

**AN ORDINANCE AMENDING CHAPTER 21, SECTION ___ OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 21 of the Revised General Ordinances of the
Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to prohibit the use of gas-powered leaf blowers within the Township seasonally and then fully on January 1, 2026. The Township has determined that health and well-being of residents and workers and the overall climate supports the provisions herein.

**II. CHAPTER 21, SECTION ___ ENTITLED DEFINITIONS BE AND IS HEREBY
AMENDED AS FOLLOWS:**

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.

**III. CHAPTER 21, SECTION ___ e ENTITLED PROHIBITED CONDUCT BE AND IS
HEREBY AMENDED AS FOLLOWS:**

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 as follows:

1. Gas Powered Leaf Blowers may be permitted March 15 through April 30, 2024; and October 1 through December 31, 2024.
2. Gas Powered Leaf Blowers may be permitted March 15 through April 30, 2025; and October 1 through December 31, 2025.
3. Effective January 1, 2026, Gas-Powered Leaf Blowers shall be prohibited anywhere in the Township for any reason.
4. All Leaf Blowers shall be prohibited from use in the application of chemicals or products to treat bug or insect infestation.

5. Hours of usage for Leaf Blowers shall be subject to the same limitations as set forth in the Township of West Orange Municipal Code § 4-4.2(f).

6. Turbine blowers shall be permitted within the Township.

IV. CHAPTER 21, SECTION _____ ENTITLED EXCEPTIONS BE AND IS HEREBY AMENDED TO ADD AS FOLLOWS:

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.

V. CHAPTER 21, SECTION _____ ENTITLED PENALTIES BE AND IS HEREBY AMENDED TO ADD AS FOLLOWS:

Fines for violation of this Ordinance shall be applicable to both the property owner and any contractor doing work in the Township and shall be fixed by Resolution.

VI. CHAPTER 21, SECTION _____ BE AND IS HEREBY AMENDED TO ADD AS FOLLOWS:

Landscaper Registry

All landscapers working within the Township shall be required to register with the Department of Public Works no later than March 15, 2024 and renewed annually thereafter. A list of registered landscapers shall be accessible on the Township website. The fee for registration shall be fixed by Resolution.

VII. CHAPTER 21, SECTION _____ BE AND IS HEREBY AMENDED TO ADD AS FOLLOWS:

Violations and Penalties:

As of the effective date of this Chapter through and including December 31, 2025, any person or entity violating the provisions of this Chapter shall be fined as follows, and the violator may be subject to a loss of license to perform work within the Township of West Orange:

A. First Offense: Written warning

B. Second Offense: \$100

C. Third Offense: \$200

Beginning January 1, 2026, any person or entity violating the provisions of this chapter shall be fined as follows, and the violator will be subject to a loss of license to perform work within the Township of West Orange:

A. First Offense: \$500

B. Second Offense: \$1,000

C. Third Offense: \$1,500

VIII. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IX. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such determination shall only apply to those specific section(s), paragraph(s), subparagraph(s), clause(s) or provision(s) and those parts shall be severed. The invalidity thereof shall not affect the remaining parts of this Ordinance which shall be deemed valid and effective..

IX. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN McCARTNEY, MAYOR

**BILL RUTHERFORD
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.,
MUNICIPAL CLERK**

INTRODUCED: December 19, 2023

ADOPTED: January 9, 2024

Approved as to form on the basis of facts provided.

Legislative History

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, West Orange has determined that landscaping workers require an amendment to protect and promote the health and well-being of such workers; and

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 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 generates new soil and 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 and leaf sweepers have become more readily available, accessible and affordable; and

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