

LOCAL LAW #8 OF 2020

AMENDING THE NUISANCES CHAPTER OF THE IRVINGTON CODE  
TO BAN GAS-POWERED LEAF BLOWERS

Be it enacted by the Board of Trustees of the Village of Irvington that the Village Code is amended as follows:

Section 1: Section 148-4.B(10) (Unnecessary noises; penalty) is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

B. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but said enumeration shall not be deemed to be exclusive, namely:

\* \* \* \*

(10) Gas-powered leaf blowers.

~~The following restrictions apply to the use of gas-powered leaf blowers:~~

(a) *Effective 12-16-23, using or operating, or permitting to be used or operated, any gas-powered leaf blower at any time.*

(b) *Until 12-16-23, gas powered leaf blowers may not be used except, but only in the following situations:*

[1] ~~During the spring and fall cleanup periods, i.e., March 15 through May 15 June 1 and September 15-October 1 through December 15, and then only during the following time periods: Monday through Friday, between 8:00 a.m. and 5:00 p.m.; and Saturday, Sunday and federal holidays, between 10:00 a.m. and 4:00 p.m.~~

[2] ~~In addition to the spring and fall cleanups permitted by Subsection B(10)(b)[1] above, on one or two family properties, the property owner may use one gas-powered leaf blower once a week for no more than 30 minutes and only during the following time periods: Monday through Friday, between 8:00 a.m. and 5:00 p.m.; Saturday, Sunday and federal holidays, between 10:00 a.m. and 4:00 p.m.~~

[3] ~~In addition to the spring and fall cleanups permitted by Subsection B(10)(b)[1] above, on multifamily and cluster residential developments and attached one-family dwelling developments, gas-powered leaf blowers may be used between 9:00 a.m. and noon, Monday through Friday, and not at all on Saturdays, Sundays and federal holidays. This exception will automatically expire on December 31, 2018.~~

[2] Golf and tennis clubs and municipal employees performing their regular duties, provided that any leaf blower may not be used within 100 feet of the nearest residence.

[3] When responding to an emergency.

[4] When removing snow.

(c) *Until 12-16-23,*

[1] ~~In addition to the time limitations above, walk-behind leaf blowers may not be used unless the property that is being cleaned is greater than ½-acre.~~

[2] ~~No more than a total of two handheld or backpack leaf blowers may be used at a time, unless the property that is being cleaned is greater than ½ acre.~~

*no gas-powered leaf blower may be used unless it meets the current Environmental Protection Agency (EPA) exhaust standards; and it is operated and maintained in accordance with manufacturer's instructions and specifications; and Handheld or backpack leaf blowers operates at a noise level of 70-65 dBA or less until December 31, 2018, after which time, the noise limit shall be 65 dBA, according to ANSI standard B175.2.*

Section 2: Section 148-4.C is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

C. Penalty. Persons found guilty of violating any of the provisions of § 148-4, except Subsection B(10), shall be subject to a penalty of not less than \$50

nor greater than \$250 for each and every violation. Any *person found guilty of violating Subsection B(10)* and any property owner or tenant on whose property *such a violation of Subsection B(10)* occurs shall be subject to a penalty of \$100-250 for the first offense, and \$250-500 for any subsequent offense.

Section 3: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 4: This local law shall take effect upon filing with the Secretary of State.