powered leaf blowers may be operated by commercial landscape companies and the Town only between the calendar dates of March 15th – May 31st and September 15th – December 30th, during the following times:

- (i) Monday-Friday, 7:30 am – 5:30 pm;
- (ii) Use is prohibited on Saturdays, Sundays and Legal Holidays.

Electric powered leaf blowers may be operated by commercial landscape companies and the Town during the following times:

- (i) The full calendar year;
- (ii) Monday-Friday, 7:30 am – 5:30 pm;
- (ii) Use is prohibited on Saturdays, Sundays and Legal Holidays.

(b) Commercial and Municipal Users Transition Period May 31, 2022 – March 15, 2025

As of March, 15, 2025, all use of all gas powered leaf blowers by commercial

landscape companies and the Town shall be prohibited, but for the following exemptions:

- (i) The Town may use wheeled leaf blowers powered by four- stroke engines for the purposes of clearing the Minuteman Bikeway and other municipal property of an acre or more;
- (ii) The Town may use gas powered leaf blowers under emergency conditions.

(c) Resident Users Transition Period May 31, 2022 – March 15, 2026

During the transition period, gas powered leaf blowers may be operated by residents while on their own property only between the calendar dates of March 15th – May 31st and September 15th – December 30th, during the following times:

- (i) Monday-Friday, 7:30 am – 6 pm;
- (ii) Saturdays, Sundays and Legal Holidays, 8 am – 4 pm.

Electric powered leaf blowers may be operated by residents while on their own property during the following times:

- (i) The full calendar year;
- (ii) Monday-Friday, 7:30 am – 6 pm;
- (iii) Saturdays, Sundays and Legal Holidays, 8 am – 4 pm.

(d) Resident Users Phase Out

As of March 15, 2026, all use of gas powered leaf blowers by residents shall be prohibited.

(e) No more than one leaf blower may be used on any lot of 6,000 square feet or smaller. One additional leaf blower may be used for each additional 6,000 square feet or portion thereof comprising one lot.

(f) Gas powered leaf blowers may be used for no more than 30 minutes at a time with shut down time of 15 minutes in between operation.

(g) Post-Transition Electric Leaf Blower Regulation

Following the transition periods set forth in 2(a) and 2(d) of this section, electric powered leaf blowers may be operated by all users at the following times during the full calendar year:

- (i) Monday-Friday, 7:30 am – 6 pm;
- (ii) Saturdays, Sundays and Legal Holidays, 8 am – 4 pm.



3. At no time shall any leaf blower be used in such a way as to permit the distribution of leaves, dust, or other debris beyond the vertically extended lines of the property on which the leaf blower is being used.

4. Leaf blowers shall at all times be operated at the lowest possible practical speed necessary to accomplish the task for which they are being used.

5. As of June 15, 2014, or one year after the effective date of this Bylaw, whichever is later, no commercial landscaper, commercial landscape company, or other entity engaged in the business of providing home and yard repair, clean-up, and maintenance services for a fee shall use any leaf blower within the Town in the exercise of that business unless the manufacturer specifies that the sound emitted from said leaf blower is no greater than 74 dB(A) at 50 feet at full throt

## **Brookline, Massachusetts**

Code: Gas-powered leaf blowers restricted seasonally, by time of day, and decibels.

# **TOWN OF BROOKLINE**



## **Article 8.31**

# **Leaf Blower Control**

**Article 8.31**  
**Leaf Blower Control**

SECTION 8.31.1:           STATEMENT OF PURPOSE

The reduction of noise and emissions of particulate matter resulting from the use of leaf blowers as well as reducing the use of gasoline and oil fuels and reducing carbon emissions into the environment are public purposes of the Town, as are protecting the health, welfare and environment public purposes of the Town. Therefore, this By-law shall limit and regulate the use of leaf blowers as defined and set forth herein.

SECTION 8.31.2:           DEFINITIONS

- a. "Leaf Blowers" governed by this By-law are defined as any portable powered machine used to blow leaves, dirt and other debris off lawns, sidewalks, driveways, and other horizontal surfaces.
  
- b. "Property Owner" as used in this By-law shall mean the legal owner of record of real property as listed by the tax assessor's records.
  
- c. "Property Manager" shall mean any tenant in possession or person or entity in control of real property, including, but not limited to, a condominium association.
  
- d. "User" means the person or entity using the Leaf Blower at the time of the violation.

SECTION 8.31.3:           LIMITATIONS ON USE

- a. No Property Owner or Property Manager shall authorize or permit the operation of leaf blowers on property under their control, or on the sidewalks or ways contiguous to such property, nor shall any person operate a leaf blower, except between March 15th and May 15th and between October 1st and December 31st in each year, and except for leaf blowers powered by electricity which are exempt from this seasonal usage limitation. The provisions of this Section 3.a. shall not apply to nonresidential property owners but only with respect to parcels of land that contain at least five acres of open space.

b. No Property Owner or Property Manager shall authorize or permit the operation of leaf blowers on property under their control, or on the sidewalks or ways contiguous to such property, nor shall any person operate a leaf blower, except between the hours of 8 (eight) A.M. to 8(eight) P.M. Monday through Friday, and from 9 (nine) A.M. to 6 (six) P.M. on Saturdays, Sundays and legal holidays.

c. On land parcels equal to or less than 7,500 (seven thousand five hundred) square feet in size, no Property Owner or Property Manager or User shall operate or authorize the operation of more than 2 (two) leaf blowers on such property simultaneously. This limitation shall also apply to sidewalks and roadways contiguous to such parcel.

d. No Property Owner or Manager shall authorize the operation of any leaf blower and no person shall operate a leaf blower which does not bear an affixed manufacturer's label or a label from the Town indicating the model number of the leaf blower and designating a noise level not in excess of sixty-seven (67) dBA when measured from a distance of fifty feet utilizing American National Standard Institute (ANSI) methodology on their property. Any leaf blower bearing such a manufacturer's label or Town label shall be presumed to comply with the approved ANSI Noise Level limit under this By-law. However, Leaf Blowers must be operated as per the operating instructions provided by the manufacturer. Any modifications to the equipment or label are prohibited. However, any leaf blower(s) that have been modified or damaged, as determined visually by anyone who has enforcement authority for this By-law, may be required to have the unit tested by the Town as provided for in this section, even if the unit has an affixed manufacturer's ANSI or Town label. The Controller of any leaf blower without a manufacturer's ANSI label on such equipment may obtain a label from the Town by bringing the equipment to the town's municipal vehicle service center or such other facility designated by the Town for testing. Such testing will be provided by the Town's designated person for no more than a nominal fee (which shall be non-refundable) and by appointment only at the Town's discretion. If the equipment passes, a Town label will be affixed to the equipment indicating Decibel Level. In the event that the label has been destroyed, the Town may replace it after verifying the specifications listed in the Controller's manual that it meets the requirements of this By-law.

The provisions of this Article 8.31.3 shall not apply to the use of leaf blowers by the Town, its employees or contractors while performing work for the Town.

SECTION 8.31.4: REGULATIONS

- a. The Commissioner of Public Works shall have the authority to promulgate regulations to implement the provisions of this By-law, subject to the approval of the Select Board
- b. The Commissioner of Public Works shall have the authority to waive temporarily any of the limitations on the use of Leaf Blowers set forth in this By-law in order to aid in emergency operations and clean-up associated with severe storms. In the event of issuing a temporary waiver, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's internet home page and make other good faith efforts to notify the public including, but not limited to, social media.

SECTION 8.31.5: DUTIES AND RESPONSIBILITIES OF TOWN DEPARTMENTS

a. Departmental Actions

All Town departments and agencies shall, to the fullest extent consistent with other laws, carry out their programs in such a manner as to further the objectives of this By-law.

b. Departmental Compliance with Other Laws

All Town departments and agencies shall comply with federal and state laws and regulations to the same extent that any person is subject to such laws and regulations.

c. Town Exemption

The Department of Public Works shall be exempt for day and night time operations for routine maintenance. However, the DPW shall make every effort to reduce noise in residential areas, particularly during the limited use hours set forth in Section 8.31.3.b of this By-law.

d. Town Leaf Blower Equipment

Prior to purchasing new equipment, the Town must consider equipment with the lowest Decibel rating for the performance standard required.

SECTION 8.31.6: PERMITS FOR EXEMPTIONS FROM THIS BY-LAW

(a) The Select Board, or its designee, may grant a special permit to a Property Owner or Property Manager: (i) for any activity otherwise prohibited under the provisions of this By-law,

(ii) for an extension of time to comply with the provisions of this By-law and any abatement orders issued pursuant to it,

(iii) when it can be demonstrated that bringing a source of noise into compliance with the provisions of this By-law would create an undue hardship on a person or the community. A Property Owner or Manager ~~or~~ seeking such a permit should make a written application to the Select Board, or its designee. The Town will make reasonable efforts to notify all direct abutters prior to the date of the Select Board's meeting at which the issuance of a permit will be heard.

(b) The Select Board, or designee, may issue guidelines defining the procedures to be followed in applying for a special permit.

The following criteria and conditions shall be considered:

(1) the cost of compliance will not cause the applicant excessive financial hardship;

(2) additional noise will not have an excessive impact on neighboring citizens.

(3) the permit may require portable acoustic barriers during night use.

(4) the guidelines shall include reasonable deadlines for compliance or extension of non-compliance.

(5) the number of days a person seeking a special permit shall have to make written application after receiving notification from the Town that (s)he is in violation of the provisions of this By-law.

(6) If the Select Board, or its designee, finds that sufficient controversy exists regarding the application, a public hearing may be held. A person who claims that any special permit granted under (a) would have adverse effects may file a statement with the Select Board, or designee, to support this claim.

SECTION 8.31.7: HEARINGS ON APPLICATION FOR SPECIAL PERMITS

Resolution of controversy shall be based upon the information supplied by both sides in support of their individual claims and shall be in accordance with the procedures defined in the appropriate guidelines, if any, issued by the Select Board, or designee.

SECTION 8.31.8: ENFORCEMENT AND PENALTIES

a. This By-law may be enforced in accordance with Articles 10.1, 10.2 and/or 10.3 of the General By-laws by a police officer, the Building Commissioner or his/her designee, the Commissioner of Public Works or his/her designee and/or the Director of Public Health or his/her designee.

b. Violations of this By-law shall be subject to the following penalties:

1) For the first violation in each calendar year a written warning will be issued

2) For second and subsequent in each calendar year, both the Property Owner or Property Manager and the User shall be fined according to the table below:

	Property Owner or Property Manager	User, if other than Property Owner or Property Manager
First Offense	Written Warning	Written Warning
Second Offense	\$50.00	\$50.00
Third Offense	\$100.00	\$100.00
Each Subsequent Offense	\$150.00	\$150.00

3) Applicable court costs for any enforcement action taken.

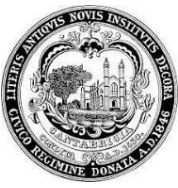
SECTION 8.31.9: EFFECTIVE DATE

The provisions of this By-law shall be effective as provided in M.G.L. c. 40, s.32.



## **Cambridge, Massachusetts**

Code: Gas-powered leaf blowers restrictions by time of year and day as well as technological requirements, personal protective equipment requirements, and other use standards.



## **CITY OF CAMBRIDGE** **LEAF BLOWER REGULATIONS**

***Notice: Pursuant to Cambridge Municipal Code 8.16.081.4, the following Regulations were adopted on 9/12/16 by Public Works Commissioner Owen O’Riordan and License Commission Chair Nicole Murati Ferrer. These are effective immediately and are subject to changes and amendments.***

- (1) All provisions of Cambridge Municipal Code (the “Code”), Noise Control, Chapter 8.1 are incorporated herein and made a part hereof.
- (2) Unless explicitly exempted, all persons and municipal contractors or commercial leaf blower operators and their employees must comply with all provisions of Chapter 8.1 of the Code, including but not limited to 8.1 081 (“Ordinance”), and the Regulations (the “Regulations”) herein.
- (3) Only leaf blowers that are portable, handheld or back style powered by fuel or electricity are regulated by the Ordinance.
- (4) Commercial leaf blower operators, as defined by the Ordinance, must be permitted by the License Commission prior to operating, or allowing any of its employees to operate, leaf blowers in Cambridge.
  - (a) The permit must be applied for annually.
  - (b) The permit is subject to conditions, revocation, suspension and/or fines.
- (5) Any company or person, including the property owner, who violates, or allows any other to violate, the provisions of the Code or these Regulations, may be subject to fines of \$300.00 per violation.
- (6) All leaf blowers must meet current EPA emissions standards and cannot emit noise greater than 55 decibels, as rated by the manufacturer.
- (7) The user of a leaf blower must make all reasonable efforts to use it at the speed/throttle which emits the least sound and is least disturbing but can still accomplish the work to be performed.
- (8) Only one leaf blower can be used in parcels of 10,000 square feet or smaller.
- (9) Multiple leaf blowers can be used on parcels of land larger than 10,000 square feet so long as the leaf blowers are at least 10,000 square feet apart from each other.
- (10) When employees of the same commercial leaf blower operator are servicing adjacent parcels, the employees must not operate them simultaneously unless they are at least 10,000 square feet apart from each other.
- (11) Leaf blowers can only be used March 15 – June 15 and September 15 – December 31. The proper hours of operation during these periods are: Mondays through Fridays, 8:00 a.m. – 5:00 p.m. Saturdays, 10:00 a.m. – 5:00 p.m. Indigenous Peoples’ Day, 12:00 p.m. – 5:00 p.m. and Veterans’ Day, 1:00 p.m. – 5:00 p.m. They cannot be operated on Sundays or any other legal holiday. This Regulation does not apply to municipal employees or municipal contractors working at Danehy Park, Fresh Pond Reservation, Fresh Pond Golf Course, Municipal Cemetery, Old Burial Ground, or after an emergency after a storm.
- (12) Commercial leaf blower operators must submit their employees to any training offered by the License Commission or submit an affidavit attesting they have trained all employees on the provisions of the Code and the Regulations.

- (13) Leaf blowers cannot be pointed at persons or animals. There must be a distance of at least fifty (50) feet between the user and any person or animal.
- (1□) It is prohibited to blow towards open windows or doors. When possible, leaf blowers are not to be used within 10 feet of windows or doors.
- (15) Private citizens/individuals and commercial leaf blower operators are prohibited from blowing debris onto adjacent property, the street, catch basins, gutters, vehicles, people or animals.
- (1□) Municipal employees or Municipal contractors may blow leaves, dust, dirt, grass clippings, cuttings and trimming from trees and shrubs on a municipal street or sidewalk for collection and pick-up, during municipal street and sidewalk sweeping and cleaning operations.
- (17) The leaf blower operator should use the longest possible nozzle for the equipment at maximum extension and orient the nozzle to reduce the sound.
- (18) The leaf blower equipment must be checked regularly to ensure proper operation and compliant sound emissions.
- (1□) When feasible, prior to using a leaf blower, the operator must spray dusty areas with water.
- (20) Leaf blowers may never be used for construction dust, plaster dust or dry garden topsoil.
- (21) Leaf blowers may never be used to move large mounds of debris. Rakes and brooms should be used whenever possible and always when loosening heavier debris.
- (22) Employees must use ear protection while operating a leaf blower. The ear protection must be provided by the employer at no cost to the employee.
- (23) Leaf blower operators should use respiratory protection while operating the leaf blower. Any employee who requests respiratory protection from their employer, must be provided one at no cost to the employee.
- (2□) Leaf blower operators should use eye protection gear while operating the blower. Any employee who requests such gear from their employer, must be provided one at no cost to the employee.
- (25) Commercial leaf blower operators and municipal contractors must provide each employee with a copy of the Regulations.

*The Commissioners for the Public Works Department and License Commission thank you for your compliance with the Code and these Regulations. We trust that you will ensure all employees are properly trained, provided protection gear and informed that that responsible use of a leaf blower includes using common sense. If there are any complaints or violations, please report them immediately to the City of Cambridge through Commonwealth Connect, via email at [License@cambridgema.gov](mailto:License@cambridgema.gov) or by phone at (617) 349-6149.*

## **Montgomery, Co., Maryland**

Original Ordinance: Prohibits the sale and use of combustion engine-powered leaf blowers and authorizes a grant program to replace gas machines.

