

ORDINANCE 606

AN ORDINANCE OF THE TOWN OF LOS ALTOS HILLS ADDING CHAPTER 9 “LEAF BLOWERS” TO TITLE 5 “PUBLIC WELFARE, MORALS AND CONDUCT” OF THE LOS ALTOS HILLS MUNICIPAL CODE REGULATING THE USE OF LEAF BLOWERS

WHEREAS, the Town of Los Altos Hills (“Town”) does not presently regulate the use of leaf blowers; and

WHEREAS, the Town’s noise ordinance, codified in Title 5 Chapter 2 of the Town of Los Altos Hills Municipal Code, does not specifically regulate the noise produced by leaf blowers; and

WHEREAS, noise from leaf blowers can have a significant adverse impact on the public health, safety, and general welfare of Town residents; and

WHEREAS, at a regular City Council meeting, on February 17, 2022, the City Council discussed the possibility of regulating gas-powered leaf blowers in the Town by establishing specific hours of operation and noise limits, and subsequently moved to bring this item to the Town’s Environmental Initiatives Committee (EIC) for further review; and

WHEREAS, on April 28, 2022, the City Council received a recommendation from the EIC to consider adoption of an ordinance regulating leaf blowers; and

WHEREAS, on August 18, 2022, the City Council received a staff report on the use of leaf blowers in the Town and heard potential options for regulating their use as well as the impacts of those options; and

WHEREAS, on August 18, 2022, after receiving comments from the public, the City Council directed staff to draft an ordinance regulating leaf blower use for consideration by Council; and

WHEREAS, the City Council now finds that it is in the interest of the Town and its residents to preserve the quality of life in the Town and to protect the public health, safety, and general welfare by minimizing the noise impacts caused by all models of leaf blowers by restricting their use to certain permitted times and certain noise levels; and

WHEREAS, the City Council finds that the most effective way to reduce the noise impact caused by leaf blowers in the Town is to adopt an ordinance amending the Town’s Municipal Code prohibiting the operation of any leaf blower that exceeds a noise level in excess of sixty-five (65) dB measured at a distance of 50 feet as specified by the American National Standards Institute (ANSI) standard B175 for leaf blowers; requiring that leaf blowers may only be operated during specified days and times; and adopting enforcement measures;

WHEREAS, the ordinance will go into effect on January 1, 2024 to allow the public and Town time to transition to the use of leaf blowers that would be compliant with the ordinance.

NOW, THEREFORE, the City Council of the Town of Los Altos Hills does hereby ordain as follows:

SECTION I. AMENDMENTS TO THE MUNICIPAL CODE.

Title 5 of the Los Altos Hills Municipal Code is amended to add the following Chapter:

CHAPTER 9. LEAF BLOWERS

5-9.01 Definitions

As used in this chapter:

Decibel (dB) means the unit of measurement for sound pressure level.

Leaf Blower means any gas-powered or battery-powered portable machine used to blow leaves, dirt and other debris off sidewalks, driveways, lawns or other surfaces.

Public holiday means the following holidays:

New Years Day (January 1st)

Memorial Day (the fourth Monday in May)

Independence Day (July 4th)

Labor Day (the first Monday in September)

Thanksgiving (the fourth Thursday in November)

Christmas (December 25th)

5-9.02 Permitted Days and Times for Use of Leaf Blowers

No person may use or operate any leaf blower in the Town except between the hours of 8:00 a.m. to 5:30 p.m. Monday through Saturday. The use or operation of leaf blowers is not permitted at any time on Sundays and Public Holidays.

5-9.03 Noise Restriction

- a. Notwithstanding Title 5, Chapter 2 of this Code, no person shall operate any leaf blower that exceeds a noise level in excess of sixty-five (65) dB measured at a distance of 50 feet as specified by the American National Standards Institute (ANSI) standard B175 for leaf blowers. This violation will need to be observed by the Town's Code Enforcement Officer or his or her designee.

- b. All leaf blowers shall carry the manufacturer's sticker certifying sixty-five (65) dB compliance, or in the alternative must be certified by the Planning Director or their designee.
- c. No person shall make any modification to the muffler or the manufacturer's noise suppression system of a leaf blower after certification, as defined in subsection (b).

5-9.04 Violations and Penalties

Each violation of the provisions of this chapter shall constitute a public nuisance and shall be subject to abatement as such.

SECTION II. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The Ordinance is categorically exempt from CEQA pursuant to the general rule in 15061(b)(3) of the CEQA Guidelines that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This Ordinance does not have the potential for causing a significant effect on the environment. The additions to the Municipal Code relate only to the hours and days when leaf blowers may be used, as well as the permissible noise level of leaf blowers.

SECTION III. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional the remainder of this ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council of the Town of Los Altos Hills hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION IV. EFFECTIVE DATE AND PUBLICATION.

This ordinance shall become effective on January 1, 2024. Within fifteen days after the passage of this ordinance, the City Clerk shall cause this ordinance or a summary thereof to be published once, with the names of those City Councilmembers voting for or against it in a newspaper of general circulation in the Town of Los Altos Hills, as required by law.

INTRODUCED: November 17, 2022


PASSED: December 15, 2022

AYES: Mayor Tyson, Vice Mayor Swan, Councilmembers Mok, Schmidt and Tankha

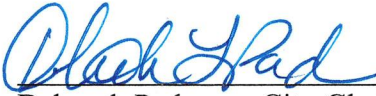
NOES: None

ABSTENTIONS: None

ABSENT: None

BY: 
George Tyson, Mayor

ATTEST:


Deborah Padovan, City Clerk

APPROVED AS TO FORM:


Steve Mattas, City Attorney

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