

Local Law 6 of 2020

A LOCAL LAW
Regulating the Use of Leaf Blowers in the Village of Larchmont

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

SECTION 1. There is hereby added to the Code of the Village of Larchmont a New Chapter 180 entitled “Leaf Blowers” to read as follows:

§ 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 non-carbon 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 non-carbon 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.

- A. Leaf Blower. The term “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.
- B. Electric Leaf Blower. The term “electric leaf blower” shall mean a “leaf blower” which is powered by an electric motor.
- C. Internal Combustion Leaf Blower. The term “internal combustion leaf blower” shall mean 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.

§ 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.

SECTION 3. Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

SECTION 4. Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.