Bill No. 18-22  
Concerning: Noise Control – Leaf  
Removal Equipment - Amendments  
Revised: 6/10/2022 Draft No. 1  
Introduced: June 28, 2022  
Expires: December 28, 2023  
Enacted: [date]  
Executive: [date signed]  
Effective: [date takes effect]  
Sunset Date: [date expires]  
Ch. [#], Laws of Mont. Co. [year]

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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**AN ACT** to:

- (1) prohibit the sale and use of combustion engine-powered leaf blowers and leaf vacuums by a certain date;
- (2) authorize a grant program to partially offset the cost of replacing a combustion engine-powered leaf blower or leaf vacuum with an electric leaf blower or leaf vacuum; and
- (3) generally, revise the law regarding noise control.

By amending

Montgomery County Code  
Chapter 31B, Noise Control  
Sections 31B-9 and 31B-12

**Boldface**

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

\* \* \*

*Heading or defined term.*

*Added to existing law by original bill.*

*Deleted from existing law by original bill.*

*Added by amendment.*

*Deleted from existing law or the bill by amendment.*

*Existing law unaffected by bill.*

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Sections 31B-9 and 31B-12 are amended as follows:**

**31B-9. [Leaf blowers] Leaf removal equipment.**

\* \* \*

(e) Sale of combustion leaf removal equipment – Prohibited. A person must not sell or offer for sale a combustion engine-powered handheld, backpack, or walk-behind leaf blower or leaf vacuum.

(f) Use of combustion leaf removal equipment – Prohibited. A person must not use a combustion engine-powered handheld, backpack, or walk-behind leaf blower or leaf vacuum.

(g) Reimbursement. The Director may establish a time-limited program based on criteria set by regulation to partially reimburse County residents and businesses that purchase electric leaf blowers or leaf vacuums to replace combustion engine-powered leaf blowers or leaf vacuums.

(1) To receive reimbursement under subsection (g), an owner of a combustion engine-powered leaf blower or leaf vacuum must apply to the Director in a form prescribed by the Director and deliver the combustion engine-powered leaf blower or leaf vacuum to the County.

(h) An enforcement officer may issue a civil citation under this Section if the Director receives a complaint of a noise disturbance supported by photographic evidence of a violation of subsection (f).

**31B-12. Enforcement and penalties.**

\* \* \*

(f) Except as provided in Section 31B-9(h), [An] an enforcement officer may issue a civil citation for any violation of this Chapter if the enforcement officer:

(1) witnesses the violation; or

28 (2) receives complaints from at least 2 witnesses of a noise  
29 disturbance.

30 Complaints by 2 witnesses are required to issue a citation under paragraph (2), but are  
31 not required to prove that a person violated this Chapter.

32 \* \* \*

33 **Sec. 2. Effective Date.** Subsection (e) of Section 31B-9, under Section 1 of this Act,  
34 must take effect 6 months after the Act becomes law. Subsection (f) of Section 31B-  
35 9, under Section 1 of this Act, must take effect 1 year after the Act becomes law.  
36 Subsection (g) of Section 31B-9, under Section 1 of this Act, must apply  
37 reimbursement only for purchases of combustion engine-held leaf blowers or leaf  
38 vacuums made before this Act becomes law.

## **Chapel Hill, North Carolina**

Code: Technological requirements, zone-specifications, time of day restrictions, decibel limits.



Sec. 11-40.1. - Regulations applicable to leaf blowers and other motorized agricultural and landscape maintenance equipment.

Leaf blowers, lawn mowers and other motorized agricultural and landscape maintenance equipment shall be subject to the following regulations:

- (1) Leaf blowers, lawn mowers and other motorized agricultural and landscape maintenance machinery shall be operated only with all manufacturer-supplied emission control devices and noise muffling equipment in proper working order.
- (2) Leaf blowers, lawn mowers and other motorized agricultural and landscape maintenance machinery may be used during the following time periods based on the zoning designation of the property and contiguous property:
  - a. On property zoned one of the residential zoning classifications under the town's Land Use Management Ordinance (R-6, R-5, R-4, R-3, R-2, R-2A, R-1, R-1A, R-LD-1, and R-LD-5), and on parts of any property not so zoned but contiguous to property carrying such designation, within one hundred (100) feet of the residentially zoned property, such equipment may only be operated between the hours of 8:00 a.m. and 7:00 p.m. Monday through Friday and between the hours of 9:00 a.m. and 5:00 p.m. Saturday and Sunday. However, commercial golf courses shall operate such equipment only between the hours of 6:30 a.m. and 5:00 p.m. Monday through Friday and between the hours of 6:30 a.m. and 5:00 p.m. Saturday and Sunday.
  - b. On property zoned for any other purpose not meeting the contiguity standard in subsection (1), said equipment may only be operated between the hours of 4:00 a.m. and 9:00 p.m. Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturday and Sunday.
- (3) Notwithstanding the provisions of subsection (2), the town manager is authorized to direct the use by town staff and town agents of such motorized machinery at other hours when such use is necessary to clean or restore public properties following scheduled or unscheduled special events.
- (4) Leaf blowers, lawn mowers and any other motorized agricultural and landscape maintenance machinery shall be operated and controlled by the handler so that the decibel level generated by said equipment does not exceed sixty-five (65) dBa when measured, off of the premises where the equipment is used, at a distance of fifty (50) feet from the location of use. Equipment that would otherwise exceed this standard shall be operated at a reduced intensity in order to meet this standard when the operator is made aware of persons present within the nearby vicinity. This subsection shall not apply to commercial golf courses.
- (5) These specific regulations shall not mean that the use of such equipment is not further subject to the nuisance provisions contained in section 11-39.1 of this chapter.

- (6) The town manger is authorized to issue permits to exempt property owners from the time periods set out in this section on a case by case basis where a property owner applies for a permit to conduct maintenance activity on his/her own property and presents documentation from a physician that due to a medical condition the individual should not be engaging in the landscape maintenance activity during the time periods where such activity is otherwise permitted due to the individual's sensitivity to heat or other conditions existing during such time periods.

(Ord. No. 2005-06-15/O-4, § 2; Ord. No. 2014-11-24/O-1, § 1)

**Princeton, New Jersey**

Original Ordinance: Gas-powered leaf blowers restricted seasonally, by time of day,  
exceptions for emergency.

offenders shall be subject to additional fines and other penalties as provided in section 1-6 of this Code.

Section 2. Subsections 21-2(p) through (s), inclusive, of Chapter 21 of the “Code of the Borough of Princeton, New Jersey, 1974” (“Borough Code”), entitled “Loud, Continuous or Excessive Noise,” are hereby amended follows (additions are underlined; deletions are [bracketed]):

**Sec. 21-2. Noises expressly prohibited or restricted - Acts enumerated.**

The following acts, among others, are declared to be loud, disturbing, excessive or continuous noises, and a danger to the health, safety and welfare of the community, in violation of section 21-1, but the enumeration shall not be deemed to be exclusive:

[(p) Blowers, Fans or Engines. The operation of any noise-creating blower (including but not limited to leaf blowers) or power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower, fan or combustion engine is adequately muffled and such engine is equipped with a muffler device sufficient to deaden such noises. In addition, the operation or use of any of such equipment between the hours of 10:00 p.m. and 8:00 a.m., Mondays through Saturdays, and 10:00 p.m. and 10:00 a.m., on Sundays, shall not be permitted; except that the use of any snowblower shall not be prohibited during these times when used to clear sidewalks, walkways or driveways following a snow storm, nor shall the use of any portable generator be prohibited during these times when used during a power outage caused by a storm or other natural disaster.]

[(q) Lawnmowers or Chain Saws. The operation or use of any power lawnmower or chain saw between the hours of 10:00 p.m. and 8:00 a.m., Mondays through Saturdays, and 10:00 p.m. and 10:00 a.m., on Sundays; except that the use of any chain saw shall not be prohibited during these times when used in response to an emergency, such as to clear a walkway or street from fallen branches or trees following a storm or other natural disaster.]

(p) Gas-powered leaf blowers.

(1) From March 15 to May 15 each calendar year and October 1 to December 15 each calendar year, no person shall operate, or cause or permit the operation of, any gas-powered leaf blower at any time on Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas, or other than between the hours of 8:00 a.m. and 8:00 p.m., Mondays through Fridays, and 8:00 a.m. and 5:00 p.m. on Saturdays.

(2) From May 16 to September 30 each calendar year, and from December 16 to March 14 the following calendar year, no person shall operate, or cause or permit the operation of, any gas-powered leaf blower at any time.

(3) The operation or use of gas-powered leaf blowers shall not be prohibited during the days and times set forth in subsection (p)(1) and (2) when used in response to a bona fide emergency, such as to clear a walkway, driveway or street from debris following a storm or other natural disaster.

(q) Electric-powered leaf blowers. No person shall operate, or cause or permit the operation of, any electric-powered leaf blower other than between

the hours of 8:00 a.m. and 8:00 p.m., Mondays through Fridays, 8:00 a.m. and 5:00 p.m. on Saturdays and 1:00 p.m. and 6:00 p.m. on Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas. The use of any electric-powered leaf blower shall not be prohibited during the days and times set forth in this subsection (q) when used in response to a bona fide emergency, such as to clear a walkway, driveway or street from debris following a storm or other natural disaster.

(r) Electric- or battery-powered chainsaws, hedge trimmers, string trimmers and pole trimmers. No person shall operate, or cause or permit the operation of, any electric- or battery-powered chainsaws, hedge trimmers, string trimmers or pole trimmers other than between the hours of 8:00 a.m. and 8:00 p.m., Mondays through Fridays, 8:00 a.m. and 5:00 p.m. on Saturdays and 1:00 p.m. and 6:00 p.m. on Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas. The use of any electric- or battery-powered chainsaws, hedge trimmers, string trimmers or pole trimmers shall not be prohibited during the days and times set forth in this subsection (r) when used in response to a bona fide emergency, such as to clear a walkway, driveway or street from debris following a storm or other natural disaster.

(s) Lawnmowers. No person shall operate, or cause or permit the operation of, any power lawnmower other than between the hours of 8:00 a.m. and 8:00 p.m., Mondays through Fridays, 8:00 a.m. and 5:00 p.m. on Saturdays and 1:00 p.m. and 6:00 p.m. on Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas.

(t) Other noise-creating gas-powered equipment, blowers, power fans or internal combustion engines, including chain saws, snow blowers and portable generators. No person shall operate, or cause or permit the operation of, any other noise-creating gas-powered equipment, blowers, power fans or internal combustion engines on Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas, or other than between the hours of 8:00 a.m. and 8:00 p.m., Mondays through Fridays, and 8:00 a.m. and 5:00 p.m. on Saturdays. The use of any such equipment shall not be prohibited during the days and times set forth in this subsection (s) when used in response to a bona fide emergency, such as a power outage, snow storm or other natural disaster.

(u)[(r)] Idling, Starting, Etc., of Vehicles at Night. Any of the following activities, when occurring in close proximity to residences between 11:00 p.m. and 7:00 a.m.: The warming up or idling of buses, trucks or tractors; and the unnecessary and repeated idling, acceleration and deceleration, or starting and stopping of automobiles and motorcycles.

(v)[(s)] Outdoor Concerts. Outdoor concerts, except in accordance with permits first obtained therefor from the administrator, pursuant to section 21-3.

Section 3. Subsection 21-7 of Chapter 21 of the Borough Code is hereby amended follows (additions are underlined; deletions are [bracketed]):

**Sec. 21-7. Violations; Penalties.**

Except as otherwise provided in this section, f[F]or each violation of this chapter, the violator shall be subject to such fines and other penalties as provided in section 1-6 of this Code, entitled "General penalty; continuing violations;

repeat violations; other penalties." Repeat offenders shall be subject to additional fines and other penalties as provided in section 1-6 of this Code.

For the first violation of any provision of subsections 21-2(p), (q), (r), (s) or (t) above, a violator shall only be given a written warning of the violation; for the second and any subsequent violations, said violator shall be subject to such fines and other penalties as provided above.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 6. The provisions of this ordinance shall be applicable within Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted, except as follows:

- a. Grace period. Upon the effective date of this ordinance, the provisions set forth in section 2 of this ordinance shall be in full force and effect except that any violators of the amended or new requirements in section 2 (governing gas- and electric- powered leaf blowers, lawnmowers, and other noise-creating gas-powered equipment, blowers, power fans or internal combustion engines, including chain saws, snow blowers and portable generators) shall be given only written warnings for their first two (2) violations of said amended or new requirements which take place during the first 90 calendar days following the



effective date of this ordinance. After the 90-day grace period expires, all violations of section 2 of this ordinance shall be subject to the fines and penalties in section 21-7, as amended by this ordinance.

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Delores A. Williams, Clerk

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Mark Freda, Mayor

Ordinance Introduced:

Ordinance Adopted:

This ordinance (1) updates Princeton's existing requirements for landscaper registration to further protect landscaping workers; and (2) amends Princeton's noise regulations to limit the public's use of gas-powered equipment, including gas-powered leaf blowers and other landscaping equipment, to certain hours, days of the week and seasons of the year.

## **City of White Plains, New York**

Code: Gas-powered leaf blowers restricted by time of day and year with phase out period, permits required for using leaf blowers in public spaces.

STATE OF NEW YORK }  
COUNTY OF WESTCHESTER } ss.:  
CITY OF WHITE PLAINS }

I, the undersigned, City Clerk, of the City of White Plains, NY, do hereby certify that I have compared the proceeding with the original Ordinance adopted by the Common Council of the City of White Plains, NY, by a vote of the majority of the members of the Common Council at a **Regular Stated** meeting held **7th February, 2022**, and I do hereby certify the same to be a correct transcript therefrom and of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of White Plains, NY, this

**February 9, 2022**



**CERTIFIED COPY**

from the

**CITY OF WHITE PLAINS**  
255 Main Street  
White Plains, NY 10601



**CERTIFIED COPY**

of a(an)

ORDINANCE

**Ordinance repealing Chapter 3-4 of the White Plains Municipal Code and adding a new Chapter 3-4 of the White Plains Municipal Code entitled, "Noise Pollution."**

**ADOPTED BY THE  
COMMON COUNCIL**

of the

**CITY OF WHITE PLAINS**

on

**7th February, 2022**

## Chapter 3-4 - NOISE POLLUTION

### ARTICLE I. General Provisions

#### Sec. 3-4-1. Title.

This chapter shall be known and may be cited as "The White Plains Noise Pollution Control Ordinance."

#### Sec. 3-4-2. Purpose.

It is the purpose of this chapter to prevent noise disturbances within the limits of the city, which may jeopardize the well-being, health or welfare of its citizens or degrade the quality of life and to regulate noise-producing activities. The provisions and prohibitions hereinafter contained and enacted are for the above-mentioned purpose. Factors to be considered in determining whether a noise disturbance exists include, but are not limited to, the following:

- (1) The volume of the noise
- (2) The intensity of the noise
- (3) Whether the nature of the noise is unusual or usual
- (4) Whether the origin of the noise is natural or unnatural
- (5) The volume and intensity of the background noise, if any
- (6) The proximity of the noise to residential sleeping facilities or private residences
- (7) The nature and the zoning district of the area within which the noise emanates
- (8) The time of day or night the noise occurs
- (9) The time duration of the noise
- (10) Whether the sound source is temporary
- (11) Whether the noise is continuous or impulsive
- (12) The presence of discrete tones
- (13) The number of complaints received

#### Sec. 3-4-3. Definitions.

As used in this chapter the following terms shall have the meanings indicated:

1. **Ambient noise** - The all-encompassing noise associated within a given environment, being usually a composite of sounds from many sources, near and far.
2. **A-weighted sound level** - The measurement of sound approximating the auditory sensitivity of the human ear as measured with a sound-level meter using an A-weighting network. The unit of measure is dB.
3. **Construction** - Any site preparation, assembly, erection, repair, alteration or similar action, but excluding demolition of buildings or structures.

that exceeds fifty-five (55) decibels as measured on the “A” weighted scale of a sound level meter (SLM) at a distance of fifteen (15) feet or the nearest property line, whichever is closer to the equipment. If, as a result of testing, the equipment noise exceeds the prescribed levels, sound attenuation may be required. Fixed equipment shall only operate as needed to support the intended function and shall otherwise be powered off.

Noise from fixed emergency generators installed to operate the life safety systems (e.g. smoke/fire alarms, elevators, smoke purge systems, emergency lighting, etc.) associated with a building shall not exceed a sound level of sixty-five (65) decibels as measured on the “A” weighted scale of the sound level meter (SLM) at a distance of fifteen (15) feet or the nearest property line, whichever is closer to the equipment. If, as a result of testing, the equipment noise exceeds the prescribed levels, sound attenuation may be required. Fixed equipment shall only operate as needed to support the intended function and shall otherwise be powered off.

Emergency generator equipment shall only be permitted to be exercised between the hours of 11:00 a.m. and 5:00 p.m. on any day of the week, except with the permission of the Commissioner of Building.

**(d) Landscape maintenance equipment:**

(1) Operating Hours: No person shall operate any landscape maintenance equipment, such as lawn mowers, chain saws and trimmers, between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, and between the hours of 6:00 p.m. and 10:00 a.m. on Saturday, Sundays and holidays.

(2) Combustion powered equipment:

- a. No person shall operate any gasoline internal combustion engine powered landscape maintenance equipment, such as lawn mowers, chain saws and trimmers, without factory installed noise reduction equipment in good working condition.
- b. No person shall operate any gasoline internal combustion engine powered landscape maintenance equipment such as lawn mowers, chain saws and trimmers that produce a sound level exceeding eighty-five (85) decibels on the "A" weighted scale at a distance of fifty (50) feet.
- c. All the aforementioned restrictions and prohibitions may be temporarily suspended by the Mayor in the event of an extreme weather event or other emergency to allow the use of

combustion powered landscape maintenance equipment for debris clean up.

**(e) Leaf blowers:**

(1) Internal combustion leaf blowers:

- a. No person shall operate an internal combustion leaf blower after May 14, 2023.
- b. Prior their absolute prohibition after May 14, 2023, the operation of internal combustion leaf blowers is restricted as follows:
  1. Internal combustion leaf blower may only be used during the periods March 15 through May 14 and October 15 through December 15.
  2. The simultaneous operation of more than one internal combustion leaf blower on property of five thousand (5,000) square feet or less in area is prohibited.

(2) Operating Hours: No person shall operate any leaf blower between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, and between the hours of 6:00 p.m. and 10:00 a.m. on Saturday, Sundays and holidays.

(3) All the aforementioned restrictions and prohibitions may be temporarily suspended by the Mayor in the event of an extreme weather event or other emergency to allow the use of leaf blowers for debris clean up.

**Sec. 3-4-6. Exemptions.**

The chapter shall not be construed to prohibit:

- (a) The use of a sound production device for the purpose of reporting unusual national, state or municipal events, or unusual sporting or other events of great public interest, during reasonable time and hours, in connection with events such as presidential or gubernatorial elections, inaugurations or similar events of great public interest; nor
- (b) The necessary warning sounds of police, fire, civil defense, or ambulance vehicles or other emergency warnings by public authorities; nor
- (c) The use or operation of any organ, radio, bell, chimes or other similar instrument, apparatus or device by any house of worship or school on or within its own premises, in connection with religious rites or ceremonies of such church or synagogue or in connection with schools' educational program.

**Sec. 3-4-7. Persons Responsible for Noise Violations.**

Any or all of the following persons may be held responsible for noise violations:

- (a) The person operating the equipment or creating the noise;
- (b) The person who employs the person operating the equipment or creating the noise at the time of the violation;
- (c) The person who owns or rents the property where the violation occurs;
- (d) A sponsor or promoter who is managing entertainment, music, or a social gathering who is not the owner of the property, where the gathering is occurring.

**Sec. 3-4-8. Enforcement.**

The provisions of this chapter may be enforced by a City of White Plains Building Code Enforcement Officer, Police Officer, Parking Enforcement Officer, or Public Works Code Enforcement Officer.

**Sec. 3-4-9. Penalty.**

Any person who violates any provision of this section shall be deemed guilty of an offense, and upon conviction thereof shall be fined not exceeding two hundred fifty dollars (\$250.00) for a first offense; not exceeding five hundred dollars (\$500.00) for a second offense within one year of the first offense; and not exceeding one thousand dollars (\$1,000.00) for a third and each successive offense thereafter within one year of the first offense, or may be imprisoned for not more than fifteen (15) days, or both.

**(Secs. 3-4-10 – 30 Reserved)**

**ARTICLE II. Permits for Sound Devices**

**Sec. 3-4-31. Permits Required.**

It shall be unlawful for any person to use or operate any sound device or apparatus in, on, near or adjacent to any public street, park or place without a permit issued by the commissioner of public safety.

**Sec. 3-4-32. Application.**

Each applicant for a permit to use or operate a sound device or apparatus in, near or adjacent to any public street, public park or place shall file a written application with the commissioner of public safety at least two (2) days prior to the date upon which such sound device or apparatus is to be used or operated. Such application shall describe the specific location or route in which such sound device or apparatus is proposed to be used or operated, the day and hour or hours

during which it is proposed to be used or operated and such other pertinent information as said commissioner may deem necessary to enable him to carry out the provisions of this division.

**Sec. 3-4-33. Issuance.**

The commissioner of public safety shall not deny a permit required herein for any specific time, location or use to any applicant who complies with the provisions of this section except for one or more of the reasons specified in section 3-4-34 of this Code or for nonpayment of the fee prescribed in section 3-4-35 of this Code. Each permit issued pursuant to this division shall describe the specific location or route in which such sound device or apparatus may be used or operated thereunder and the exact period of time for which such apparatus or device may be operated at such location.

**Sec. 3-4-34. Denial.**

The commissioner of public safety shall not issue any permit for the use of a sound device or apparatus:

- (1) In any location where the commissioner of public safety, upon investigation, shall determine that the conditions of the vehicular or pedestrian traffic or both are such that the use of such a sound device or apparatus will constitute a threat to or interfere with the safety of pedestrians or vehicular operators;
- (2) In any location where the commissioner of public safety, upon investigation, shall determine that conditions of overcrowding or street repair or other physical conditions are such that the use of a sound device or apparatus will deprive the public of the right to safe, comfortable, convenient and peaceful enjoyment of any public street, park or place, for street, park or other public purposes, or will constitute a threat to or interfere with the safety of pedestrians or vehicle operators. In the event the commissioner of public safety shall refuse any location, he shall offer the applicant an alternative location.

**Sec. 3-4-35. Fee.**

Each application for a permit issued under the provisions of this division shall pay a fee of fifty dollars (\$50.00) for use of each sound device or apparatus for each day, provided, however, that permits for the use of such sound device or apparatus shall be issued to any bureau, commission, board or department of the United States government, the state, the county, the city, the city school district, the White Plains Housing Authority, the White Plains Park Authority and the White Plains Urban Renewal Agency, without fee.



**Sec. 3-4-36. Compliance with permit.**

A person holding a permit issued pursuant to this article shall comply with the location and route restrictions set forth in the permit.

**Sec. 3-4-37. Possession and display.**

A permit issued pursuant to this division shall be in the possession of any person operating the sound amplifying equipment and/or sound truck at all times while the amplifying equipment is in operation and said permit shall be promptly displayed and shown to any police officer of the city upon request.

**Sec. 3-4-38. Effective date.**

This act shall take effect immediately.

## **Dobbs Ferry, New York**

Code: Gas-powered leaf blowers restricted by time of day and year .

**§ 234-26. Unnecessary noise.**

It shall be unlawful for any person to make, continue or cause to be made or continued any of the following acts producing audible sound, which are hereby declared to be loud, disturbing and unnecessary noise in violation of this article:

- A. Horns, signaling devices, etc. The sounding of any horn or other signaling device, including but not limited to sirens, on any automobile, motorcycle or other vehicle, other than an emergency vehicle, on any street or public place, except as a danger or burglar warning.
- B. Car alarms. The sounding or allowing to be sounded of any vehicle alarm for any reason other than an emergency on any vehicle parked on any street or public place within the Village of Dobbs Ferry for a length of time which exceeds 10 minutes. For the purpose of this article, the registered owner of the vehicle shall be deemed the person responsible for any violation involving an unoccupied vehicle. More than two instances of an alarm sounding on the same vehicle for any cause other than an emergency within an eight-hour period shall authorize the towing of the offending vehicle at the owner's expense from any public area or area accessible to the public.
- C. Burglar, intruder, security, etc., alarms. The sounding or allowing to be sounded of any burglar, intruder or security or fire alarm at a residence or a commercial establishment for a length of time that exceeds 10 minutes, for any reason other than an emergency for which the system was designed and installed. For the purpose of this article, the owner of the property, or the lessee, if said lessee is responsible for maintenance of the alarm system, shall be deemed the person responsible for any violation involving a nonemergency sounding of the alarm. More than two instances of an alarm sounding at the same location for any cause other than an emergency within an eight-hour period shall be cause for the imposition of a fine or such penalty as provided by this article or the Board of Trustees of the Village of Dobbs Ferry.
- D. Radios, televisions, electronic sound-reproduction devices, etc. The using, operating or permitting to be played, used or operated of any radio, musical instrument or instruments, phonograph or other machine or device for the producing or reproducing of sound, in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are voluntary listeners thereto. "Neighboring inhabitants" shall also be interpreted to mean those persons in close proximity to the operator of an above-listed device in a park or playground. The operation of any such set, instrument, phonograph, machine or device between the hours of 12:00 midnight and 7:30 a.m. in such manner as to be plainly audible on adjacent properties shall be prima facie evidence of a violation of this section.
- E. Loudspeakers (amplifiers for advertising). The using, operating or permitting to be played, used or operated of any radio, musical instrument or instruments, phonograph, loudspeaker, sound amplifier or other machine or device for the

producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to a building or a structure.

- F. Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets or any public place at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in the vicinity shall be enforceable under the provisions of the New York State Penal Law in accordance with the specific provisions of New York State Penal Law § 240.20.
- G. Animals. The keeping or harboring of any animal which barks, whines or makes any other noise continuously for a period of 10 minutes or more at a volume which can be heard anywhere beyond the owner's premises. For the purpose of this subsection, "continuously" shall mean constant, without any period of silence that exceeds 30 seconds.
- H. Blowers and fans. The operation of any blower, power fan or any internal combustion engine, the operation of which causes noise due to the detonation of operating gases or fluids or the expulsion of air, unless the noise from such blower or fan is muffled and such engine is equipped with a properly functioning muffler or baffling device or effective noise-absorbent material sufficient to deaden such noise. The decibel level generated by any such equipment covered by this section shall not exceed 65 db when measured from an adjacent or nearby property where said noise is alleged to be disturbing the peace, quiet and enjoyment of said property.
- I. Leaf blowers and outdoor power tools. **[Amended 5-13-2008 by L.L. No. 4-2008; 11-12-2013 by L.L. No. 9-2013]**
  - (1) The use of all leaf blowers, excluding electric-powered, are prohibited except between March 15 and May 15 and October 15 and December 15, and then only from 8:00 a.m. until 6:00 p.m. on Monday through Friday, and 10:00 a.m. until 5:00 p.m. on Saturday, Sunday and holidays. **[Amended 6-22-2021 by L.L. No. 2-2021]**
  - (2) The operation of any engine-driven power tool or motorized equipment before 7:30 a.m. and after 6:30 p.m., Monday through Friday, and before 9:00 a.m. and after 5:00 p.m. on Saturdays, Sundays and legal holidays is prohibited, except that grass may be cut with an internal combustion engine lawn mower by the occupant of the premises on any day between the hours of 5:00 p.m. and 8:00 p.m. Any such tool or equipment shall be properly equipped with a muffler or other properly installed manufacturer-approved noise-reduction device so designed and in such condition as to prevent unnecessary noise and to prevent a public nuisance in its operation.
  - (3) Promulgation of additional rules and regulations. The Village Administrator is authorized to promulgate rules, regulations and standards applicable to the above power tools and equipment in an effort to control such noise and lessen the effect of that noise on the quality of life of the Village. Such rules shall not

become effective until approved by the Village Board of Trustees.

- (4) Exceptions to this subsection:
- (a) Golf course operations, municipal and school employees while in the performance of their regular duties beyond 100 feet from the nearest residence.
  - (b) Utility companies, municipal and school employees or property owners and/or their subcontractors while performing emergency repairs.
- J. Restaurants. The playing, causing to be played or permitting to be played of music of any kind or description, including instrumental music, radio, player piano, jukebox, recorded, electronically produced or vocal music, which interferes with the repose, health, comfort, safety or welfare of any person and is plainly audible from adjacent properties, between the hours of 12:00 midnight and 7:30 a.m. in any restaurant, bar, tavern and/or other public place licensed to sell liquors, wines or beer to be consumed on the premises.
- K. Motor vehicle radios. The use or operation of any radio, tape player, disc player or other electronic sound-reproduction device located within a motor vehicle being operated or parked on any public street or place accessible to the public in such manner as to disturb the peace and repose of persons in their homes, businesses or on the streets, or at any time, with louder volume than is necessary for convenient hearing of the person or persons who are voluntary listeners within the vehicle. The operation of any such radio or electronic sound-reproduction device with a vehicle in such a manner as to be audible to those outside the vehicle at a distance of 25 feet or more from the source, as best that point can be estimated without the use of any distance-measuring device, regardless of the time of day, shall be prima facie evidence of a violation of this section. Said 25 feet may be measured horizontally or vertically.
- L. Construction. Causing or committing to be caused unnecessary noise during the erection, excavation, demolition, alteration or repair of any building or structure. **[Amended 11-12-2013 by L.L. No. 9-2013]**
- (1) Homeowners may, if performing their own work (without aid of a subcontractor or employee) of erection, excavation, demolition, alteration or repair of any building or structure on their own premises, do so between 7:30 a.m. and 6:30 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m., Saturdays, Sundays and holidays.
  - (2) Work involving the use of machinery, including but not limited to rock breaking, pile driving, riveting, power sandblasting and chain sawing, that emits continuous sounds, audible from a distance of 300 feet or more from the work site, must cease for 30 minutes within every three hours of operation to provide respite to the surrounding community. Work by anyone using machinery, including but not limited to rock breaking, pile driving, riveting, power sandblasting and chain sawing, shall commence at 7:30 a.m. and end at

6:30 p.m., Monday through Friday, and commence at 9:00 a.m. and end at 5:00 p.m. on Saturdays. No such work shall be performed on Sundays or holidays.

- M. Noise generated by any establishment that impacts its neighbors. Creating noise that disturbs the peace, quiet and comfort of the neighboring residential inhabitants by any establishment, including businesses, commercial establishments, houses of worship or educational institutions in an industrial zone or in a residential or business zone, between 6:30 p.m. and 7:30 a.m., Monday through Friday, and 5:00 p.m. to 9:00 a.m. Saturdays, Sundays and holidays. Noise that is plainly audible at a distance of 25 feet or more from the source, as best that point can be estimated without the use of any distance-measuring device, during the hours specified, shall be prima facie evidence of a violation of this section. Establishments in violation of this provision may be required by the Board of Trustees to make modifications, alterations or other changes to their structure in order to come into compliance with this provision. **[Amended 11-12-2013 by L.L. No. 9-2013]**
- N. Motor vehicles.
- (1) Noise emanating from the operation of motor vehicles on public highways is regulated by the New York State Vehicle and Traffic Law. The maximum levels set forth in the Vehicle and Traffic Law for the operation of vehicles on public highways, as they may be amended from time to time, are hereby designated to be the maximum permissible noise levels for the operation of motor vehicles on all other property as well as public highways within the Village of Dobbs Ferry.<sup>1</sup>
  - (2) Allowing the engine of a truck or bus, including school buses, to idle while the vehicle is standing for a period exceeding five minutes, with the exception of vehicles with refrigeration systems where the engine must be running in order to power the refrigeration unit.
- O. Exhausts and mufflers generally. Causing or permitting the operation of any device, fan, vehicle, construction equipment, lawn maintenance equipment, including but not limited to any diesel engine, internal combustion engine or turbine engine, that has been modified or becomes defective so as to cause the level of sound emitted to be greater than that emitted when originally manufactured, nor shall any person operate said devices, equipment, etc., with the muffler or noise-reduction equipment removed.

