

ATTACHMENT B
MEMORANDUM: LANDSCAPE EQUIPMENT AD HOC COMMITTEE OF THE
ENVIRONMENTAL ADVISORY COMMISSION (FEBRUARY 9, 2021)

MEMORANDUM

To: Environmental Advisory Commission Chair Rossman
From: Landscape Equipment Ad Hoc Committee (Commissioners Cobleigh, Glenn and Vallante)
Subject: Ad Hoc Committee Recommendations
Date: February 9, 2021

In 2019, the Landscape Equipment Ad Hoc Committee was formed to conduct research and determine if the City should consider restrictions on leaf blowers and other types of landscape equipment. The Ad Hoc Committee has conducted research, held a public forum, and reviewed comments from members of the public. We prepared the following recommendations for consideration by the Environmental Advisory Commission (EAC) and ultimately the Public Safety Committee of the City Council.

We recommend that the City seek to regulate lawn equipment for the following reasons:

- 1) The Ad Hoc Committee has heard concerns about air quality, noise and GHG emissions resulting from leaf blowers and other types of landscape equipment using two-stroke engines.
- 2) With more people working from home during the global pandemic, noise pollution has become increasingly disruptive to quality of life.
- 3) Lawn equipment emissions are expected to surpass vehicle emissions in the near future.
- 4) The California Air Resources Board is looking into regulations at the manufacturing level.
- 5) Technological advances can now make it possible to utilize non-gas-powered landscape equipment.

As such, our recommendation is that the City develop the appropriate policy to implement change. To support this effort, we recommend that staff time be dedicated to:

- 1) Conduct citywide polling to define the “problem” (i.e., noise, air pollution, greenhouse gas emissions).
- 2) Research public health department records pertaining to code enforcement, existing enforcement measures, and the department’s willingness to take up more responsibility with changes to policy.
- 3) Reach out to other cities in the vicinity of Pasadena to examine their policies and determine how effective they have/have not been, especially for the landscape maintenance community.
- 4) Conduct outreach with the landscaping community (e.g., those who have permits to work in the City) to determine potential fallouts from policy changes.
- 5) Create an education campaign about appropriate landscaping for the climate (consistent with water use reduction goals in the Water System Master Program)

Attachments:

1. Historical summary
2. California City policies
3. Equipment Engine Hazards Summary
4. Public Forum Presentation
5. Written Letters
6. Public Comment Cards
7. Public Forum Transcript

YEAR-BY-YEAR PROCEDURAL HISTORY OF THE CITY OF PASADENA'S LEAF BLOWER ORDINANCE –
PMC 9.37.030 (See ATTACHMENT 1)

1987

05/14/1987

LA Times: "Pasadena: Leaf-Blower Ordinance"

<https://www.latimes.com/archives/la-xpm-1987-05-14-ga-8965-story.html>

05/28/1987

LA Times: "Leaf Blowers May Be Banned in Pasadena"

<https://www.latimes.com/archives/la-xpm-1987-05-28-ga-3280-story.html>

2000

Agenda Report

REVISED REPORT

TO: CITY COUNCIL

DATE: OCTOBER 16, 2000

Through Business Enterprise Committee

FROM: CYNTHIA J. KURTZ, CITY MANAGER

SUBJECT: DIRECT CITY ATTORNEY TO PREPARE AN ADMENDMENT TO PASADENA
MUNICIPAL CODE CHAPTER 9.37 REGARDING LEAF BLOWING MACHINES

RECOMMENDATION:

It is recommended that the City Council direct the City Attorney to prepare an amendment to Chapter 9.37 of the Pasadena Municipal Code regarding leaf-blowing machines that will:

1. Change the earliest time when a leaf blower may be used in a residential district from 7:30 am to 8:00 am, with hours of use between 8:00 am and 6:00 pm.

Weekend use will remain unchanged from 9:00 am to 5:00 pm on Saturdays, and use will be prohibited on Sundays;

2. Limit the hours of use in a commercial area, if the leaf blower is used within 500 feet of a residential district, to between 8:00 am and 6:00 pm on weekdays, 9:00 am to 5:00 pm on Saturdays, and use to be prohibited on Sundays;

3. Lower the maximum noise level allowable to 65 decibels from 70 decibels, when the leaf blower is measured from a site 50 feet away; and

4. Assign primary responsibility to the Pasadena Public Health Department for the administration and enforcement of the Leaf Blowing Machines Ordinance and authorize the Pasadena Public Health Department to issue administrative citations of the Leaf Blowing Machine Ordinance after notice has been given.

EXECUTIVE SUMMARY

It is recommended the City Council approve amendments to Chapter 9.37 of the Pasadena Municipal Code, regarding leaf-blowing machines, adopted in 1987. The proposed changes to the ordinance will further reduce the public nuisance created by leaf blowers to residents and to improve the ease of enforcement by Public Health Department city staff. The proposed amendments will restrict the use of a leaf blower by changing the hours and locations a leaf blower may be used and lowering the allowable maximum noise level.

