

GENERAL SUMMARY OF PROPOSED ORDINANCE

Summer May 1 - October 30	Fall Cleanups Nov. 1 – Dec. 15	Spring Cleanups Mar. 15 – Apr. 30	Winter Dec. 16 – Mar. 14								
<ul style="list-style-type: none"> <li>• <b>Gas-Powered Leaf Blowers NOT permitted</b></li> <li>• <b>Electric/Battery-Powered Leaf Blowers permitted</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Gas-Powered Leaf Blowers permitted</b></li> <li>• <b>Electric/Battery-Powered Leaf Blowers permitted</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Gas-Powered Leaf Blowers permitted</b></li> <li>• <b>Electric/Battery-Powered Leaf Blowers permitted</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Gas-Powered Leaf Blowers NOT permitted—</b></li> <li>• <b>Electric/Battery-Powered Leaf Blowers permitted</b></li> </ul>								
<p><b>Additional Restrictions:</b></p> <ul style="list-style-type: none"> <li>- No Leaf Blower (regardless of power source) may be used before 9:00 am or after 5:00 pm</li> <li>- Limitations on simultaneous use of Gas-Powered Leaf Blowers (GLB) depending on lot size:</li> </ul> <table border="1"> <thead> <tr> <th>Lot Size</th> <th>Maximum No. of GLBs that May be Used Simultaneously</th> </tr> </thead> <tbody> <tr> <td>≤ one acre</td> <td>1 GLB</td> </tr> <tr> <td>&gt; one acre but ≤ three acres</td> <td>2 GLBs</td> </tr> <tr> <td>&gt; three acres</td> <td>3 GLBs</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>- Additional limitations on use of GLB on properties of &gt; 20 acres.</li> <li>- No GLB shall be used on any state or federal holiday.</li> </ul> <p><b>Exceptions:</b></p> <ul style="list-style-type: none"> <li>- If a town, state, or federal authority declares an emergency, then Gas-Powered Leaf Blowers and/or Electric/Battery-Powered Leaf Blowers may be used as necessary.</li> <li>- Golf courses may use Electric/Battery-Powered Blowers before 9:00 if necessary;</li> <li>- Department of Public Works may use Gas-Powered Leaf Blowers before March 15 if necessary for winter sidewalk and road cleanup.</li> </ul> <p><b>Enforcement:</b></p> <ul style="list-style-type: none"> <li>- Standard enforcement procedure by Police Department for violation of local ordinance</li> <li>- Enforcement officer has discretion to issue a warning</li> <li>- Warning or citation is issued to equipment operator and/or owner of property [CHECK]</li> <li>- \$90 per offense, limited by state statute [CHECK]</li> </ul>				Lot Size	Maximum No. of GLBs that May be Used Simultaneously	≤ one acre	1 GLB	> one acre but ≤ three acres	2 GLBs	> three acres	3 GLBs
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## DRAFT LEAF BLOWER ORDINANCE

### CHAPTER 67

#### **67-1. Purpose.**

Consistent with the municipal powers granted under sections 7-148(c)(7) and (10) of the Connecticut General Statutes, including the protection of the health and safety of residents and abatement of nuisances, it is the intent of this ordinance to set specific controls on the use of Leaf Blowers, in particular Gas-Powered Leaf Blowers.

#### **67-2. Definitions.**

For the purpose of this chapter, the following terms shall have the meanings indicated:

“Leaf Blower” shall mean 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.

“Gas-Powered Leaf Blower” shall mean any Leaf Blower that is powered by an internal combustion engine utilizing gasoline, diesel, or any other similar fuel.

“Electric-Powered Leaf Blower” shall mean any Leaf Blower that is powered by electricity utilizing a plug-in cord or battery power.

#### **67-3. Restrictions on Leaf Blower Activity.**

(a) Except as provided in Sections 67-3(b) through (e),

(i) the use of Electric-Powered Leaf Blowers is permitted during the period from January 1 through December 31 on all properties within the Town; and

(ii) the use of Gas-Powered Leaf Blowers is permitted only during the periods from March 15 through April 30 and November 1 through December 15. No person shall operate or cause or permit to be operated any Gas-Powered Leaf Blower on any public or private property in the Town other than during such periods.

(b) No Leaf Blowers (whether Gas-Powered or Electric-Powered) may be used before 9:00 a.m. or after 5:00 p.m.

(c) The following restrictions on simultaneous use of Gas-Powered Leaf Blowers shall apply:

- On lots of less than one acre, no more than one (1) Gas-Powered Leaf Blower may be used simultaneously;
- On lots of between one and three acres, no more than two (2) Gas-Powered Leaf Blowers may be used simultaneously;

~~Last revised June 4, 2021~~

- On lots of more than three acres, no more than three (3) Gas-Powered Leaf Blowers may be simultaneously.

(d) The following additional restrictions shall apply to any site that contains more than 20 acres: No Gas-Powered Leaf Blower may be operated within 100 feet of a residence, sidewalk, roadway, or pedestrian thoroughfare. The word “residence” in the preceding sentence shall be deemed to include a house, apartment building, hotel, and condominium unit.

(e) No Gas-Powered Leaf Blower may be used on any state or federal holiday.

(f) Notwithstanding the provisions of Sections 67-3 (a) through (e):

(i) the use of Gas-Powered Leaf Blowers and/or Electric-Powered Leaf Blowers shall be permitted if a Town, state, or federal authority determines that an emergency exists; and

(ii) golf courses may operate Electric-Powered Leaf Blowers before 9:00 a.m. if necessary, and the Department of Public Works may operate Gas-Powered Leaf Blowers before March 15 if necessary for winter sidewalk and road cleanup.

(g) Nothing contained in the Chapter 67 shall prevent or limit the right of any resident to bring a suit against a third party for damages or equitable relief in connection with the use of a Leaf Blower, including without limitation, a suit based on nuisance.

#### **67-4. Penalty and Enforcement.**

~~(a) Authority. The penalty for violation of this ordinance shall be \$90 and shall be considered an infraction.~~

~~(a) The Westport Police Department is hereby authorized to enforce violations of this ~~article~~Chapter by any ~~Operator~~owner or operator of a Leaf Blower, in accordance with C.G.S. \_\_\_\_\_ [CHECK].~~

~~(b) Hearing Procedure for Citations. The hearing procedure for citations under this article is hereby established in accordance with C.G.S. § 7-152eSection C22-1 of the Town Charter.~~

#### **67-5. Effective Date.**

The provisions of this Chapter 67 shall become effective on January 1, 2022.