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1. Editor's Note: See Vehicle and Traffic Law § 386.

**Flower Hill, New York**

Code: Gas-powered leaf blowers restricted by time of day and year, commercial restrictions, exceptions with waiver.

**§ 144-3. Regulations.**

A. No landscaper or other person shall individually or cause or permit any other person who is providing commercial landscaping services for them or who is otherwise within their employ or control to:

- (1) Blow, rake, place, spill, dump, or otherwise deposit any leaves, grass, garbage, refuse, cuttings, wood, oil, pesticides or other materials or debris from one property onto any public property, including, but not limited to, streets, sidewalks and rights-of-way, or the private property of another person, without such other person's permission. In any prosecution for a violation of this provision, it shall be an affirmative defense that such other person gave the alleged offender permission to blow, rake, place, spill, dump or otherwise deposit such material or debris on such other person's property.
- (2) Remove leaves, clippings or other yard waste in a truck, dump truck, van, or other motor vehicle, trailer, container, or other towable device without securing a tarpaulin or other cover to prevent spillage where such leaves, clippings or other yard waste do not remain on the property as mulch.
- (3) Spill or dump any oil, gasoline or other petroleum products within the Village.
- (4) Fill or refill any machinery or equipment with any fuel or lubricant except over a drop cloth or other device designed to catch and retain any accidental spillage.
- (5) Remove, destroy or alter any tree in violation of the Village Code or otherwise in violation of state law.
- (6) Perform any commercial landscaping on:
  - (a) Sundays and holidays;
  - (b) Saturdays before 9:00 a.m. or after 5:00 p.m. and, further, the only landscaping to be permitted between the hours of 9:00 a.m. and 5:00 p.m. shall be quiet landscaping; and **[Amended 8-3-2020 by L.L. No. 9-2020]**

[1] Exceptions:

[a] The operation of gasoline- or diesel-powered leaf blowers operated in the course of performing groundskeeping, gardening or landscaping services at golf courses shall be permitted during these hours so long as not being conducted within 100 feet of a lot containing a residence.

[b] Temporary waiver. The Village Administrator shall have discretion, upon written request by a homeowner, to grant a temporary waiver allowing the operation of landscaping for a special event such as a wedding, party, or other large social gathering.



- (c) Weekdays before 8:00 a.m. or after 5:00 p.m.
  - (7) Operate any equipment in violation of Chapter 144 of the Village Code.
  - (8) Operate any equipment which emits excessive fumes.
  - (9) Burn any wastepaper, rubbish, leaves, cuttings, wood, or other waste materials.
- B. All commercial landscaping shall be performed in accordance with the laws, ordinances, rules, and regulations of the United States, the State of New York, and the County of Nassau.

## **Greenburgh, New York**

Code: Gas-powered leaf blowers restricted by time of year and in certain zones.

**§ 380-7. Prohibited acts and associated sounds.**

The following acts and associated sounds are prohibited under this chapter. Prohibited acts and associated sounds include, but are not limited to, the following:

- A. The sounding of any horn or signal device on any motor vehicle, except as a warning signal pursuant to the provisions of the Vehicle and Traffic Law of the State of New York.
- B. The use or operation of any radio, television, phonograph, musical instrument or instruments, loudspeaker, sound-amplification equipment or other machine or device for the production or reproduction of sound so as to create an unreasonably intrusive noise.
- C. Any unreasonably intrusive noise exceeding 65 dBA at any time within a residential district or exceeding 70 dBA within any other district between the hours of 8:00 p.m. and 8:00 a.m. Sunday through Saturday or exceeding 65 dBA between the hours of 5:00 p.m. Saturday and 10:00 a.m. Sunday or exceeding 65 dBA between the hours of 12:01 a.m. and 11:59 p.m. on any holiday.
- D. The keeping or harboring of any animal, fowl or bird which disturbs the peace, comfort or repose of any person residing in the vicinity by causing frequent unreasonably intrusive noise.
- E. The blowing of any whistle attached to any stationary boiler, except to give notice of the time to begin work, stop work or as a danger warning.
- F. The discharge of exhaust into the open air generated by any steam engine, internal-combustion engine, stationary or mobile, air compressor or other device which creates an unreasonably intrusive noise, except where such discharge is through a muffler or other device which effectively prevents loud, unusual or explosive noise.
- G. Construction work, including but not limited to the operation of mechanical machinery or equipment, grading, leveling and excavating, between the hours of 8:00 p.m. and 7:00 a.m. Monday through Friday, before 9:00 a.m. or after 6:00 p.m. Saturday or between the hours of 12:01 a.m. and 11:59 p.m. on any Sunday or recognized holiday. **[Amended 5-27-1998 by L.L. No. 4-1998; 2-12-2020 by L.L. No. 3-2020]**
- H. Blasting and rock chipping shall be performed in compliance with Chapter 140, Explosives, Blasting, and Rock Chipping. **[Added 2-12-2020 by L.L. No. 3-2020<sup>1</sup>]**
- I. The operation of gasoline-powered power lawn mowers, leaf blowers or other gasoline-powered lawn or garden equipment or construction tools between the hours of 8:00 p.m. and 8:00 a.m. any weekday, before 9:00 a.m. or after 6:00 p.m. Saturday or any holiday or before 11:00 a.m. or after 6:00 p.m. Sunday. Operation of a gasoline-powered power lawn mower, leaf blower or other gasoline-powered

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1. Editor's Note: This ordinance also renumbered former Subsections H through J as Subsections I through K, respectively.

lawn or garden equipment or construction tool in a residential zone may not exceed 75 dBA at any time. Operation of gasoline-powered leaf and garden blowers in excess of 55 dBA is prohibited from May 1 through October 1 of each year.

- J. The use or operation of any radio, phonograph, musical instrument, loudspeaker, sound amplifier or other machine or device for the production or reproduction of sound intended as commercial advertising or solicitation unless permitted by the Town Clerk.
- K. The use of any drum, bell, loudspeaker or other instrument or device for the purpose of attracting attention to any solicitation, performance, show, sale or display of merchandise unless permitted by the Town Clerk.
- L. The noise created during the operation of any motor vehicle, or any other vehicle, as a result of an unlawful speed contest, as defined in § 460-1 of the Town Code, as the unnecessary racing of motors, acceleration tests, and any excessive burst of speed, which causes the tires to squeal, in or upon any public street, highway, or place in the Town while moving, parked or at a standstill and which is clearly audible at a distance of 50 feet from the source of the noise shall be prima facie evidence of a violation of this section. **[Added 12-9-2020 by L.L. No. 9-2020]**

**New Rochelle, New York**

Code: Gas-powered and electric leaf blowers banned seasonally.

**§ 213-5. Specific prohibitions.**

The following acts and the causing thereof are declared to be in violation of this chapter:

A. Sound-reproduction devices.

- (1) No person shall operate or use or cause to be operated a sound-reproduction device that produces unreasonable noise. **[Amended 9-16-1998 by Ord. No. 234-1998]**
- (2) No person shall operate or use or cause to be operated any sound-reproduction device for commercial or business advertising purposes or for the purpose of attracting attention to any performance, show or sale or display of merchandise, in connection with any commercial operation, in front or outside of any building, place or premises abutting on or adjacent to a public street, park or place, or in or upon any vehicle operated, standing or being in or on any public street, park or place. Nothing in this section is intended to prohibit incidental sounds emanating from sporting, entertainment or other public events.
- (3) No person shall operate or use any sound-reproduction device in any public place, such as public auditoriums, halls and mass transit vehicles, in such a manner that the sound emanating is audible to other persons.

B. Sound signal devices. No person shall operate or cause to be operated any sound signal device, including but not limited to any claxon, horn, whistle, bell, gong, drum or siren, so as to create unreasonable noise, except: **[Amended 9-16-1998 by Ord. No. 234-1998]**

- (1) As required by the Vehicle and Traffic Law of the State of New York.
- (2) To give notice of the time to stop and start work.

C. Emergency warning device. No person shall operate or cause to be operated any emergency warning device, except:

- (1) To give notice as a warning of an emergency.
- (2) On an authorized vehicle when such vehicle is engaged in emergency operations.
- (3) When such device is under test.

D. Burglar alarms. No person shall operate or cause to be operated a continuous or intermittent audible burglar alarm or any continuous or intermittent motor vehicle burglar alarm unless such continuous or intermittent alarm shall be capable of automatically terminating within 15 minutes after such continuous or intermittent alarm is first activated. Any member of the Police Department of New Rochelle shall have the authority to take such steps as may be necessary to disconnect such alarm at any time when such alarm is operating. (It is recommended that a phone number be displayed in order to contact the owner.) **[Amended 6-25-1991 by Ord.**

**No. 155-1991]**

- E. Animals. No person shall permit or allow any animal under his/her control to bark, whine, howl or make any other noise continuously for a period of 10 minutes or more at a volume which can be heard anywhere beyond the residential, commercial or industrial location from which such noise emanates. For the purposes of this subsection, "continuously" shall mean constant, with few, if any, brief breaks or periods of silence. **[Amended 9-16-1998 by Ord. No. 234-1998]**
- F. Containers and construction material. No person shall load, unload, handle, transport, open, close or destroy any containers or construction material in such a manner as to create unreasonable noise. **[Amended 9-16-1998 by Ord. No. 234-1998<sup>1</sup>]**
- G. Domestic power tools and equipment. **[Amended 9-14-1988 by Ord. No. 262-1988; 12-13-1994 by Ord. No. 291-1994]**
- (1) No person shall operate or permit to be operated any powered tool or equipment, including but not limited to saws, sanders, drills or similar devices, outdoors in a residentially zoned district except during the following times: **[Amended 4-20-2021 by Ord. No. 2021-47]**
- (a) On weekdays (excluding state legal holidays) between 8:00 a.m. and 7:00 p.m.
- (b) On Saturdays, Sundays and state legal holidays between 10:00 a.m. and 5:00 p.m.
- (2) Notwithstanding any other provision of this Chapter 213, between April 15 and October 15 inclusive of each calendar year, power-driven garden tools, including but not limited to lawn mowers, lawn tractors and hedge trimmers, shall not be operated in the City of New Rochelle, except at the following times: **[Amended 1-17-1995 by Ord. No. 24-1995]**
- (a) On weekdays between 8:00 a.m. and 5:00 p.m., except grass may be cut with an internal combustion engine lawn mower by an occupant of the premises where it is being cut on weekdays between the hours of 5:00 p.m. and 8:00 p.m.
- (b) On Saturdays between 10:00 a.m. and 5:00 p.m.
- (c) On Sundays between 10:00 a.m. and 5:00 p.m.
- (3) Notwithstanding any other provision of this Chapter 213, leaf blowers, as defined in this chapter, shall not be operated at all between June 1 and September 30 of each calendar year. From October 1 to May 31 of each calendar year, leaf blowers may be operated in the City of New Rochelle at the following times:

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1. Editor's Note: This ordinance also repealed former Subsections F, Shouting; H, Squealing tires, and I, Exhausts, and renumbered former Subsection G as F and former Subsections J, K, L and M as G, H, I and J, respectively.

- (a) On weekdays between 8:00 a.m. and 5:00 p.m.
  - (b) On Saturdays between 10:00 a.m. and 5:00 p.m.
  - (c) On Sundays between 10:00 a.m. and 5:00 p.m.
- H. Modification of noise control devices. No person shall operate or permit to be operated any device that has been modified so as to cause the sound emitted to be greater than that emitted by such device as originally manufactured.
- I. No person shall cause or permit the operation of any device, vehicle, construction equipment or lawn maintenance equipment, including but not limited to any diesel engine, internal combustion engine or turbine engine, without a properly functioning muffler. **[Added 3-15-1994 by Ord. No. 64-1994]**
- J. Severability. If any section, subdivision, sentence, clause, phrase or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provisions, and such holding shall not affect the validity of the remaining portions thereof. **[Added 12-13-1994 by Ord. No. 291-1994]**



## **Oyster Bay, New York**

Code: Gas-powered and electric leaf blowers restricted time and day.

**§ 156-4. Prohibited acts.**

- A. Noise disturbances prohibited. No person shall make, continue or cause to be made or continued any noise disturbance at any time.
- B. Specific prohibitions. The following acts and the causing thereof are declared to be in violation of this chapter:
  - (1) Radios, television sets, musical instruments and similar devices.
    - (a) Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound:
      - [1] Between the hours of 10:00 p.m. the previous day to 8:00 a.m., Monday through Saturday, and 11:00 p.m. the previous day to 9:00 a.m. on Sunday or Holidays in such a manner as to create a noise disruption across a real property boundary or within a noise-sensitive zone.
      - [2] In such a manner as to create a noise disruption at approximately 50 feet from such device, when operated in or on a motor vehicle on a public right-of-way or public space or in a boat on public waters; or
      - [3] In such a manner as to create a noise disruption to any person other than the operator of the device, when operated by any passenger on a common carrier.
    - (b) This section shall not apply to noncommercial spoken language covered under Subsection B(2).
  - (2) Loudspeakers and public address systems. Using or operating for any purpose any loudspeaker, public address system or similar device such that the sound therefrom creates a noise disruption across real property boundary or within a noise sensitive zone or between the hours of 10:00 p.m. the previous day to 8:00 a.m., Monday through Saturday, and 10:00 p.m. the previous day to 9:00 a.m. on Sunday or Holidays on a public right-of-way or public space.
  - (3) Street sales. Offering for sale or selling anything by shouting or outcry within any residential or commercial area of the town, except in a stadium or sports arena.
  - (4) Animals and birds. Owning, possessing or harboring any animal or bird which, for a long continuous and frequent duration in excess of 30 minutes, howls, barks, meows, squawks or makes other sounds which create noise disruption across a residential real property boundary or within a noise-sensitive zone.
  - (5) Loading and unloading. Loading, unloading, opening closing or other handling of boxes, crates, containers, building materials or similar objects between the hours of 10:00 p.m. the previous day to 7:00 a.m., Monday through Saturday, and 10:00 p.m. the previous day to 8:00 a.m. on Sunday or Holidays in such a

manner as to cause a noise disruption across a residential real property boundary or within a noise-sensitive zone.

- (6) Commercial equipment. Operating or permitting the operation of any commercial tools or commercial equipment (e.g., air-conditioning and refrigeration systems) between the hours of 10:00 p.m. the previous day and 8:00 a.m. in such a manner as to create a noise disturbance across a residential real property or within a noise-sensitive zone.
- (7) Construction. Operating or permitting the operation of any tools or equipment used in construction, drilling or demolition work:
  - (a) Between the hours of 10:00 p.m. the previous day to 7:00 a.m., Monday through Saturday, and at any time on Sunday or Holidays, such that the sound therefrom creates a noise disruption across a residential real property boundary or within a noise-sensitive zone, except for emergency work or public service utilities.
  - (b) This section shall not apply to the use of domestic power tools subject to Subsection B(16) when said operation is limited to work that does not require a building permit.
- (8) Vehicle or motorboat repairs and testing. Repairing, rebuilding, modifying or testing any motor vehicle, motorcycle or motorboat in such a manner as to cause a noise disruption across a residential real property boundary or within a noise-sensitive zone from 10:00 p.m. the previous day to 8:00 a.m., Monday through Saturday, and 10:00 p.m. the previous day to 9:00 a.m. on Sunday or Holidays.
- (9) Airport and aircraft operations. Nothing in this section shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate the movement of aircraft which are in all respects conducted in accordance with or pursuant to applicable federal laws, regulations and local laws or ordinances.
- (10) Explosives, firearms and similar devices. The use or firing of explosives, firearms or similar devices which create impulsive sound so as to cause a noise disruption across a real property boundary or on a public space or right-of-way.
- (11) Powered model vehicles. Operating or permitting the operation of powered model vehicles so as to create a noise disruption across a residential real property boundary, in a public space or within a noise-sensitive zone between the hours of 10:00 p.m. the previous day to 8:00 a.m., Monday through Saturday, and 10:00 p.m. the previous day to 9:00 a.m. on Sunday or Holidays.
- (12) Vibration. Operating or permitting the operation of any device that creates vibration which is above the vibration perception threshold of an individual at or beyond the property of the source if on private property or at approximately 50 feet from the source if on a public space or public right-of-way. For the purposes of this section "vibration perception threshold" means the minimum

ground- or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. This section shall not apply to construction activities performed in compliance with all applicable federal, state and any local laws and ordinances.

(13) Stationary nonemergency signaling devices.

- (a) Sounding or permitting the sounding of any signal from any stationary bell, chime, siren, whistle or similar device intended primarily for nonemergency purposes, from any place, for more than one minute in an hourly period.
- (b) Devices used in conjunction with places of religious worship shall be exempt from the operation of this provisions.

(14) Emergency signaling devices.

- (a) The intentional sounding or permitting the sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device, except for emergency purposes or for testing, as provided in Subsection B(14)(b).

(b) Testing.

[1] Testing of a stationary emergency signaling device shall occur at the same time of day each time such a test is performed, but not before 9:00 a.m. or after 9:00 p.m. Any such testing shall use only the minimum cycle test time. In no case shall such test time exceed 60 seconds.

[2] Testing of the complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device, shall not occur more than once in each calendar month. Such testing shall not occur before 8:00 a.m. or after 6:00 p.m. The time limit specified in Subsection B(14)(b)[1] shall not apply to such complete system testing.

- (c) Sounding or permitting the sounding of any exterior burglar alarm or any motor vehicle burglar alarm unless such alarm is automatically terminated within six minutes of activation.

(15) Motorboats. Operating or permitting the operation of any motorboat in any harbor, bay, sound area or other waterway in such manner as to create a noise disruption at approximately 50 feet or the nearest shoreline, whichever distance is less.

(16) Domestic power tools. Operating or permitting the operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool, snowblower or similar device used in residential areas between the hours of

10:00 p.m. the previous day to 8:00 a.m., Monday through Saturday, and 10:00 p.m. the previous day to 9:00 a.m. on Sundays or Holidays so as to cause a noise disruption across a residential real property boundary.

- (17) Tampering. The following acts or the causing thereof are prohibited:
- (a) The removal or rendering inoperative by any person, other than for purposes of maintenance, repair or replacement, of any noise control device or element of design.
  - (b) The moving or rendering inaccurate or inoperative of any sound-monitoring instrument or device positioned by or for the Town of Oyster Bay or its agent or employee, provided that such device or the immediate area is clearly labeled or identified.
  - (c) The use of a product which has had a noise control device or element of design rendered inoperative, with knowledge that such action has occurred.
- (18) Leaf blowers. The operation of any motorized leaf-blower device prior to 8:00 a.m., prevailing time, or after 7:00 p.m., prevailing time, weekdays, or prior to 9:00 a.m., prevailing time, or after 5:00 p.m., prevailing time, weekends and national holidays. [**Added 10-1-1996 by L.L. No. 2-1996**]

**Pleasantville, New York**

Code: Gas-powered leaf blowers prohibited seasonally, electric leaf blowers restricted by time and day.

Local Law No. 4 of 2022

VILLAGE BOARD OF TRUSTEES  
VILLAGE OF PLEASANTVILLE LOCAL LAW TO AMEND CHAPTER 123, SECTION 123-3, CHAPTER 123, SECTION 5, SUBSECTION L AND TO CREATE CHAPTER 123, SECTION 5.1 OF THE CODE OF THE VILLAGE OF PLEASANTVILLE

A LOCAL LAW to amend Chapter 123, Section 3, Chapter 123, Section 5, Subsection L and to create Chapter 123, Section 5.1 of the Code of the Village of Pleasantville concerning seasonal limitations on fuel-powered motorized leaf blowers.

**BE IT ENACTED** by the Village Board of Trustees of the Village of Pleasantville as follows:

**Section 1.** Chapter 123, Section 3 of the Code of the Village of Pleasantville entitled “Definitions” is hereby amended to add the following definitions:

**ELECTRIC-POWERED MOTORIZED LEAF BLOWER**

Any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by electricity including battery-power which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

**FUEL-POWERED MOTORIZED LEAF BLOWER**

Any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by a gasoline, diesel or similar fuel engine which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

**MOTORIZED LEAF BLOWER**

Commonly referred to as a leaf, garden or landscaping blower, and includes any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by electricity or a gasoline, diesel or similar fuel engine which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

**Section 2.** Chapter 123, Section 5 of the Code of the Village of Pleasantville entitled “Unreasonably loud, disturbing or unnecessary noise,” Subsection L is hereby amended as follows:

**§ 123-5 Unreasonably loud, disturbing or unnecessary noise.**

...

- L. The use and operation of lawn mowers, motorized leaf blowers and all similar machines deployed for outdoor property maintenance is prohibited between the hours of 7:00 p.m. and 8:00 a.m. Monday through Friday, and ~~7~~5:00 p.m. through 9:00 a.m. on weekends and federally recognized holidays.

**Section 3.** Chapter 123, Section 5.1 of the Code of the Village of Pleasantville entitled “Seasonal limitations on motorized leaf blowers” is hereby created as follows:

**§ 123-5.1 Seasonal limitations on motorized leaf blowers.**

- A. Effective May 15, 2023, the use of any fuel-powered motorized leaf blowers shall be unlawful in the Village during the period from May 15<sup>th</sup> through and including September 30<sup>th</sup> of each year.
- B. During the period of May 15<sup>th</sup> through and including September 30<sup>th</sup> of each year, the use of all electric-powered motorized leaf blowers shall be permitted only during the hours set forth in § 123-5L.
- C. During the period of October 1<sup>st</sup> through and including May 14<sup>th</sup> of each year, the use of any motorized leaf blowers shall be permitted only during the hours set forth in § 123-5L.
- D. The use of fuel-powered motorized leaf blowers shall be permitted during the period May 15<sup>th</sup> through September 30<sup>th</sup> for a period of time not to exceed seven (7) days after significant storm events or during other emergency circumstances as determined by the Superintendent of Public Works. The Superintendent of Public Works may extend the seven-day time period by issuing an official notification, if, in his or her sole discretion, such additional time is deemed necessary.
- E. The use of fuel-powered motorized leaf blowers shall be permitted by the Pleasantville Union Free School District to redistribute the infill back on the playing surface of the School District’s natural turf fields when such infill is displaced by heavy rain.



**Section 4.** Numbering for Codification

It is the intention of the Village of Pleasantville and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Pleasantville; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “ Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

**Section 5.** Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 6.** Effective date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

## **Sleepy Hollow, New York**

Code: Time of year and time of day restrictions.

**§ 272-5. Permitted noises. [Amended 7-18-1989 by L.L. No. 13-1989; 6-6-1995 by L.L. No. 6-1995; 11-14-2000 by L.L. No. 4-2000]**

The following shall be permitted noises:

- A. Sound created by persons engaged in construction work between the hours of 8:00 a.m. and 7:00 p.m. weekdays, and on Saturdays and holidays, between the hours of 9:00 a.m. and 6:00 p.m. Sounds created by persons engaged in construction work between the hours of 7:00 p.m. and 8:00 a.m. weekdays and between the hours of 6:00 p.m. and 9:00 a.m. on Saturdays and holidays may be permitted by the Department of Architecture, Land Use Development, Buildings and Building Compliance in the case of work to repair, maintain, demolish, or replace property owned or to be owned by the Village or another public corporation. Sounds created by persons engaged in construction work on Sundays may be permitted by the Police Department and Department of Architecture, Land Use Development, Buildings and Building Compliance if the work is of an emergency nature. In the case of any permission given by the Police Department or the Department of Architecture, Land Use Development, Buildings and Building Compliance, a permitting department may impose such conditions regarding noise, lighting, traffic control, hours of work, staging, and any other aspect of the work as may be reasonable and appropriate to mitigate any annoyance, disturbance, injury, or danger to the comfort, repose, health, peace, or safety of a reasonable person of normal sensibilities that may be threatened or caused by the work. **[Amended 1-22-2013 by L.L. No. 1-2013; 5-23-2017 by L.L. No. 4-2017]**
- B. Sound created by any government agency by the use of public warning devices.
- C. Sound created by lawn mowers, rakers, or leaf vacuums in use between the hours of 8:00 a.m. prevailing time and 9:00 p.m. weekdays, 9:00 a.m. prevailing time and 8:00 p.m. on Saturdays and holidays, and 12:00 noon prevailing time and 6:00 p.m. on Sundays. **[Amended 7-27-2010 by L.L. No. 8-2010; 1-22-2013 by L.L. No. 1-2013]**
- D. Sound created by public utilities in carrying out the operations of their franchise.
- E. Sounds connected with sporting events of any public or private school.
- F. Sound created by gas-powered leaf blowers, from October 1 of each year through the Friday commencing Memorial Day weekend of the following year between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday; 9:00 a.m. and 3:00 p.m., Saturdays and holidays; and 12:00 noon and 2:00 p.m., Sundays, prevailing time, effective October 1, 2010. **[Added 7-27-2010 by L.L. No. 8-2010; 1-22-2013 by L.L. No. 1-2013]**

## **Tarrytown, New York**

Code: Gas-powered leaf blowers restricted on summer weekends and holidays.

**§ 205-3.1. Seasonal ban on gas-powered leaf and garden blowers. [Added 5-5-2008 by L.L. No. 8-2008; amended 9-20-2010 by L.L. No. 16-2010; 11-6-2017 by L.L. No. 11-2017]**

- A. The operation of a gasoline-powered leaf and garden blower is prohibited from June 15 through September 15 of each year and on Saturdays, Sundays and holidays during the period September 16 through June 14 each year. Person(s) who own or rent a one- to three-family home, who are using the gasoline-powered leaf and garden blowers at the home where they reside, are exempt from the provisions of this section. During times of emergency caused by a storm, the Village Engineer may declare a temporary moratorium on the operations of this provision.
- B. The Village Engineer may, in his discretion and upon application, grant temporary special permits for the temporary operation of gasoline-powered leaf and garden blowers otherwise subject to this section to accommodate special circumstances, including but not limited to the cleanup of temporary work sites, and shall charge and collect a fee of \$35 for each permit so granted.
- C. No owner of a green industry company shall cause or permit the operation of a gasoline-powered leaf or garden blower from June 15 through September 15 of each year or on Saturdays, Sundays or holidays during the period September 16 through June 14 each year. **[Added 8-17-2015 by L.L. No. 5-20151 ]**

**Thomaston, New York**

Code: Gas-powered leaf blowers restricted seasonally.

**§ 131-1. Noises and disturbances prohibited. [Amended 10-26-1993 by L.L. No. 27-1993]**

- A. No person shall make or aid, encourage, countenance or assist another in making any loud and unreasonable noise.
- B. No person shall make or aid, encourage, countenance or assist another in using any obscene language or in making any obscene display in any street or public place in the village or in any location where such language or display would be audible or visible to a person on a street or public place.
- C. Notwithstanding any other provision of this section, no person shall cause or permit the operation of any gasoline- or diesel-powered blower equipment within 300 feet of any residential property in the village between May 1 and September 30 in any year. **[Added 5-15-1998 by L.L. No. 4-1998; amended 10-5-1998 by L.L. No. 6-1998; 11-28-2000 by L.L. No. 3-2000]**

**Town of Huntington, New York**

Code: Gas-powered leaf blowers restricted by duration of sustained use, time of day, and day of week.



ARTICLE II  
NOISE DISTURBANCE  
[Amended 8-6-2019 by L.L. No. 44-2019; 3-31-2020 by L.L. No. 14-2020]<sup>1</sup>

**§ 141-3. Noise disturbance prohibited.**

No person or business entity shall make, continue, allow, permit, cause or maintain any noise disturbance by any means within the Town of Huntington. The following factors shall be considered in determining the existence of a noise disturbance: the volume of the noise; the time of day or night the noise occurs; the duration of the noise; the proximity to a neighboring residential property that the noise occurs.

**§ 141-4. Noise disturbances enumerated.**

The following acts, among others, are declared to be noise disturbances in violation of this chapter, but said enumeration shall not be deemed to be exclusive, namely:

- (A) Radios, stereos, musical instruments, MP3 players, television sets and other similar devices. It shall be unlawful to operate, use, or play, or to cause, allow or permit another to operate or use any radio, stereo, television set, musical instrument, MP3 player or other device for producing, reproducing, or transmitting sound in such manner as to disturb the peace, quiet and comfort of the surrounding community; the use and enjoyment of surrounding properties; or, at any time, of louder volume than is necessary or is unreasonably loud for the convenient hearing of those in the room, vehicle, chamber or area in which such device is operated. The operation of any such set, instrument, apparatus or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, vehicle or area where such device is located shall be prima facie evidence of a violation of this section.
- (B) Horns and signaling devices. The sounding of any horn or signaling device on any automobile, motorcycle, streetcar or other vehicle on any street or public place of the Town of Huntington except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unreasonable period of time; the use of any signaling device except the one operated by hand or electricity; the use of any horn, whistle or other device operated by engine or exhaust; and the use of any such signaling device when traffic is for any reason held up.
- (C) Yelling and shouting. Yelling, shouting, hooting, whistling or singing on any public street, sidewalk, business premises open to the public, office or any public property, when intentionally done to create or recklessly creating a risk of public annoyance, alarm or inconvenience.
- (D) Animals and birds. The keeping of any one (1) or more animals or birds whose noise, by virtue of loudness, duration, frequency or intensity, causes public

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1. Editor's Note: The definition of "noise disturbance," which appeared directly after this title, was moved to § 141-2 9-14-2021 by L.L. No. 48-2021.

inconvenience, annoyance or alarm; or creates noise disturbance.

- (1) Any animal or bird noise occurring between 10:00 p.m. and 8:00 a.m., and plainly audible at a distance fifty (50) feet from the place of origination of the noise, shall be prima facie evidence of a violation of this chapter.
  - (2) Any animal or bird noise occurring for any continuous period of five (5) minutes or more, or an aggregate of fifteen (15) minutes or more in any eight-hour period, when such noise is plainly audible inside any portion of a dwelling, residence, office or apartment other than the place where the noise originated, shall be prima facie evidence of a violation of this chapter.
- (E) Exhausts. The discharge into the open air of the exhaust of any internal-combustion engine, motorboat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (F) Defect in vehicle or load. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such a manner as to create loud and grating, grinding, rattling or other noise disturbance.
- (G) Pile drivers and hammers. The operation between the hours of 10:00 p.m. and 7:00 a.m. of any pile driver, pneumatic hammer, derrick, electric hoist or other appliance, the use of which is creates a noise disturbance.
- (H) Loading and unloading. The creation of a loud disturbance in connection with the loading or unloading of any vehicle, boat, barge or train or the opening and destruction of bales, boxes, crates and containers.
- (I) I. Construction or repairing of buildings. The erection (including excavating), demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays. Weekdays shall not include Saturday, Sunday or legal holidays.
- (1) Permits for the construction or repairing of buildings on Saturdays between the hours of 9:00 a.m. and 5:00 p.m. may be issued at the discretion of the Director of Engineering, or the Director's designee, upon consideration of the following factors: character of the area, urgency of the work to be performed, nature of the construction, and whether the work will be performed indoors or outdoors. Such factors as well as the number of Saturdays requested to perform authorized work shall be set forth on the application. Applications submitted for permits authorizing the construction or repairing of buildings on a Saturday shall be accompanied by the fees set forth in Chapter 87-23(H).
  - (2) The Director of the Department of Engineering Services may also issue a permit for work outside of the hours between 7:00 a.m. and 6:00 p.m. on weekdays in the case of an emergency. In the case of an emergency a permit may be granted for a period not to exceed three (3) days while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues.

