

GAS POWERED BLOWERS

(Insert in new Sustainability Chapter or existing Environmental Chapter)

Ordinance #

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER __ SECTION __, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED PHASED TRANSITION TO CLEAN AND QUIET LEAF MANAGEMENT

"Interpretive Statement"

This Ordinance will prohibit the use of gas-powered leaf blowers within the Township of West Orange seasonally and then fully within a designated time period.

WHEREAS, the science has shown that the noise, particulate matter, gas and oil released unburned, and the fumes from burnt fuel are dangerous to all residents and landscape workers. The use of gas-powered blowers has been directly linked to hearing loss, cancers, dementia, cardiac disease and acute stress. According to the National Academy of Science published in National Institute of Health (NIH) gas powered blowers emit a *“cocktail of gasses, solids, and liquid particles”* with small particulate matter being of the most concern. *“Particles may also afflict the brain via the bloodstream...The immune system can react to particles in the lung or bloodstream, too, triggering widespread inflammation that affects the brain.”* and

WHEREAS, The World Health Organization states noise by gas-powered leaf blowers is from 102 - 115 decibels. The EPA & National Institute for Occupational Safety & Health states that noise levels above 85 decibels are harmful.

WHEREAS, the same noise, fuels, particulate matter, and high velocity winds damage and destroy animal, bird and insect habitats disrupting nature and adversely impacting the health of our pets causing respiratory and other health issues; and

WHEREAS, the EPA states that operating a gas-powered leaf blower for one hour equals the emissions of driving a gas-powered car 1100 miles.

WHEREAS, leaving leaves in landscape beds wherever possible is essential to the survival of beneficial insects;

WHEREAS, mulching leaves and grass clippings provides natural fertilizer to lawns and beds;

WHEREAS, the Township wishes to continue to strengthen its commitment to public health, wellness and environmental sustainability and believes that the proposed amendments will help achieve greater equity and public health; and

WHEREAS, commercial grade battery powered leaf blowers have become more readily available and accessible; and

WHEREAS, the Township believes that the passage of this ordinance will more clearly reflect the needs and values of the West Orange community.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of West Orange, County of Essex, State of New Jersey that:

Definitions:

Electric powered leaf blower shall mean a piece of equipment powered by an electric motor used in yard maintenance.

Gas-powered leaf blower shall mean a piece of equipment powered by a two-stroke or four-stroke engine using gasoline or a mixture of gasoline and oil blend as fuel and used primarily for but not exclusively to blow grass clippings and debris, leaves, dirt, etc. often used in yard and lawn maintenance.

Turbine blower commonly referred to as a “Buffalo Blower” shall mean a piece of equipment that is connected to a small tractor, golf cart or other vehicle and is intended to maintain large parcels of land. It shall be used only on golf courses.

Transition Phases;

1. The use of gas-powered leaf blowers, except a turbine blower, shall be prohibited within the Township of West Orange on residential, commercial and township properties in two phases:

Phase I: Gas powered leaf blowers may be permitted March 15 through April 30, 2024; and October 15 through November 30, 2024.

Phase II: Beginning January 1, 2025, gas-powered blowers shall be prohibited anywhere in the township for any reason.

2. All leaf blowers shall be prohibited from use in the application of chemicals or products to treat bug or insect infestation.
3. No more than one gas-powered blower may be used on a residential lot at the same time during Phase I. Hours of usage for blowers shall be:
 - Monday through Friday 8:00 a.m. to 5:00 p.m.
 - Saturdays 9:00 a.m. to 5:00 p.m.
 - Sunday use is prohibited.

4. A turbine blower, is permitted between May 1st and September 30th of each year, on the golf courses only where they are currently in use as follows:

Monday through Friday 8:00 a.m. to 5:00 p.m.

Saturdays 9:00 a.m. to 5:00 p.m.

Sunday use is prohibited.

Penalties;

Violation fines apply to both the property owner and contractor:

a) First Offense \$ 500.00

b) Second Offense \$ 1,000.00

c) For a third or subsequent offense \$1,500.00 and loss of license to work within the Township of West Orange.

Exemptions;

In the event of a weather emergency or other emergent circumstances, the Township Emergency Management Coordinator shall be permitted to modify the restrictions of this Ordinance.

Compliance Notifications;

To ensure compliance with this ordinance, all landscapers working within the township shall be registered by March 15, 2024 with the Township of West Orange. Said list of authorized landscapers shall be posted on the Township website.

Severability;

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Repeal of Prior Ordinances;

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

Effective Date;

This Ordinance shall take effect on January 1, 2024 after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title at a meeting of the Township Committee of the Township of West Orange, held on

This Ordinance shall take effect upon final passage and publication as required by law.

Adopted:

_____ Tammy Williams, Council President

Approved:

_____ Susan McCartney, Mayor

FIRST READING:

SECOND READING: