

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 28 OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE TO
ADD A SECTION AND ARTICLE REGARDING USAGE OF LEAF BLOWERS
WITHIN THE TOWNSHIP**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY, that Chapter 28 of the Revised General Ordinances of the Township of West Orange be and is hereby amended as follows:

I. PURPOSE

This purpose of this Ordinance is to limit the use of gas-powered leaf blowers within the Township of West Orange and to promote a transition to the exclusive use of electric and battery-operated blowers on all properties within the Township whether privately or Township-owned.

ARTICLE II: USAGE OF LEAF BLOWERS WITHIN THE TOWNSHIP OF WEST ORANGE

§ 28-12—DEFINITIONS

Air Quality Action Day: An air quality action day is called when the ozone and/or particulate matter forecasts reach an Air Quality Index (AQI) of orange (unhealthy for sensitive groups), red (unhealthy), or maroon (very unhealthy).

Electric-Powered Leaf Blower: A device powered by a battery or plug-in electricity, used in yard maintenance.

Gas-Powered Leaf Blower: A device powered by a two or four stroke engine using gasoline or a gasoline-oil mixture, primarily used for blowing grass clippings, debris, leaves, and dirt in yard and lawn maintenance.

Leaf Blowers: Gas or electric-powered leaf blowers.

Turbine Blower: (commonly referred to as a "Buffalo Blower"): A piece of equipment attached to a small tractor, golf cart, or other vehicle, and shall only be permitted pursuant to this ordinance only golf courses.

Lot: A designated parcel tract of land established in the record as of local and county registers of deed by plat, deed, subdivision, zoning lot of record, or as otherwise permitted by law.

§ 28-13—LIMITATION ON LEAF BLOWERS

The use of gas-powered leaf blowers, except for turbine blowers, is prohibited within the Township of West Orange on residential, commercial, and Township-owned properties, subject to the following conditions:

1. Gas-powered leaf blowers may be used from April 15 to May 15, 2025, and from October 30 to December 15, 2025. Effective January 1, 2026, the use of gas-powered blowers shall be prohibited throughout the Township.
2. Leaf blowers shall not be used for the application of chemicals or products to treat insect or pest infestations.
3. Gas-powered blowers shall not be used for gutter cleaning or snow clearing.
4. No gas or diesel generators may be utilized to power any electric leaf blowers at any time.
5. Leaf blowers shall not be operated on designated "air quality action days" as designated by the New Jersey Department of Environmental Protection and declared by the Township's Emergency Management Coordinator.
6. The hours of operation for all leaf blowers shall be limited to:

Weekdays: 8am to 5pm

Weekends: 10am. to 5pm.

7. The use of turbine blowers shall be restricted to lots in excess of 15 acres. The prohibition of using turbine blowers for the application of chemicals to treat bug or insect infestation is banned.

§28-14—EMERGENCIES

The Emergency Management Coordinator has the authority to suspend one or more provisions of this chapter for up to 24 hours if they determine an emergency exists in the Township. This suspension can be extended daily for as long as the emergency continues.

§28-15—ENFORCEMENT

This ordinance will be enforced by the Zoning Official and/or their designee. To report a violation, individuals should email ZoningOfficial@westorange.org with a time-stamped photo showing the violation, along with any relevant details such as equipment, company truck, and the incident's address, date, and time. The Zoning Official and/or their designee will then issue a summons to both the homeowner and the landscaper. If the summons is disputed or not paid, a court date will be scheduled.

Deleted: Code Enforcement Officer

Deleted: Officer

Penalties for violations:

- First Violation: Written warning issued to both homeowner and landscaping company
- Second Violation: \$200 fine issued to both homeowner and landscaping company
- Third Violation: \$500 fine issued to both homeowner and landscaping company

After three violations by the same landscaping company, that company shall be suspended from working in West Orange for one year. Each violation shall be considered a separate offense.

§ 28-16—LAWN CARE REGISTRY

To ensure compliance with this ordinance, all lawn care businesses operating within the Township must be registered with the Township. A list of authorized businesses will be posted on the Township's website. This registry will be formalized by resolution.

II. SEVERABILITY

If any part of this Ordinance is found to be invalid, the judgment will apply only to that specific section, paragraph, subparagraph, clause, or provision, and the remainder of the Ordinance will remain valid and in effect.

III. REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances inconsistent with this chapter are hereby repealed.

IV. EFFECTIVE DATE

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

SUSAN McCARTNEY, MAYOR

JOE KRAKOVIAK,
COUNCIL PRESIDENT

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

INTRODUCED:

ADOPTED:

Legislative History

Science has shown that the noise, particulate matter, gas and oil fuel mixture being released unburned, and the fumes from burnt fuel are hazardous to the health of the workers, residents, particularly seniors and children and those with respiratory conditions, causing hearing loss and potential cancers, hypertension, cardiac disease, and increased stress levels. The practice of blowing leaves and other debris for property maintenance has unintended environmental and health consequences that disrupt and destroy animal, bird, insect and pollinator habitat, including adversely impacting the respiratory health of our pets. The Township wishes to continue to strengthen its commitment to public health and wellness and environmental sustainability and believes that the proposed amendments will help achieve greater equity and public health as well as quality of life. Commercial-grade battery-powered leaf blowers have become more readily available. The Township believes that the passage of this ordinance will more clearly reflect the needs and values of the West Orange community.