- (3) Nothing in this section shall prevent or prohibit a property owner from performing minor maintenance or repair of any building on his property if the work being performed does not require a building permit.
- (J) Schools, courts, religious institutions, hospitals. The creation of any noise disturbance on any street adjacent to any school, institution of learning, religious institution or court while the same is in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.
- (K) Hawkers, peddlers. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.<sup>2</sup>
- (L) Drums and other instruments. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise at any performance, show or event.
- (M) Transportation of metal rails, pillars and columns. The transportation of rails, pillars or columns of iron, steel or other material over and along streets and other public places upon carts, drays, cars, trucks or in any other manner, so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.
- (N) Gas-Powered Leaf Blowers. **[Amended 10-13-2021 by L.L. No. 53-2021;<sup>3</sup> 3-15-2022 by L.L. No. 4-2022<sup>4</sup>]**
- (1) The operation of any gas-powered leaf blower device during the following days and times shall be deemed a noise disturbance:
- (a) Monday through Friday prior to 8:00 a.m. or after 6:00 p.m.; or
- (b) Saturdays between Memorial Day and Labor Day; and on Saturdays prior to 9:00 a.m. or after 5:00 p.m. during the remainder of the calendar year; or
- (c) Sunday or holidays.

Notwithstanding the above, a gas-powered leaf blower device may be used on Saturdays, Sundays or holidays between 9:00 a.m. and 5:00 p.m. as set forth below and not be deemed a noise disturbance:

- (1) use by property owners; or
- (2) use by governmental entities; or

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2. Editor's Note: For provisions pertaining to the licensing and regulation of peddlers, hawkers and vendors generally, see Ch. 149, Peddlers and Solicitors.

3. Editor's Note: This local law provided an effective date of 4-1-2022.

4. Editor's Note: This local law provided an effective date of 4-1-2022.

- (3) use by commercial landscapers performing commercial landscaping services at cemeteries, golf courses, government properties, and public school-owned properties, or in commercial and industrial zones.
- (2) A gas-powered leaf blower device shall only be operated for two (2) hours of use per property on weekdays, and if permitted as set forth above, one (1) hour of use per property on Saturdays, Sundays or holidays. These time restrictions shall not apply to spring clean-ups (March 15th through April 30th each calendar year) or fall clean-ups (November 1st through December 20th each calendar year).
- (3) In the event of an emergency as determined by the Director of Public Safety, or the Director's designee, the restrictions set forth herein may be suspended.
- (O) Loudspeakers. The operation of any loudspeakers or speaker systems or any device for the production, amplification, intensification or reproduction of sound, in a manner that creates annoyance, alarm, inconvenience or noise disturbance.
- (P) Recreational Vehicles. **[Added 9-14-2021 by L.L. No. 48-2021]**
  - (1) The operation of any recreational vehicle on private, residentially-zoned property during the following days and times shall be deemed a noise disturbance:
    - (a) Monday through Friday prior to 8:00 a.m. or after 6:00 p.m.; and
    - (b) Saturday prior to 9:00 a.m. or after 5:00 p.m.; and
    - (c) Sunday or holidays.
    - (d) A recreational vehicle shall only be operated for two (2) hours per day on weekdays and one (1) hour on Saturdays.
  - (2) Exemption: The provisions of this chapter shall not apply to the operation of any recreational vehicle on private, residentially-zoned property while engaged in snow removal activities.

**§ 141-5. Presumptive evidence.**

Unless otherwise stated in this chapter, the use of any sound device, machinery, equipment, or engine so as to cause the sound produced thereby to be audible outside the building or beyond the property lines of where it originates between the hours of 11:00 p.m. and 7:00 a.m. the following day shall be prima facie evidence of a violation of this chapter.

**§ 141-6. through § 141-8. (Reserved)**

**Town of New Castle, New York**

Code: Gas-powered and electric restricted by time of day.



# TOWN OF NEW CASTLE

200 South Greeley Avenue, Chappaqua, New York 10514 • (914) 238-7269 • Fax (914) 238-2537 • [cpapes@mynewcastle.org](mailto:cpapes@mynewcastle.org)

Town Clerk/Receiver of Taxes  
**Christina Papes**

Deputy Receiver of Taxes  
**Patricia Antonucci**  
(914) 238-4773

September 29, 2020

Ms. Carolyn Van Wormer  
State Records  
99 Washington Avenue  
Albany, New York 12231

Re: Local Law Filing

Dear Ms. Van Wormer:

Attached please find Local Law NO. 11 for filing. Thank you for your assistance in this matter.

Very truly yours,

Christina Papes  
Town Clerk

enc.

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of New Castle

Local Law No. 11 of the year 2020

A local law To amend Chapter 90 of the Town Code concerning Motorized Leaf Blowers.  
(Insert Title)

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of New Castle as follows:

## Section 1. Purpose

The Town of New Castle finds that noise pollution, health hazards, and the blowing of dust particles and other airborne pollutants into the air and onto other nearby properties resulting from the use of motorized leaf blowers and other engine-driven power equipment are public concerns that affect the public health, welfare, and environment of the Town of New Castle and its citizens. In an effort to control dust pollution, eliminate health hazards, promote the usage of safe leaf blower equipment and minimize noise pollution resulting from the use of motorized leaf blowers the Town of New Castle finds that limiting the use of fuel-powered motorized leaf blowers will substantially meet the objectives of the Town.

Section 2. Chapter 90, Section 3 of the Code of the Town of New Castle entitled " Definitions " is hereby amended to include the following definitions:

## ELECTRIC-POWERED MOTORIZED LEAF BLOWER

Any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by electricity including battery-power which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

## **FUEL-POWERED MOTORIZED LEAF BLOWER**

Any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by a gasoline, diesel or similar fuel engine which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

## **MOTORIZED LEAF BLOWER**

Commonly referred to as a leaf, garden or landscaping blower, and includes any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by electricity or a gasoline, diesel or similar fuel engine which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

## **PERSON**

Any individual, corporation, company, association, society, firm, partnership or joint-stock company

**Section 3.** Subsection B of Chapter 90, Section 4 of the Code of the Town of New Castle entitled "Method of Sound-Level Measurement; Unregulated Activities; Maximum Levels," is hereby amended as follows:

§ 90-4 Method of sound-level measurement; unregulated activities; maximum levels.

...

- B. Other activities. Noise produced by other activities on properties within any residential or nonresidential zoning district shall not exceed 60 dB(A) during the hours of 8:00 a.m. to 6:00 p.m. or 45 dB(A) during the hours of 6:00 p.m. to 8:00 a.m. on any other property used for residential purposes within any residential zoning district unless otherwise permitted in § 90-7, Exceptions. However, the restrictions contained in this Subsection B shall not be applicable to specific activities or noise sources that are subject to and governed by § 90-5A, Sound reproduction devices; § 90-5B, Burglar alarms; § 90-5C, Animals; and § 90-6, Permitted and regulated noises.



**Section 4.** Chapter 90, Section 6 of the Code of the Town of New Castle entitled “Permitted and regulated noises” is hereby amended to create Subsection C as follows:

**§ 90-6 Permitted and regulated noises.**

...

**C. Domestic tools and equipment; vehicle repair.**

- (1) In addition to the restrictions of § **90-6B**, no person shall or no owner or occupant of any premises shall operate or permit to be operated or use or cause to be operated any hand tool or power tool or equipment, including but not limited to saws, hammers, sanders, drills, grinders, lawn or garden tools, mowers, tractors, chain saws, wood chippers of any kind, or cause or permit vehicle repair or engine tune-up activities so as to create noise in excess of the following limits. This prohibition includes equipment used by lawn care or landscape services.
- (2) Noise levels from domestic tools and equipment and from vehicle repair shall not be restricted by this subsection during the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday, except holidays, and 9:00 a.m. to 8:00 p.m., Saturday, and 9:00 a.m. to 5:00 p.m., Sunday and holidays,. At all other times, such noise levels shall not exceed 45 dB(A) on any property used for residential purposes within any residential zoning district. Notwithstanding this provision, use of motorized leaf blowers is prohibited outside the hours set forth herein and shall be further regulated pursuant to § 90-6E.
- (3) Uses of snowblowers, chain saws and other domestic tools and equipment are exempted from these limits when they are being used to clear driveways, streets or walkways during and within 24 hours after snowfalls, rainstorms, ice storms, windstorms or similar emergencies.

**Section 4.** Chapter 90, Section 6 of the Code of the Town of New Castle entitled “Permitted and regulated noises” is hereby amended to create Subsection E as follows:

**§ 90-6 Permitted and regulated noises.**

...

**E. Seasonal Limitations on Motorized Leaf Blowers**

- (1) The use of any fuel-powered motorized leaf blower shall be unlawful in the Town during the period from June 1 through and including September 30 of each year.

- (2) During the period of June 1 through and including September 30 of each year, the use of all electric-powered motorized leaf blowers shall be permitted during the hours set forth in § 90-6C(2).
- (3) During the period of October 1 through and including May 31 of each year, the use of all motorized leaf blowers shall be permitted during the hours set forth in § 90-6C(2).
- (4) The Commissioner of Public Works may authorize the use of fuel-powered motorized leaf blowers during the period June 1 through September 30 for a period of time not to exceed seven days after significant storm events or during other emergency circumstances as determined by the Commissioner of Public Works. The Commissioner of Public Works may extend the seven-day time period by issuing an official notification, if, in his or her sole discretion, such additional time is deemed necessary.
- (5) Subsection (E)(1) above shall not apply to the use of motorized leaf blowers on Chappaqua Central School District's recreational fields and tennis courts, Town of New Castle recreational fields and tennis courts, country clubs' tennis courts, homeowner associations' tennis courts, swim clubs' tennis courts, golf courses, and cemeteries. In addition, the use of motorized leaf blowers may be permitted on certain properties where the Town Administrator has determined there exists a public safety concern. Use of any fuel-powered motorized leaf blower shall be minimized to the maximum extent practicable.

#### **Section 6. Ratification, Readoption and Confirmation**

Except as specifically modified by the amendments contained herein, Chapter 90 of the Town Code of the Town of New Castle is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

#### **Section 7. Numbering for Codification**

It is the intention of the Town of New Castle and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of New Castle; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

#### **Section 8. Severability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability

shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 9.** This Local Law shall take effect October 1, 2020.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 11 \_\_\_\_\_ of 2020 of the ~~(County)~~(City)(Town)(Village) of New Castle was duly passed by the Town Board on September 22 2020, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: \_\_\_\_\_

(Seal)

## **Village of Ardsley, New York**

Code: Permit required to operate gas-powered leaf blowers and time of day and year restrictions.

**§ 137-3. General regulations.**

The following regulations shall be observed by all persons and their employees:

A. No person shall operate any power or manual lawn mower or other gardening equipment at any time, except between the hours of 8:00 a.m., prevailing time, and 8:00 p.m. on weekdays and Saturdays, and 10:00 a.m., prevailing time, to 8:00 p.m., prevailing time, on Sundays and holidays. **[Amended 8-3-2009 by L.L. No. 3-2009]**

(1) Additional rules for blowers and leaf blowers powered by internal combustion engines using fossil-based fuel:

(a) No person, firm or corporation shall operate a gas-powered blower or leaf blower on any property in the Village without first obtaining a permit.

(b) Application for a permit for the use of a gas-powered blower or leaf blower by any person, firm or corporation shall be made to the Village Clerk on an approved form and for a fee to be determined from time to time by resolution by the Board of Trustees. A separate nontransferable permit shall be required for each blower or leaf blower that will be operated in the Village. The permit shall be valid for the life of the blower or leaf blower.

(c) Each blower and leaf blower operated on any property in the Village must meet EPA Phase 2 2007 exhaust emission standards and must be operated in accordance with the manufacturer's instructions or specifications.

(d) Between the dates of May 15 and September 30:

[1] Only one blower or leaf blower shall be permitted to be operated at any one time on any one property;

[2] Blowers and leaf blowers shall not be operated on any property in the Village for a period of more than 30 minutes per day;

[3] Blowers and leaf blowers shall not be operated before 10:00 a.m. or after 5:00 p.m. prevailing time weekdays, weekends and holidays.

(e) The permit holder shall cause the permit to be permanently affixed to the blower or leaf blower in a prominent location. The use of copies or other reproductions of the permit shall not be permitted.

B. No person shall operate or permit the operation of any radio, television, video cassette recorder, tape player, compact disk player, stereo, musical instrument or other sound-producing device in an unreasonable manner or with such volume so as to cause inconvenience or annoyance to the neighborhood or to disturb the quiet comfort or repose of persons in any dwelling or residence.

C. No person shall cause or commit to be caused unnecessary noise, including the erection, excavation, demolition, alteration or repair of any building or structure

other than between the hours of 8:00 a.m., prevailing time, and 8:00 p.m. on weekdays and Saturdays, and 10:00 a.m., prevailing time, to 8:00 p.m., prevailing time, on Sundays and holidays.

- D. No person shall operate or cause to be operated any mechanism propelled by electricity or by gasoline, fuel, oil or other combustible substance, unless the same be properly equipped with a muffler so designed and in such condition as to prevent unnecessary noise and cause a public nuisance in its operation.
- E. No person shall sing, talk, scream or vocalize in such a volume so as to cause inconvenience or annoyance to the neighborhood or to disturb the quiet comfort or repose of persons in any dwelling or neighborhood.



## **Bronxville, New York**

Code: Internal combustion engines restricted by time of year and day.

ARTICLE V  
**Internal Combustion Leaf Blowers**  
[Added 9-13-2021 by L.L. No. 10-2021<sup>1</sup>]

**§ 210-19. Purpose.**

The Village of Bronxville finds and declares that internal combustion leaf blowers represent a significant source of environmental pollution in the form of high- and low-frequency noise, carbon and noncarbon emissions, and dust particulate, which represent a present and increasing threat to the public peace and to the health, safety, and welfare of the residents of the Village and its visitors. Noise generated by leaf blowers has the effect of interfering with the psychological well-being of persons, as leaf blowers generate low-frequency noise at high decibel levels, exposure to which is recognized to generate more severe adverse health effects when compared to high-frequency noises, including hearing loss, tinnitus, reduced cognitive performance, heart disease, and hypertension. Additionally, internal combustion leaf blowers displace significant amounts of particulate matter, spreading pollen, mold, chemical pesticides, and other fine particulates. Internal combustion leaf blowers are also recognized as hyper-polluters, emitting significant carbon and noncarbon emissions in greater magnitudes than automobiles over similar operating periods. Accordingly, it is the policy of the Village to regulate the use of internal combustion leaf blowers to minimize and mitigate the harmful impacts of their use.

**§ 210-20. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**INTERNAL COMBUSTION LEAF BLOWER** — A leaf blower which is powered by an internal combustion engine/motor. An electric leaf blower being used while plugged into an operating generator which is powered by an internal combustion engine shall be deemed an internal combustion leaf blower.

**§ 210-21. Prohibition on operation during certain months.**

Internal combustion leaf blowers shall not be operated during the following periods of the year: December 15 through March 15; May 15 through October 15.

**§ 210-22. Prohibition on operation during certain hours of day.**

During the months when internal combustion leaf blowers are permitted to be operated in the Village of Bronxville, they may only be operated during the following hours: Monday through Saturday, excluding holidays: between 8:00 a.m. and 6:00 p.m.

**§ 210-23. Temporary suspension for storm and hurricane cleanup.**

In the event of a hurricane, tropical storm, or similar extreme weather event, the Mayor of the Village of Bronxville in their sole discretion, may temporarily suspend provisions

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1. Editor's Note: This local law also renumbered former Art. V, Penalties, as Art. VI.

of this article to allow the use of internal combustion leaf blowers for debris cleanup.

