

AN ORDINANCE AMENDING CHAPTER 191,
OF THE CODE OF THE CITY OF MOUNT VERNON,
ENTITLED "PEACE AND GOOD ORDER"

WHEREAS, by letter dated May 3, 2023, the Clerk of the City of Mount Vernon, New York, Tanesia M. Walters, has requested legislation to amend the gasoline powered leaf blower regulations in the City of Mount Vernon in order to safeguard public health, welfare, and the environment; and

WHEREAS, the general public has expressed concerns regarding noise pollution, the spread of airborne pollutants, and evolving seasonal needs with regard to leaf removal; and

WHEREAS, this amendment incorporates feedback from the general public, as well as the needs of the City, thereby providing a balanced policy in the city of Mount Vernon. NOW THEREFORE,

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. § 191-42 Gas-powered leaf and lawn blowers.

A. No person shall operate a gas-powered leaf and lawn blower for any purpose except during the month of April and October 1 to [November 15] November 30. Any person violating this prohibition shall be subject to a written warning for the first offense, a fine not to exceed \$250.00 for the second offense, \$500.00 for the third offense, and \$1,000.00 for the fourth offense and any subsequent offense thereafter. The operator of the leaf blower and the homeowner shall be subject to the fine.

B. The permitted hours of use are Monday through Saturday from 9:00 a.m. to 5:00 p.m. Any person violating this provision shall be subject to a written warning for the first offense, a fine not to exceed \$250.00 for the second offense, \$500.00 for the third offense, and \$1,000.00 for the fourth offense and any subsequent offense thereafter. The operator of the leaf blower and the homeowner shall be subject to the fine.

C. All leaf-blower use is prohibited on Sundays, except by residents on their own property between 9:00 a.m. and 5:00 p.m.

D. All leaf blower operation at sound levels of 65 decibels or more are prohibited.

E. All landscaping operators in the City of Mount Vernon must register for a permit with the City Clerk. Said permits must be renewed annually.

F. A landscaper shall be defined as any person, corporation, partnership or business entity of any form who owns, operates, maintains, controls or conducts a landscaping business to perform landscaping or gardening, including tending, planting, installing, maintaining, or repairing lawns, gardens, flower beds, shrubbery, trees, or landscaping of any kind, on real property which such person or business entity does not own or at which s/he does not reside.

G. The fine for a landscaper operating a gas-powered leaf blower without a permit shall not exceed \$500.00 for the first offense, \$750.00 for the second offense, and \$1,000.00 for every offense thereafter.

H. Forums, meetings and educational materials will be generated to inform the public about this change.

I. The Clerk's office will be responsible for implementing the operational procedures for collecting revenues generated from the permit.

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J. These provisions shall not apply in the event a state of emergency is declared by the City of Mount Vernon, County of Westchester, or State of New York.

K. The Department of Public Works and the Police Department shall have the authority to enforce these provisions.

Section 2. This ordinance shall take effect upon the filing in the Clerk's Office.

New matter underlined
Deleted matter in brackets []

Vote Taken As Follows: 6/14/2023
Copeland: Yea Gleason: Yea
Poteat: Yea Thompson: Absent
Browne: Yea Ordinance Adopted

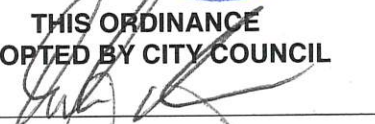
APPROVED AS TO FORM

Assistant Corporation Counsel

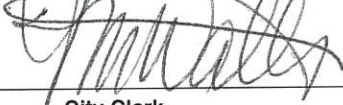
APPROVED
Dept. _____



Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL


President

ATTEST: 

City Clerk

APPROVED
JUN 15 2023

Date

By _____
Mayor

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