



## CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

### AGENDA ITEM

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Report: Introduction of an Ordinance Banning the Use of Gas-Powered Leaf Blowers

1. Ordinance for Introduction.

### COUNCIL ACTION

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**Item Type:** Action Item

**Approved for** July 25, 2023 **calendar**

### EXECUTIVE SUMMARY

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City Council directed staff to prepare an ordinance banning the use of gas-powered leaf blowers within the City.

The proposed ordinance will:

1. Ban the use of all gas-powered leaf blowers in the City by property owners and landscaping maintenance business owners, and by City employees, except during emergencies for clearance.
2. Hold property owners or landscape maintenance businesses accountable for any code violations.
3. Include a two-year education period before enforcement begins and require staff to report back to City Council after year 1 of the outreach program.

Staff has also identified a consultant to conduct ordinance education and developed a rebate program for Glendale residents and businesses.

## COUNCIL PRIORITIES

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Not applicable.

## RECOMMENDATION

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That City Council adopt an ordinance banning the use of gas-powered leaf blowers.

## BACKGROUND

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At the February 28, 2023, meeting, City Council directed staff to prepare an ordinance banning the use of gas-powered leaf blowers with a two-year education period before enforcement. Council also directed staff to work with a consultant to conduct education and develop a rebate program.

On October 10, 2022, staff presented to the City Council seeking direction on whether to investigate a ban on the use of gas-powered small-off road engines (SOREs) and the scope of such a ban if the City Council wanted to pursue a ban. (Exhibit 1).

City Council directed staff to investigate a ban on the use of gas-powered two-stroke engines, share an overview of how to enforce a ban, explore the development of an incentive program, and form an outreach and education campaign.

The investigation of a ban on the use of gas-powered landscaping equipment and SOREs is due to the environmental and community impacts of such equipment. SOREs are [highly polluting engines](#)<sup>1</sup> emitting oxides of nitrogen (NOx), reactive organic gases (ROG), and blowing up particulate matter (PM). One hour of lawn mower use emits as much smog-forming pollution as a 2017 Toyota Camry driving 300 miles, and one hour of leaf blower use is equivalent to driving 1,100 miles<sup>2</sup>. Equipment use impacts the health of operators, such as asthma and hearing loss. Thus, [Assembly Bill 1346 \(AB1346\)](#)<sup>3</sup>, bans the sale of gas-powered SOREs, spark-ignition engines rated at or below 19 kilowatts like landscaping equipment, golf carts, and airport equipment, in 2024. Additionally, many cities in California, such as South Pasadena, Berkeley, and Pasadena, [ban the use of gas-powered leaf blowers](#).

## ANALYSIS

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### Ordinance

The gas-powered leaf blower ban would have a separate chapter in the Glendale Municipal Code under Title 8. The proposed place is Title 8 Chapter 8.50.

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<sup>1</sup> <https://ww2.arb.ca.gov/resources/fact-sheets/sore-small-engine-fact-sheet>

<sup>2</sup> California Air Resources Board Small Off-Road Engines (SORE) fact sheet

<sup>3</sup> [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB1346](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1346)

The ordinance bans the use of gas-powered leaf blowers by any property owner or landscape maintenance business owner, as well as by City employees, within the City. The only exemption is by emergency responders during an emergency response.

Following review of the proposed ordinance, the Sustainability Commission recommended focusing enforcement on property and homeowners. Staff recommends including landscape maintenance business owners in addition to homeowners. However, City Council can direct staff to modify the ordinance so enforcement is directed only at property owners, or Council can expand the prohibition to include “any person”, which would include tenants and also employees of a landscape maintenance business or employees of a home or business owner.

Following a two year gas-powered leaf-blower ban public education program, the ordinance authorizes enforcement through issuance of an initial written warning notice served on the property owner or landscape maintenance business owner, and a request for voluntary compliance. If voluntary compliance is not achieved following the warning notice, and a second violation occurs, fines will be imposed as follows: 1st citation - \$100, 2nd citation- \$200, and 3rd citation- \$500. This fine schedule is based on the Ambient Noise Level (GMC 8.36.050) fine schedules the Citywide Fee Schedule (Section IV- Community Development, Section 6: Administrative Citations).

The ordinance would not go into effect until July 2025, nearly two years after passage. During that period, staff would undertake an education program informing residents and businesses of the gas-powered leaf blower ban.

### **Ordinance Enforcement**

Code Enforcement is currently implemented on a complaint driven basis; inspectors do not drive around the City searching for violations. The Council may direct enforcement of the ban on gas-powered leaf blowers to remain complaint driven, or direct proactive inspection. . If the Council direction is to undertake proactive enforcement, at least two additional code enforcement inspectors and up to two 2 additional city vehicles would be needed to implement a proactive enforcement model.

### **Education**

The proposed education program would be a two-year, multi-channel awareness and education program undertaken by an experience consultant (Exhibit 1), which includes of the development:

- Flyers,
- a webpage,
- social campaign,
- webinars, and

- in-person demonstration events.

The aim of the education program is to educate residents and businesses about the gas-powered leaf blower ban, electric landscaping alternatives, and electric landscaping equipment rebates and incentives. Staff recommends providing City Council a progress report after year 1 of the education program.