**§ 210-24. Violations and penalties, responsible parties.**

- A. Responsible parties. The following parties shall have committed a violation of this article if it is not complied with:
  - (1) The party operating the internal combustion leaf blower; and
  - (2) The party who employed the person to operate the internal combustion leaf blower at the time of violation; and
  - (3) The party who owns the property where the violation occurs.
- B. Penalties. Any person violating any of the provisions of this article shall be subject to a fine upon conviction thereof, not exceeding \$250 for the first offense, \$500 for the second offense, and \$1,000 for the third offense and any subsequent offenses. Conviction for violation of this article shall be deemed a violation, not a misdemeanor or a felony.
- C. In addition to the penalties provided in Subsection B above, the Village Administrator may, upon providing notice and an opportunity to be heard, suspend the gardener's license (as described in Chapter 164 of the Village Code) of any responsible party holding such a license upon determination of the Village Administrator that such party has violated the provisions of this article.

**Village of Great Neck, New York**

Code: All leaf blowers restricted seasonally and by time of day.

## Chapter 357

### LANDSCAPING AND GARDENING

**[HISTORY: Adopted by the Board of Trustees of the Village of Great Neck 1-8-2002 by L.L. No. 1-2002 (Ch. 122 of the 1976 Code). Amendments noted where applicable.]**

#### GENERAL REFERENCES

Noise — See Ch. 391.

Trees and shrubs — See Ch. 528.

Brush, grass and weeds — See Ch. 448, Art. I.

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#### **§ 357-1. Title.**

This chapter and all of its provisions shall be known and may be cited as the "Landscape Gardening Control Law of the Village of Great Neck."

#### **§ 357-2. Purpose.**

It is the finding of the Board of Trustees that the provisions of this chapter are necessary and desirable to regulate and control commercial landscape gardening activities which pose a potential or actual risk of noise, odors, or other nuisances or which might otherwise impair or disturb the public health, safety, peace, welfare, and good order of the community. The purpose of this chapter is to register certain persons engaged routinely in commercial landscape gardening and to limit, regulate, or prohibit related activities which, if left unregulated, may tend to create or encourage nuisances, noise, or other environmental pollution or disturbance of the public peace and order.

#### **§ 357-3. Definitions.**

For purposes of this chapter, the following words and phrases shall have the meanings ascribed:

**BOARD** — The Board of Trustees of the Village.

**COMMERCIAL LANDSCAPING** — The business or trade of rendering any landscaping, gardening, or groundskeeping services, as defined herein, either as principal, independent contractor, or through an agent or employee, for a fee, charge, or other compensation, to or lot the benefit of any owner, tenant, or occupant of lands, grounds, or buildings.

**GARDENING** — The tilling, sowing; cultivating, trimming, fertilizing, pruning, cutting, shaping, treating, spraying, or otherwise maintaining and/or providing care for any lawn, sod, tree, flower, shrub, bush, plant, or other flora on any lot, plot, or parcel of land.

**GROUNDKEEPING** — The cleaning of any lot, plot, or parcel of land by means of gathering and/or removing weeds or any fallen, diseased, dead, or discarded tree limbs, branches, brush, leaves, grass, or lawn clippings, fruit or flower waste, or other plant

waste and any, litter, dirt, debris, rubbish, or other refuse or waste present or engendered on or about the premises. Groundskeeping does not include:

- A. The removal of litter, dirt, debris, rubbish, or other refuse or waste by the Village Sanitation Department.
- B. The removal of litter, dirt, debris, rubbish, or other refuse or waste by a commercial refuse carter which is not performing any other commercial landscaping services to or for the benefit of the owner, tenant, or occupant of the lands, grounds, or buildings from which the removal is taking place.

**LANDSCAPER** — An individual, firm, corporation, or other entity which performs commercial landscaping services.

**LANDSCAPING** — The planting, transplanting, arranging, placing, and/or removal of any lawns, sod, trees, flowers, shrubs, bushes, plants, or other flora on any lot, plot, or parcel of land for a planned design or purpose or to achieve some aesthetic effect.

**VILLAGE** — The Village of Great Neck.

#### **§ 357-4. Registration required; exceptions.**

- A. It shall be unlawful for any person to engage in or practice the trade or business of commercial landscaping within the Village without having first registered with the Village pursuant to the requirements of this chapter.
- B. Commercial landscaping may be performed without registering with the Village by:
  - (1) The owner, lessee, or occupant of the property on which the work is being performed.
  - (2) An employee of the owner, lessee, or occupant of the property on which the work is being performed, provided that such employee does not provide commercial landscaping for more than two properties within the Village within any one calendar year, and such employee has no employees of his or her own who are performing commercial landscaping within the Village. The term "employee" as used herein is limited to persons who are treated by the owner, lessee, or occupant as an employee pursuant to all New York State and federal labor and income tax laws.
  - (3) A person who is less than 21 years of age and who is performing the commercial landscaping for his or her own account and not as an employee of another person or entity, provided that such person does not perform commercial landscaping for more than four properties within the Village within any one calendar year, and such person has no employees of his or her own who are performing commercial landscaping within the Village.

#### **§ 357-5. Application procedure; fee; expiration; decals.**

- A. Any landscaper desiring to register as required by this chapter shall make application on forms to be furnished by the Village Clerk.
- B. Each applicant for registration shall pay a nonrefundable filing fee with the application. Such fee shall be in such amount as shall be prescribed from time to

time by the Board of Trustees. **[Amended 12-16-2003 by L.L. No. 17-2003]**

- C. All registrations pursuant to this chapter shall expire on the last day of December in the year in which they have been issued. Registration may be renewed upon the filing of a renewal application and a payment of an annual fee in such amount as shall be prescribed from time to time by the Board of Trustees. **[Amended 12-16-2003 by L.L. No. 17-2003]**
- D. Persons registered pursuant to this chapter shall, at all times, keep a copy of such registration on his person and/or at the site at which such person is rendering any commercial landscaping and shall immediately produce such copy for inspection by any person lawfully requesting the production of the same, including but not limited to any peace or police officer and any inspector, official, officer, or employee of the Village or other government agency or authority.
- E. The Village shall provide a vehicle permit decal to be firmly affixed on every truck, dump truck, van, or other motor vehicle and every trailer, container, or other towable device owned, leased, or otherwise used by any person engaged in commercial landscaping at all times when such vehicle or device is located within the Village in the course of providing commercial landscaping services.

#### **§ 357-6. Regulations.**

- A. No landscaper or other person shall individually, or cause or permit any other person who is providing commercial landscaping services for them or who is otherwise within their employ or control to:
  - (1) Blow, rake, place, spill, dump, or otherwise deposit, any leaves, grass, garbage, refuse, cuttings, wood, oil, pesticides, or other materials or debris from one property onto any public property, including, but not limited to, streets, sidewalks and rights-of-way, or the private property of another person, without such other person's permission. In any prosecution for a violation of this provision, it shall be an affirmative defense that such other person gave the alleged offender permission to blow, rake, place, spill, dump, or otherwise deposit such material or debris on such other person's property.
  - (2) Remove leaves, clippings, or other yard waste in a truck, dump truck, van, or other motor vehicle, trailer, container, or other towable device without securing a tarpaulin or other cover to prevent spillage.
  - (3) Spill or dump any oil, gasoline, or other petroleum products within the Village.
  - (4) Fill or refill any machinery or equipment with any fuel or lubricant except over a drop cloth or other device designed to catch and retain any accidental spillage.
  - (5) Remove, destroy, or alter the habitat of any tree in violation of Chapter 528, Trees and Shrubs.
  - (6) Spray trees, plants, or other foliage or otherwise apply pesticides or fertilizers on a Saturday, Sunday, or public holiday.
  - (7) Perform any commercial landscaping on Saturdays, Sundays, or legal

holidays, nor before before 8:00 a.m. nor later than 7:00 p.m. on weekdays.  
**[Amended 1-19-2021 by L.L. No. 1-2021]**

- (8) Operate a lawn mower or any other gardening equipment which is powered by an internal-combustion engine or by an electrical motor other than between the hours of 8:00 a.m. and 7:00 p.m. on weekdays (i.e., Mondays through Fridays, excluding holidays). **[Amended 1-19-2021 by L.L. No. 1-2021]**
  - (9) Operate any leaf blower during the period from June 15 through and including September 15. As used in this subsection, "leaf blower" shall be defined to include any device powered by a gasoline, diesel, or similar fuel engine which is used, designed, or operated to produce a current of air for the purpose of pushing, propelling or blowing leaves, dirt, gardening and grass clippings and cuttings, refuse or debris.
  - (10) Operate any equipment which emits noise which to a reasonable person of normal sensitivities would be deemed unusually loud to the extent of impairing his or her reasonable use of his or her property, nor otherwise violate Chapter 391, Noise.
  - (11) Operate any equipment which emits excessive fumes.
  - (12) Burn any wastepaper, rubbish, leaves, cuttings, wood, or other waste materials.
  - (13) Apply or spray pesticides or fertilizers that have not been approved as to type, quantity, and manner of application by the appropriate federal, state, and/or local agencies.
- B. All commercial landscaping shall be performed in accordance with the laws, ordinances, rules, and regulations of the United States, the State of New York, the County of Nassau, and the Village.

#### **§ 357-7. Suspension or revocation of registration.**

- A. Whenever it shall appear, to the satisfaction of the Village Clerk, that there has been any false statement, or any misrepresentation as to a material fact in the application on which the registration was based, or that any registration has been issued in error, or that there has been a material failure to comply with any statute, ordinance, rule, or regulation, or with any condition upon which the registration was granted, or that the further use of the registration or the exercise of the privilege thereunder could cause or tend to cause injury, damage, or unreasonable annoyance to a reasonable person of normal sensitivities, or to property within the Village, the Village Clerk may, upon not less than five days' notice by certified mail, return receipt requested, suspend such registration for a period not to exceed 30 days, without refunding any portion of the registration fee, but shall report the facts and circumstances to the Board at its next regular meeting.
- B. Thereupon, the Board may, in its discretion, forthwith and upon not less than five days' notice by certified mail, return receipt requested, revoke said registration or continue the suspension of such registration for such period of time as the Board may determine.



- C. The Board may require the registrant to appear before the Board and show cause why the registration should not be permanently revoked, and the failure of the registrant to appear at the time and place appointed shall, without more, be deemed adequate grounds for the permanent revocation of the registration.
- D. The registrant shall have the right, upon application, to appear and be heard before the Board and present such proof as he or she may deem appropriate in respect to any such matter as to why such registration should not be suspended or revoked.

**§ 357-8. Penalties for offenses.**

Every person convicted of a violation of this chapter shall for a first conviction thereof be punished by a fine of not more than \$250; for a conviction of a second violation, both of which were committed within a period of 24 months, such person shall be punished by a fine of not more than \$500; upon a conviction of a third or subsequent violation, all of which were committed within a period of 24 months, such person shall be punished by a fine of not more than \$1,000. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

**Village of Larchmont, New York**

Code: Internal combustion leaf blowers prohibited as of January 2022, electric leaf blowers restricted by time of day and year.

**§ 180-1. Purpose.**

The Village of Larchmont finds and declares that leaf blowers represent a significant source of environmental pollution in the form of high and low-frequency noise, carbon and noncarbon emissions, and dust particulate, which represent a present and increasing threat to the public peace and to the health, safety, and welfare of the residents of the Village and its visitors. Noise generated by leaf blowers has the effect of interfering with the psychological well-being of persons, as leaf blowers generate low-frequency noise at high decibel levels, exposure to which is recognized to generate more severe adverse health effects when compared to high frequency noises, including hearing loss, tinnitus, reduced cognitive performance, heart disease, and hypertension. Additionally, leaf blowers of both an internal combustion and electric design displace significant amounts of particulate matter, spreading pollen, mold, chemical pesticides, and other fine particulates. Internal-combustion leaf blowers are also recognized as hyper-polluters, emitting significant carbon and noncarbon emissions in greater magnitudes than automobiles over similar operating periods. Accordingly, it is the policy of the Village to regulate the use of all leaf blowers to minimize and mitigate the harmful impacts of their use.

**§ 180-2. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

ELECTRIC LEAF BLOWER — A leaf blower which is powered by an electric motor.

INTERNAL COMBUSTION LEAF BLOWER — A leaf blower which is powered by an internal combustion engine/motor. An electric leaf blower being used while plugged into an operating generator which is powered by an internal combustion engine shall be deemed an internal combustion leaf blower.

LEAF BLOWER — Any device which is used or designed to move leaves, grass clippings, dust, dirt, or other matter by blowing them with air emitted by such device.

**§ 180-3. Prohibition on the operation of internal combustion leaf blowers.**

No internal combustion leaf blower shall be operated in the Village of Larchmont at any time after January 1, 2022. Until such date, no internal combustion leaf blower may be operated in the Village of Larchmont without a properly functioning muffler.

**§ 180-4. Prohibition of the operation of leaf blowers during certain months.**

A leaf blower, whether it be an internal combustion leaf blower (prior to their absolute prohibition) or an electric leaf blower, may only be operated in the Village of Larchmont during the following periods of the year: the month of April; October 15 through December 15.

**§ 180-5. Prohibition on the operation of leaf blowers during certain hours of the day.**

During the months when leaf blowers are permitted to be operated in the Village of

Larchmont, they may only be operated during the following hours:

- A. Monday through Friday, excluding holidays: between 8:00 a.m. and 5:30 p.m.
- B. Saturday: between 10:00 a.m. and 5:30 p.m.
- C. Sundays and holidays: property owners only between 10:00 a.m. and 5:00 p.m.

**§ 180-6. Temporary suspension for storm and hurricane cleanup.**

In the event of a hurricane, tropical storm, or similar extreme weather event, the Mayor of the Village of Larchmont, in their sole discretion, may temporarily suspend provisions of this chapter to allow the use of leaf blowers for debris cleanup.

**§ 180-7. Violations and penalties, responsible parties.**

- A. Responsible parties. The following parties shall have committed a violation of this law if it is not complied with:
  - (1) The party operating the leaf blower; and
  - (2) The party who employed the person to operate the leaf blower at the time of violation; and
  - (3) The party who owns the property where the violation occurs.
- B. Penalties. Any person violating any of the provisions of this chapter shall be subject to fine upon conviction thereof, not exceeding \$250 for the first offense, \$500 for the second offense, and \$1,000 for the third offense and any subsequent offenses. Conviction for violation of this law shall be deemed a violation, not a misdemeanor nor a felony.

## **Village of Tuckahoe, New York**

Code: Gasoline-powered leaf blowers restricted by time of year and time of day.

**§ 15-52. Limitations on use. [L.L. No. 4-2011, § 1]**

- a) The use of gasoline-powered leaf blowers in the Village of Tuckahoe is prohibited from June 1 through and including September 30 of each year.
- b) Subject to Subsection (a) of this section, during the period of June 1 through and including September 30 of each year, the use of power lawn mowers, power hedge trimmers, electric leaf blowers and any other engine-driven power tool or motorized equipment may be used during the following hours:
  - (1) Monday through Friday: 8:00 a.m. through 7:00 p.m.
  - (2) Saturday: 9:00 a.m. through 5:00 p.m.
  - (3) Sunday and holidays: 12:00 noon through 5:00 p.m.
- c) During the period of October 1 through and including May 31 of each year, the use of leaf blowers, power lawn mowers, power hedge trimmers, and any other engine-driven power tool or motorized equipment may be used during the following hours:
  - (1) Monday through Friday: 8:00 a.m. through 7:00 p.m.
  - (2) Saturday: 9:00 a.m. through 5:00 p.m.
  - (3) Sunday and holidays: 12:00 noon through 5:00 p.m.
- d) The foregoing provisions of this Section 15-52(b) and (c), above, shall not apply to snow blowers, chain saws, and other tools and equipment that may be used to clear and plow walks, streets, sidewalks and/or driveways during and within 48 hours of snow, rain, ice, or wind storms or other similar emergencies.
- e) Leaf blower operations shall not cause leaves, dirt, debris, grass clippings, cuttings or trimmings from trees or shrubs or any other type of litter or debris to be blown on any adjacent parcel of land or lot other than the parcel, land or lot upon which the leaf blower is being operated. Leaves, dirt, debris, grass clippings, cuttings or trimmings that are blown onto a public right-of-way shall be promptly removed, or during leaf season gathered at the curb in a manner suitable for collection by the Village in its normal course of leaf collection.
- f) All leaf blowers, power lawn mowers, power hedge trimmers and any other engine-driven power tool or motorized equipment must comply with all local, county, state and federal laws.

