



## Agenda Item Summary

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**File #:** ID 21-182, **Version:** 1

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### Submitted By

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### Agenda Item Title

#### Leaf Blower Ban - Discussion

### Overview

The Village Board requested a review of the current leaf blower ordinance and research on what other communities are doing in this area. Staff has also provided comments and questions that should be considered regarding this ordinance.

### Anticipated Future Actions/Commitments

Discussion Item Only

### Report

In 2004 the Village enacted the leaf blower ordinance (17-1-30 H.) provided below.

#### ***17-1-30: NOISE:***

*It shall be unlawful for any person to make, continue to cause to be made or continue any loud, unnecessary, prolonged or unusual noise which disturbs the peace of others.*

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

*H. Any gasoline powered leaf blower emanating more than sixty five (65) decibels or failing to satisfy the most stringent emission regulations in the United States, whether state or federal, including backpack mounted or wheel mounted leaf blowers or electric leaf blowers powered by a gasoline powered electricity generator, shall be prohibited between June 1 and October 1 of each year except that this restriction shall not apply to circumstances, such as a severe weather cleanup, where the Village Manager or the Manager's designee has made a prior declaration that it is in the best interest of the public health, safety and welfare that the use of gasoline powered leaf blowers be permitted for a designated time period. Permitted equipment, which emanates no more than sixty-five (65) decibels and meets EPA emission standards is required to be registered with the Village on an annual basis as follows:*

- 1. Each piece of equipment to be registered must be demonstrated to the Village Manager or the Village Manager's designee allowing the Village to measure the decibel level emanating from the machine.*
- 2. Owners must provide proof of purchase for each piece of equipment to be registered.*
- 3. Owners must provide manufacturers' specifications for each piece of equipment to be registered.*

### Additional Background

The table below provides a list of Illinois municipalities that staff is aware of that have banned leaf blowers. While the communities have banned leaf blowers for a specific time period, to our

knowledge, none of the communities have outright banned all leaf blowers or more specifically gasoline leaf blowers. The ordinances allow for all leaf blowers to be used for both spring cleanup (April - May) and fall leaf season (October - December). The implied intent is to allow home owners and landscapers the ability to use equipment such as leaf blowers to maintain yards before the warmer months when outdoor activities are more prevalent.

Municipality	Leaf Blowers Allowed	Leaf Blower Banned	Enforcement
<b>Evanston</b>	Gas and electric allowed from March 30 to May 15; and September 30 to the first Thursday of December.	Gas and backpack Leaf Blowers banned from May 16- September 29. and after the first Thursday in December March 29. M - F, 7am- 9 pm Weekends or holidays, 9 am-5 pm	\$100 fine to private (resident) or commercial user
<b>Winnetka</b>	Gas and electric blowers allowed from: October 1 to May 31 from 8am -7pm	Gas leaf blowers or electric leaf blower using a gas generator June 1- September 30.	\$100 fine to private (resident) or commercial user
<b>Highland Park</b>	All leaf blowers allowed from October 2- May 14. M-F, 7am- 7pm and Saturday 9am- 5pm. Not allowed Sunday or Holiday.	All leaf blowers except electric banned from May 15-October 1.	Fine cannot exceed \$500.
<b>Lincolnwood</b>	All leaf blowers allowed from October 2- May 14. M-F, 7am- 6pm and Saturday 7am- 12pm. Not allowed Sunday or Holiday.	Gas leaf blowers or electric leaf blower using a gas generator May 15- September 30	Fine can be issued.
<b>Wilmette</b>	All leaf blowers allowed October 1 - May 14 for no more than 30 min in any 3 hr period on lots of 1/2 acre.	Gas powered or electric leaf blower using a gas generator banned from May 15 September 30.	Fines only issued in egregious situations
<b>Glencoe</b>	All leaf blowers allowed from September 15- December 15. M-F 7am - 7P, Saturday 9am 6pm. Not allowed Sunday and holidays.	Gas powered leaf blowers banned from December 16 to September 14.	No fines issued.
<b>Oak Park</b>	No Restrictions October 2- May 31.	No gasoline leaf blowers emanating more than sixty five (65) decibels.	Fines only issued in egregious situations

## Discussion

Should the Village Board wish to change the current requirements the following items should be considered in the discussion when considering a leaf blower ban:

1. **Noise:** The decibel levels for both gas and electric/battery leaf blowers can exceed 65 decibels. To enforce the decibel level staff must have a noise meter to confirm noise levels. The use of a noise meter can be problematic due to calibration requirements and background noise levels.
2. **Ban Period:** Should the ban be considered during a certain seasonal time period of the year but still allow for spring and fall cleanup? If a ban is in effect are there certain time periods it would be allowed (ie. no leaf blowers after 6:00 p.m. and before 7:00 a.m.)? If a new ban is instituted when would it start? While no statistical data has been kept to date, staff have observed anecdotally that the majority of complains regarding leaf blowers occur outside of the current ban period and therefore not in violation of current ordinance.
3. **Equipment:** Is the ban for all leaf blowers or is the ban for gasoline powered leaf blowers only? Would electric or battery-operated leaf blowers be allowed? Current electric or battery powered leaf blowers can exceed 65 decibels.
4. **Landscaper Registration:** Currently, landscapers are not required to be registered with the Village. Should a new ban be considered or if the current ban remains registering landscapers should be considered? Registering landscapers would allow notices to be provided to the landscapers of regulations. Should there be a nominal fee (i.e. \$25.00) be required?
5. **Enforcement and fines:** The current requirement to have leaf blowers registered is challenging to enforce since the Village is not aware of all landscapers working in the Village. Enforcement at the individual resident level has not been operationally possible. Eliminating all gas leaf blowers or all leaf blowers for a certain time period would address sustainability concerns and allow for a more defined enforcement criteria.  
  
Should enforcement be aggressive or on a complaint basis only? Warnings first, then citation? Who gets fined (landscape workers, landscape company, property owner)? What about enforcement on evenings and weekends? What should the fine amount be? How will enforcement affect the current capacity of staff's ability to enforce? Is additional staff required or will Public Works, Development Customer Services and Police share in enforcement?
6. **Village Operations:** If the current ban is modified how will this affect current Village operations such as in-house work or contracted services? The Village currently has contracts in place for landscaping services. Discussions with the Village's current contractors in 2020 found there would be an increase to base costs of 15% - 20% and possible decrease in quality of service if leaf blowers were banned. In addition to landscaping, leaf blowers are utilized for a variety of services by both Village Staff and Contractors Would a new ban affect the cost or level of service?
7. **Other Impacts:** How will this impact other governing body operations and costs (i.e. park District, schools, etc.)?
8. **Leaf Blower Use:** The majority of complaints pertaining to the use of leaf blowers in the Village are directed at contractors, it is important to note that the current ban does not discriminate based on the user. Individual residents, Village services, and private contractors are all currently impacted equally by the ordinance.

9. **Equity:** How will a ban on gasoline powered leaf blowers affect small businesses? Will they have to go purchase new equipment?

**Alternatives**

Discussion Item Only