## **Rebates and Incentives.**

### **State Rebates and Incentives**

Before the passage of AB 1346, rebates and incentives were available through local Air Quality Management Districts (AQMD). The South Coast (SCAQMD) has a Commercial Electric Lawn & Garden Equipment Exchange program where participants can receive up to an 85% discount on electric landscaping equipment in exchange for turning in gas-powered equipment<sup>4</sup>. The Commercial Lawn & Garden Battery Buy-Down Rebate Program is open, and businesses can receive a rebate of up to 75% off the cost of the replacement battery for electric lawn and garden equipment previously funded by that Program.

In November 2022, the CARB announced \$27 million in voucher funds for professional landscape services operated by small businesses and sole proprietors to purchase discounted zero-emission landscaping equipment through the Clean Off-Road Equipment Voucher Incentive Project (CORE)<sup>5</sup>. \$10 million was available until May 2023 for micro businesses, and the remaining \$17 million will open for small businesses. To access these vouchers, landscaping businesses need to purchase equipment from a California CORE-approved dealer. The closest dealers are located in Burbank, La Crescenta, Pasadena, and Los Angeles.

For residential incentives, SCAQMD has a residential rebate program to obtain an electric lawn mower<sup>6</sup>. Residents can turn in their gasoline lawn mowers to an approved dismantler and receive a rebate to purchase a new battery-operated electric lawn mower.

### **City of Glendale Rebate Programs**

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<sup>4</sup> <http://www.aqmd.gov/home/programs/community/electric-lawn-and-garden-programs/lawn-and-garden-equipment>

<sup>5</sup> <https://ww2.arb.ca.gov/news/point-sale-vouchers-now-available-small-business-landscape-professionals-purchase-discounted>

<sup>6</sup> <http://www.aqmd.gov/home/programs/ommunity/electric-lawn-and-garden-programs/electric-lawn-mower-rebate-program>

Glendale Water and Power (GWP) incorporated an electric leaf blower rebate as part of their Smart Home Rebates program budget for FY 2023-2024. It consists of a \$40 rebate, if purchasing an electric leaf blower outside of Glendale, and a \$50 rebate, if purchasing within Glendale.

Any electric leaf blower is eligible for the rebate. It is for both Residential and Commercial GWP customers. Rebates are issued in the form of a bill credit.

## **STAKEHOLDERS/OUTREACH**

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Staff connected with six cities to learn about their experiences and stages of implementing a similar ordinance. Staff also connected with the American Green Zone Alliance (AGZA) to share their experience of cities implementing a similar ordinance, as well as Community Services and Parks staff on their experience transitioning to electric landscaping equipment.

At the City Council meeting in October 2022, eight members of the public provided comments on the item - the majority in support of a ban on gas-powered leaf blowers. An electric landscaping equipment demonstration event in partnership with AGZA was held on February 23, 2023. Information about this event and the California CORE's voucher program was distributed to local business groups, local landscaping businesses, and community organizations, and shared with other cities to promote. It was posted on social media, included in newsletters, and posted in local community points around Glendale and California CORE-approved dealers. Staff also invested in digital marketing campaigns for this event and cold-called landscaping businesses and community groups for event promotion.

At the February 28, 2023, City Council meeting five speakers provided public comments, with three individuals in favor of a ban. Staff also received an email from a member of the public voicing their support for a gas-powered leaf blower ban.

Staff presented an informational item on the proposed gas-powered leaf blower ban to the Sustainability Commission at their July 2023 meeting. The Commission was generally in support of the ordinance. They recommended focusing fines and enforcement on the property owner, not landscape maintenance businesses, and recommended leveraging the MyGlendale app for the community to report violations, and also recommended that fees be doubled with each violation.

## **FISCAL IMPACT**

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### **Rebate Program**

The electric leaf blower rebate program is included in GWP's FY 23-24 Smart Home

Rebate program budget.

## **Code Enforcement**

Code enforcement is set to begin in 2025, about two years after the education and outreach phase is over. If the Council directs proactive enforcement of the ban, additional code enforcement staffing resources will be requested with the FY 2025-26 Budget. Anticipated future enforcement costs include two new vehicles (one time cost), and two new Assistant Code Compliance Inspectors, fully burdened each position is \$91,670 annually.

## **Outreach Costs**

The estimated cost to hire a consultant to do the education program is \$20,000. This cost will be absorbed within the Management Services FY 2023-24 budget.

## **ENVIRONMENTAL REVIEW (CEQA/NEPA)**

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The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §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 proposed ordinance will have a positive effect on the environment by reducing pollutants and greenhouse gas emissions, and noise.

## **CAMPAIGN DISCLOSURE**

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This item is exempt from campaign disclosure requirements.

## **ALTERNATIVES**

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1. Not introduce the ordinance.
2. Direct staff to modify the ordinance.
3. City Council may choose any other alternative not recommended by staff.

## **ADMINISTRATIVE ACTION**

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### **Prepared by:**

Elizabeth Harris, Administrative Associate

### **Approved by:**

Roubik R. Golanian, P.E., City Manager

## **EXHIBITS/ATTACHMENTS**

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## Exhibit1: Education Program RFP