## **Yonkers, New York**

Code: Seasonal ban on gasoline-powered leaf blowers.

**§ 91-31. Seasonal ban on gasoline-powered leaf blowers. [Added 4-24-2007 by Ord. No. 1-2007; amended 11-27-2007 by G.O. No. 7-2007]**

- A. The operation of a gasoline-powered leaf and garden blower is prohibited from June 1 through September 30 of each year. During times of emergency caused by storm, the Commissioner of Public Works may declare a temporary moratorium on the operations of this provision.
- B. The Commissioner of Public Works, through the office of the City Clerk, may, in his discretion and upon application, grant temporary special permits for the temporary operation of one or more gasoline-powered leaf and garden blowers otherwise subject to this section to accommodate special circumstances, including but not limited to remediation of abandoned or neglected properties or the cleanup of temporary work sites, and shall charge and collect a fee of \$35 for each permit so granted.
- C. Except as otherwise provided, violations of this section shall be a Class II offense as defined in Chapter 1, General Provisions, Article III, Penalties, § 1-21. Penalties for offenses; lesser included offenses, of this Code.



## **Seattle, Washington**

Resolution: Expressing the intent to phase out gasoline-powered leaf blowers.

# Municipalities, Counties and States with Leaf Blower Restrictions



<b>ARIZONA</b>
<b>Maricopa Co. - 27 municipalities</b>
<b>Subtotal AZ: 27</b>
<b>CALIFORNIA</b>
<b>Alameda Co. - 20 municipalities</b>
Alhambra
Arcadia
Artesia
Belvedere
Berkeley
Beverly Hills
Burbank
Burlingame
Calexico
Capitola
Carmel
Cerritos
Claremont
Coronado
Corona del Mar
Costa Mesa
Culver City
Cypress
Dana Point
Davis
Del Mar
Downey
El Segundo
Encinitas
Emeryville
Foster City
Fountain Valley
Gardena
Glendale
Hawaiian Gardens
Hermosa Beach
Huntington Beach
Indian Wells
Indio
Irvine
LaCanada
Laguna Beach
Lawndale
Lomita

# Municipalities, Counties and States with Leaf Blower Restrictions



Long Beach
Los Altos
Los Angeles
Malibu
Manhattan Beach
Manteca
Menlo Park
Mill Valley
Monrovia
Monterey Park
Newport Beach
North Hempstead
Norwalk
Ojai
Orange
Orinda
Palo Alto
Palm Desert
Palm Springs
Palos Verdes Estates
Pasadena
Piedmont
Portola Valley
Redondo Beach
Richmond
Rohnert Park
Rolling Hills Estates
Ross
Sacramento
San Anesimo
San Diego
San Dimas
San Fernando
San Marino
Santa Barbara
Santa Clara
Santa Fe Springs
Santa Monica
Saratoga
Sierra Madre
Solano Beach
Sonoma
St Helena
Sunnyvale
Tiburon

# Municipalities, Counties and States with Leaf Blower Restrictions



W. Hollywood
Westlake Village
Westminster
Yountville
<b>Subtotal CA: 108</b>
<b>COLORADO</b>
Aspen
Carbondale
<b>Subtotal CO: 2</b>
<b>CONNECTICUT</b>
Greenwich
Norwalk
Ridgefield
Stamford
<b>Subtotal CT: 4</b>
<b>DISTRICT OF COLUMBIA</b>
Washington
<b>Subtotal DC: 1</b>
<b>FLORIDA</b>
Coral Gables
Naples
Palm Beach
Tampa
Key West
<b>Subtotal FL: 5</b>
<b>HAWAII</b>
<b>Statewide - 151 municipalities</b>
<b>Subtotal HI: 151</b>
<b>ILLINOIS</b>
Evanston
Glencoe
Highland Park
Lake Bluff
Lincolnwood
Oak Park
Wilmette
Winnetka
<b>Subtotal IL: 8</b>
<b>MARYLAND</b>
Village of Chevy Chase
<b>Montgomery Co. - 19 municipalities</b>
<b>Subtotal MD: 20</b>
<b>MASSACHUSETTS</b>
Arlington

# Municipalities, Counties and States with Leaf Blower Restrictions



Brookline
Cambridge
Lincoln
Longport
Newton
<b>Subtotal MA: 6</b>
<b>MICHIGAN</b>
Ann Arbor
Blackmon Township
Cassopolis
Kalamazoo
Oakland
Richland
Roseville
<b>Subtotal MI: 7</b>
<b>NEW HAMPSHIRE</b>
Portsmouth
<b>Subtotal NH: 1</b>
<b>NEW JERSEY</b>
Maplewood
Highland Park
Montclair
Princeton
Woodcliff Lake
<b>Subtotal NJ: 5</b>
<b>NEW YORK</b>
Ardsley
Bronxville
Dobbs Ferry
East Hampton
Flower Hill
Great Neck
Greenburg
Hastings
Huntington
Irvington
Larchmont Village
Mamaroneck Town
Mamaroneck Village
Newcastle
New Rochelle
New York City
North Hempstead
Nyack
Orangetown

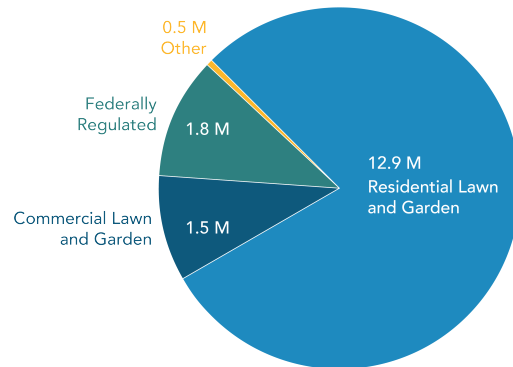
# Municipalities, Counties and States with Leaf Blower Restrictions



Oyster Bay
Pelham Village
Rye
Scarsdale
Sleepy Hollow
Southampton Village
Tarrytown
Thomaston
Tuckahoe
White Plains
Yonkers
<b>Subtotal NY: 30</b>
<b>NORTH CAROLINA</b>
Chapel Hill
<b>Subtotal NC: 1</b>
<b>OREGON</b>
Portland
<b>Subtotal OR: 1</b>
<b>TEXAS</b>
Highland Park
Houston
<b>Subtotal TX: 2</b>
<b>VIRGINIA</b>
Alexandria
<b>Fairfax Co. - 20 municipalities</b>
<b>Subtotal VA: 21</b>
<b>WASHINGTON</b>
Seattle
<b>Subtotal WA: 1</b>

### Small engines in California

Small off-road engines (SORE) are spark-ignition engines rated at or below 19 kilowatts. Engines in this category are primarily used for lawn, garden, and other outdoor power equipment. The population of small engines in California (16.7 million) is greater than that of light-duty passenger cars (13.7 million) and is comprised of 77% residential lawn and garden equipment, 9% commercial lawn and garden equipment, 11% federally regulated construction/farming equipment, and 3% other equipment types (e.g., generators, utility carts).



1 hr lawn mower use



driving 300 miles  
from LA to Vegas



1 hr leaf blower use



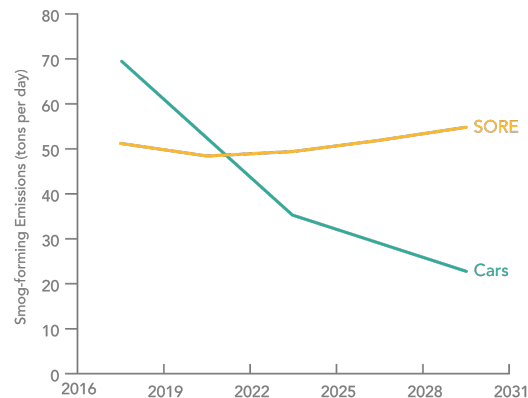
driving 1100 miles  
from LA to Denver

### Emissions are significant

Today, operating the best-selling commercial lawn mower for one hour emits as much smog-forming pollution as driving the best-selling 2017 passenger car, a Toyota Camry, about 300 miles – approximately the distance from Los Angeles to Las Vegas. For the best-selling commercial leaf blower, one hour of operation emits smog-forming pollution comparable to driving a 2017 Toyota Camry about 1100 miles, or approximately the distance from Los Angeles to Denver.

### The need for additional controls

The California Air Resources Board (CARB) adopted emissions standards for small engines in 1990 and was the first agency in the world to control emissions from these engines. Due to the regulations put in place by CARB, small engines are 40-80% cleaner today than they were before the program began. In the early 2020s, however, total smog-forming emissions from small engines are projected to exceed those from passenger cars in the South Coast Air Basin because passenger car emissions will continue to decrease. By 2031, small engine emissions will be more than twice those from passenger cars.



### CARB actions to reduce emissions

Because of California's ongoing air quality challenges, additional emissions reductions are needed from small engines. In 2020, CARB will consider new standards for small engines to help California meet its goal of reducing smog-forming pollutant emissions from mobile sources by 80 percent in 2031. Significant emission reductions will be achieved through a combination of regulatory and incentive approaches, and a major shift to zero-emission equipment will be needed to meet the 80 percent reduction goal.

## LEAF BLOWER BEST PRACTICES

Best practices, such as those below, support the safe, courteous, responsible and effective use of leaf blowers.

Pay attention when using a leaf blower. Don't point an operating blower in the direction of people, animals, open doors or windows.

Make sure bystanders are at least 50 feet away. Stop blowing when people or pets approach.

Use the blower only when necessary and at the speed/throttle which emits the least sound and is least disturbing. Low throttle speeds reduce noise and provide the operator maximum control. Full throttle is seldom necessary.

Inspect the blower before and during use to make sure controls, parts and safety devices are working properly.

Do not blow leaves onto the street or neighboring properties. All leaves must be collected prior to leaving the site.

Wear appropriate eye and ear protection when operating a leaf blower.

Think about the neighbors and neighborhood you are working in.

## COMMERCIAL LANDSCAPERS

Commercial/Private landscapers are required to receive an annual permit and pay an application fee of \$25 prior to operating leaf blowers in the Town of Brookline, MA. All permitted landscapers will be listed on the DPW website. We recommend that residents review this list prior to selecting a landscape company.

Permit Applications are available for commercial landscapers at:  
[www.brooklinema.gov/leafblower](http://www.brooklinema.gov/leafblower)

Permit stickers must be clearly visible and affixed to the rear bumper of landscape company vehicles that are not clearly marked with company contact information; including name, address and phone number. While recommended, it is not required that companies that have clear identification on their vehicle affix the permit sticker to the commercial vehicle rear bumper.

Applications and payment must be submitted to:

Brookline Department of Public Works  
870 Hammond Street  
Chestnut Hill, MA 02467

Please contact the office at:  
617-879-4900 with any questions.

The Department of Public Works seeks to regulate this By-Law as directed by Town Meeting, while also providing a reasonable and easy process for landscapers who work in Brookline.

# Town of Brookline Leaf Blower By-Laws & Regulations



**The Leaf Blower By-Law applies to property owners and managers, residents, businesses and hired landscapers. Hired landscapers must be permitted annually by the Town.**

Please read carefully as to how the Leaf Blower By-Law and regulations affect you and how violations will be enforced.

[www.brooklinema.gov/dpw](http://www.brooklinema.gov/dpw)





## LIVABLE NEIGHBORHOODS

Town Meeting passed the Leaf Blower Bylaw in order to reduce emissions and noise created from leaf blower use. The bylaw regulates when gas-powered leaf blowers may be used and the maximum decibel level allowed. The goal is to eliminate the use of gas-powered leaf blowers outside of heavy leaf litter collection periods. The regulations are intended to support livable neighborhoods through greater compliance and improved enforcement.

## LEAF BLOWER USE

Article 8.31 Town By-Law holds that:

Property owners/managers are **CO-RESPONSIBLE** for compliance with the By-law. Both are subject to penalties following any violation.

Property owners/managers are not only responsible for the compliant operation of leaf blowers on the property they control, but also on contiguous sidewalks and streets

On land parcels of 7,500 sq. ft. or less in size, a maximum of two leaf blowers may be used simultaneously

## SEASONAL BAN FOR GAS POWERED LEAF BLOWERS\*

### Dates prohibited

May 16 - Sept. 30

Jan. 1 - Mar. 14

### Dates permitted

March 15 - May 15

Oct. 1 - Dec. 31

### Hours permitted

Mon. - Fri.: 8am - 8pm

Sat, Sun. and Holidays:  
9am - 6pm

*\*Electric leaf blowers are allowed year round during the permitted hours*

## ENFORCEMENT PROCEDURES

The DPW is responsible for complaint handling and monitoring, as well as enforcement coordination with the police.

### Leaf blower violations should be reported to:

Department of Public Works  
Mon. - Fri. 7am-3pm  
617-879-4900

#### After business hours:

Brookline Police Department  
617-730-2222

The DPW will contact and inform property owners/managers if a violation has been reported to have taken place on their property, as well as any hired landscaper involved. When applicable, violations will be issued to both the property owner, as well as the hired landscaper involved.

Violations are subject to the following penalties in each calendar year:

**First Offense: Written warning**

**Second Offense: \$50**

**Third Offense: \$100**

**Each Subsequent Offense: \$150**



## WHAT HAS NOT CHANGED?

### Leaf Blower Machine Noise Level:

The Town By-Laws require that any portable leaf blower used in the town have a manufacturer's sticker or a DPW sticker certifying a noise level of no more than 67 dBA when measured at a distance of fifty feet, utilizing American National Standard Institute methodology.

Leaf blowers needing a sticker can be tested at the Municipal Service Center, by appointment on the 1st and 3rd Tuesday of the following months: October, November, December, March, April and May.

### Town Exemption:

The Department of Public Works is exempt from the Article 8.31 By-Law.

For further details on leaf blowers visit [www.brooklinema.gov/dpw](http://www.brooklinema.gov/dpw)



# City of White Plains

## *Use of Gasoline-Powered Leaf Blowers*

The City of White Plains noise ordinance limits and restricts the use of gasoline-powered leaf blowers in order to reduce loud, unnecessary, and unwanted noise in our neighborhoods.

### *You may use IF...*

It is between the dates:

March 15 and May 14; or  
October 1 and December 15

**- AND -**

It is between the hours of:

8am-6pm Monday-Friday; or  
10am-6pm Sat, Sun, Holidays

**- AND -**

You only use one leaf blower  
within a 5,000 square foot area

**- AND -**

The leaf blower produces a  
sound level below 70 decibels

To report violators please call:  
(914) 422-1391 Mon-Sat 8am-8pm  
(914) 422-6111 other times

# City of White Plains

## *Use of Gasoline-Powered Leaf Blowers*

The City of White Plains noise ordinance limits and restricts the use of gasoline-powered leaf blowers in order to reduce loud, unnecessary, and unwanted noise in our neighborhoods.

### *Do not use...*

...From May 15 to Sept. 30.

...From Dec. 16 to March 14.

...After 6:00pm.

...Before 8:00am Monday-Friday.

...Before 10:00am Sat, Sun, or any Holidays.

...If the leaf blower produces a sound level ABOVE 70 decibels.

...More than one leaf blower within a 5,000 square foot area.

**Violations of this ordinance will be strongly enforced and may result in a fine of up to \$250.**

To report violators please call:  
(914) 422-1391 Mon-Sat 8am-8pm  
(914) 422-6111 other times