

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GLENDALE,
CALIFORNIA AMENDING TITLE 8 OF THE GLENDALE MUNICIPAL CODE TO ADD
CHAPTER 8.50 PROHIBITING THE USE OF GAS-POWERED LEAF BLOWERS**

WHEREAS, gas-powered leaf blowers emit high levels of air pollutants, including oxides of nitrogen (NOx), reactive organic gases (ROG), and particulate matter (PM), contributing to the formation of ozone and climate change (California Assembly Bill No. 1346 effective July 1, 2022); and

WHEREAS, the State Legislature has also recognized that gas-powered small off-road engines, such as those used in leaf blowers produce periodic noise that can be disruptive to the City's quiet residential neighborhoods, especially when it occurs in the early morning or late night hours and; and

WHEREAS, the toxic pollutants from gas-powered leaf blowers and other gas-powered landscaping equipment are known to cause health issues including dizziness, asthma attacks, headaches, and heart and lung disease for both operators and bystanders; and

WHEREAS, the quality of life in the City of Glendale can be affected by air contamination and noise experienced by those who live, work, and recreate within the City; and

WHEREAS, on June 27, 2023, the City Council approved the replacement of the City's gas-powered landscape maintenance equipment with zero emission battery-powered equipment for all City facilities to achieve Green Zone Certification; and

WHEREAS, the City of Glendale desires to protect the health, safety and welfare of its residents, and the environment through the regulation of gas-powered leaf blowers in the community.

**THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
GLENDALE:**

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Title 8 of the Glendale Municipal Code is hereby amended to add Chapter 8.50 entitled "Gas-Powered Leaf Blowers" as follows:

CHAPTER 8.50 GAS-POWERED LEAF BLOWERS

8.50.010 Definitions.

8.50.020 Prohibition on use of gas-powered leaf blowers.

8.59.030 Education Program.

8.50.040 Enforcement.

8.50.010 Definitions.

The following words and phrases, shall, for the purpose of this chapter have the meanings respectively ascribed to them in this section unless otherwise noted:

“Landscape maintenance business owner” means the owner or operator of any business that operates machines, tools, devices or equipment used for landscaping or gardening, including, but not limited to, domestic power tools, such as lawnmowers, lawn blowers, portable engines or motor powered equipment, electrical tools, compressors, chippers, chain saws, hand tools such as hammers, saws, large equipment such as tractors, trailers, flat-beds, forklifts, or cranes.

“Leaf blower” means a machine, powered by a gasoline engine or electric motor, which uses a concentrated stream of air to blow, displace, or vacuum leaves, grass clippings, dirt, and/or other debris or material.

8.50.020 Prohibition on use of gas-powered leaf blowers.

Commencing July 1, 2025, it is unlawful for any person to operate or authorize the operation of a gas-powered leaf blower at any time for any purpose. Notwithstanding the preceding sentence, the person responsible for any violation of this subsection shall be limited to a landscape maintenance business owner, or property owner. Use of gas-powered leaf blowers is exempt from this section as follows:

- A. When utilized by or at the direction of emergency responders for the purposes of responding to an emergency, or necessary to restore, preserve, protect or save lives or property from imminent danger of loss or harm.
- B. When used to clear downed trees or vegetation in areas needing expedient clearance when necessary to protect public safety.

8.50.030 Education Program.

Prior to the commencement of enforcement of these regulations the City will conduct a public outreach and education program in order to inform residents and businesses about the gas-powered leaf blower regulations, the availability of electric leaf blower alternatives, and available rebate and incentive programs.

8.50.040 Enforcement.

- A. Administrative fines, penalties and costs may be imposed as follows, subject to Chapter 1.24 of the Glendale Municipal Code (Administrative Enforcement Remedies), which includes, among other applicable provisions and procedures, service of notice of violation (GMC section 1.24.050), authority to inspect (GMC Section 1.24.060), administrative citations (GMC section 1.24.190), administrative citation fines; assessment and amounts (GMC section 1.24.220), (GMC section 1.24.330) administrative costs, administrative civil penalties enforcement order (1.24.350).
- B. Enforcement shall be suspended prior to July 1, 2025, or until the end of any extended public education program authorized by the city manager.
- C. Written notice of violation of this chapter shall be served on the property owner or landscape maintenance business owner by either First-Class mail, or by personal service as specified in GMC section 1.24.050 (Service of Notice).
- D. A property owner or landscape maintenance business owner in violation of this ordinance shall be subject to the following:
 - 1. A written warning notice containing a request for voluntary compliance. If the property owner or landscape maintenance business owner receiving a warning notice does not voluntarily comply within thirty (30) calendar days of being served with a written notice of violation, the property owner or landscape maintenance business owner will be subject to an administrative fine of \$100 for the 1st violation , \$200 for the 2nd violation, and \$500 for the 3rd violation.
 - 2. An administrative fine shall be due and payable to the city within thirty (30) calendar days from the date the written notice of violation is served. Failure to timely pay a fine will result in the assessment of penalties and related costs, assessed daily at a rate of 7 percent per annum of the outstanding amount of the fine and late fees, if any, which interest shall be calculated from the thirty (30) days after the first billing, or from the date the order becomes final, whichever is later. The City may collect any unpaid fine, including the late fees pursuant to GMC section 1.24.100 (Collection of unpaid fines, penalties, and related costs), which unpaid fines or penalties and their related costs arising from administrative citations, administrative civil penalties actions or other administrative enforcement actions as provided by this code shall be a debt to the city and subject to all remedies for debt collection allowed by law.

3. A property owner or landscape maintenance business owner who receives a written notice of violation pursuant to this Chapter may request an administrative enforcement hearing pursuant to the procedures set forth in GMC section 1.24.110 (Administrative enforcement and appeal hearings).

SECTION 3. Compliance with California Environmental Quality Act

The City Council hereby finds that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It is found with certainty that there is no possibility this regulatory amendment prohibiting gas-powered leaf blowers will have a significant negative effect on the environment. Contrarily, the amendment will have a positive effect on the environment by reducing noise and air pollutants, including greenhouse gas emissions.

SECTION 4. SEVERABILITY.

This ordinance is adopted under the authority of the Charter of the City of Glendale and State law. If any section, subsection, clause or phrase is declared invalid or otherwise void by a court of competent jurisdiction, it shall not affect any remaining provision hereof. In this regard the City Council finds and declares that it would have adopted this measure notwithstanding any partial invalidity hereof.

SECTION 5. EFFECTIVE DATE.

This ordinance shall take effect thirty (30) days after the date of its passage.

Passed and adopted by the Council of the City of Glendale on the ____ day of _____, 2023.

Mayor

Attest:

City Clerk

DRAFT

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF GLENDALE)

I, Dr. Suzie Abajian, City Clerk of the City of Glendale, certify that the foregoing Ordinance No. _____ was adopted by a majority vote of the Council of the City of Glendale, California, at a regular meeting held on the ____ day of _____, 2023, and that same was adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk