

**PETITION (PUBLIC CONTRACTING REFORM ORDINANCE)**

To the Municipal Clerk and the Council of the Town of Morristown, Morris County:

We, the undersigned, registered voters of the Town of Morristown, Morris County, New Jersey, hereby propose the "Gas Powered Leaf Blower Reform Ordinance" consisting of one page, which is annexed hereto and made a part hereof, under the power of initiative granted to voters of the Town of Morristown by N.J.S.A. 40:69A-184. If the same is not passed by the Town Council within the time prescribed by N.J.S.A. 40:69A-184 et seq., the undersigned voters demand that the same be submitted to the electorate for a vote at a general election in accordance with N.J.S.A. 40:69A-184 et seq., with the question to be put to the voters in this manner:

Shall the Gas-Powered Leaf Blower Reform Ordinance, duly submitted by petition to the Town of Morristown, which includes, among other provisions, (a) the prohibition on the use of gas-powered leaf blowers during the period of January 1 through September 31 of each year commencing on January 1, 2024 be approved?

(all entries must be made in ink)

<u>PRINT NAME</u>	<u>RESIDENCE ADDRESS</u>	<u>SIGNATURE</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
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10. _____	_____	_____

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**COMMITTEE OF PETITIONERS**  
pursuant to N.J.S.A. 40:69A-186

- |                        |  |
|------------------------|--|
| 1. STEFAN ARMINGTON    | 16 CUTLER STREET, MORRISTOWN NJ 07960  |
| 2. MARGARITA ARMINGTON | 16 CUTLER STREET, MORRISTOWN NJ 07960  |
| 3. TAWANNA COTTON      | 30 FLAGLER STREET, MORRISTOWN NJ 07960 |
| 4. JUDY BAYARD         | 37 OVERLOOK ROAD, MORRISTOWN NJ 07960  |
| 5. JOAN BELZ           | 30 ERSKINE ROAD, MORRISTOWN NJ 07960   |



## **GAS-POWERED LEAF BLOWER REFORM ORDINANCE**

Be It Enacted by the Town of Morristown, County of Morris:

### **Preamble**

**WHEREAS**, in 2014, the Town Council adopted revisions to the Noise Code (Chapter 3.1) to restrict the use of power tools, home maintenance tools, landscaping and/or yard maintenance equipment by property owners, tenants and contractors between the hours of 8:00pm and 8:00am on weekdays and between 6:00pm and 9:00am on weekends, as a measure to address excessive noise issues and improve quality of life of residents in Morristown, and

**WHEREAS**, in 2021, the Town Council adopted revisions to the Noise Code (Chapter 3.1 and 3.33) that further restricted the use of power tools, home maintenance tools, landscaping and/or yard maintenance equipment for non-residential operators (Contractors) between the hours of 6:00 pm and 8:00 am on weekdays and between 6:00pm and 9:00am on weekends. The ordinance further established a maximum permissible sound level during the day (7am-10pm) of 65 decibels and at night (10pm – 7am) of 50 decibels to further improve the quality of life of residents in Morristown; and

**WHEREAS**, as a result of the Covid 19 pandemic, many more residents work from home and require quiet indoor environments to conduct business. Children also require quiet indoor environments to conduct school work; and

**WHEREAS**, the vast majority of gas-powered leaf blowers have noise levels of 70 – 105 decibels, measured at 50-feet from the blower. Gas-powered leaf blowers also emit low frequency sounds which travel up to 800 feet and penetrate walls and windows, which violate the Noise Code; and

**WHEREAS**, the 2-stroke engine in gas-powered leaf blowers combine gasoline and oil, which results in emissions of significant amounts of greenhouse gases. The California Air Resources Board calculated that 1 hour of peak use of gas-powered leaf blowers is equivalent to the greenhouse gas emissions of driving 1,100 miles in a mid-sized sedan; and

**WHEREAS**, while gas-powered leaf blowers are most effective in moving large quantities of wet and dry leaves, which is required during the Fall clean-up periods, lower power electric and battery powered leaf blowers can efficiently move cut grass, trigs, mulch, soil and other light debris, which is needed to maintain quality landscaping over the spring and summer months, without imposing excessive noise and air emissions on neighboring property owners.

**NOW, THEREFORE BE IT ORDAINED**, by the Town Council of the Town of Morristown, County of Morris, and State of New Jersey, being the governing body thereof, that Chapter 3-33 Landscaping Equipment and Construction Noise is amended to include new sections d. and e., as follows:

- d. Gas-powered leaf blowers shall not be operated in any zoning district where residential land uses are permitted on a residential, commercial, industrial or public (e.g., parks, athletic courts and fields) property, by a residential property owner or tenant or by nonresidential operators (e.g. commercial operators, including public employees) between **January 1 and September 31 of each year**. These seasonal restrictions will be in place beginning on January 1, 2024.
- e. There shall be no exemptions on the prohibition on seasonal use of gas-powered leaf blowers.

**BE IT FURTHER ORDAINED** if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

**BE IT FURTHER ORDAINED**, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**BE IT FURTHER ORDAINED**, this Ordinance shall take effect on January 1, 2024, upon passage and publication in accordance with law.