At the City Council meeting held on February 14, 2000, the City Council recommended that the Agenda Report be forwarded to the Business Enterprise

Committee for consideration. Staff presented the report to the BEC on June 14. Staff again met with the BEC on October 4th and made several changes to the original recommendation related to the use and enforcement of leaf blowers. State legislators are sponsoring three assembly bills that may affect municipal ability to regulate the use of leaf blowers in their communities. If one or more of the three assembly bills is adopted, existing ordinances that ban the use of leaf blowers may no longer be enforceable; however, those existing local ordinances that only impose use restrictions related to noise and hours of use, similar to Pasadena's ordinance, will not be affected.

BACKGROUND

Business Enterprise Committee Discussion

At the City Council meeting held on February 14, 2000, the City Council recommended that the Agenda Report be forwarded to the Business Enterprise Committee for consideration. On June 14, staff presented the report to the BEC for the need to amend the Leaf Blowing Machines Ordinance. The BEC discussed the proposed ordinance changes and, subsequently, a letter was sent to El Centro de Accion for their comments on the amendments. Staff was requested to return to the BEC at a future date on items that were discussed. At the October 4th meeting of the BEC, staff recommended several changes:

1. Staff recommended that the distance between a commercial and residential property be increased to 500 feet, for a leaf blower to be used on a commercial property during after-hours. The BEC requested staff to re-evaluate the 200-foot distance requirement in consideration of multiple use projects planned for the City. Cities with similar ordinances (Palo Alto and Los Angeles) require a distance of 500 feet between commercial and residential properties for a leaf blower to be used during after-hours. Staff concurred that increasing the distance between residential and commercial properties to 500 feet would further reduce the noise level during after-hours. The 500-foot distance requirement would also be consistent with the City's Noise Ordinance, which requires construction-type equipment (jackhammer, forklift, cement mixer, etc.) be restricted during after-hours if within 500 feet of a residence.

2. Staff recommended deleting the recommendation requiring landscape gardeners to display their current business license stickers on their vehicles that would identify them as having met all Business License and Health Department requirements. Chapter 504.030 of the Pasadena Municipal Code already requires businesses to have license stickers on service industry vehicles (landscape gardening, carpet cleaning, pest control and retail food sales); retail and wholesale delivery vehicles; taxicabs, junk and solid waste collection vehicles. Staff recommended to the BEC that the need for new regulation was not needed at this time.

3. Staff recommended deleting the recommendation requiring the employer of a landscape gardener to assist the Public Health Department in notifying the gardener that a complaint was received. The use of the administrative citation process already holds landscape gardeners and property owners responsible for violating City codes. Staff recommended to the BEC that the need for new regulation was not needed and other remedies to correct violations can be used to ensure compliance by both property owners and landscape gardeners.

Ordinance Background

Currently, the City has in place a Leaf Blowing Machines Ordinance, which requires the user of a powered leaf blower to comply with the following restrictions:

(1) Leaf blowers may only be used in residential areas between the hours of 7:30 am and 6:00 pm during weekdays, from 9:00 am to 5:00 pm on Saturdays, and are prohibited on Sundays;

(2) Leaf blowers are not to be used for more than 15 minutes per hour on residential parcels of less than 1/2 acre or more than 30 minutes per hour on parcels greater than 1/2 acre; and

(3) Leaf blowers are required to be tested annually by the Public Health Department to ensure the noise level from the equipment does not exceed 70 decibels when measured from a location 50 feet away. A permit sticker is affixed on the leaf blower by city staff identifying that it has passed inspection and complies with the established noise standard. Landscape gardeners doing business in Pasadena are required to obtain a leaf blower permit from the Public Health Department before a business license is issued. During FY 1999, a total of 150 leaf blower permits were issued to individuals using leaf blowers in the City. The ordinance is enforced by the Public Health Department, based on complaints from residents. Use of leaf blowers in neighborhoods gives rise to complaints by residents. Today, many cities have imposed some restrictions on leaf blower use related to noise and time of use and 20 California cities have prohibited the use of leaf blowers altogether.

In Los Angeles County, the cities of Beverly Hills, Claremont, Hermosa Beach, Lawndale, Los Angeles, Malibu, Santa Monica, South Pasadena, and West Hollywood prohibit the use of leaf blowers by gardeners. Some cities regulate leaf blower use do so by restricting their hours of use or the maximum noise level from a leaf blower, or both.

There are three State Assembly bills now being considered that will affect cities' ability to regulate the use of leaf blowers in their communities:

1. **Assembly Bill 1609 (Cardenas)** would allow a city to establish a noise limitation on leaf blowers that cannot be less than 65 decibels. AB 1609 would also prohibit a city from banning the use of a leaf blower, except between the hours of 6:00 pm and 8:00 am on weekdays and between 5:00 pm and 9:00 am on weekends.

2. **Assembly Bill 1544 (Grandlund)** would require a city that proposes to adopt an ordinance banning the commercial use of leaf blowers to contract with an independent entity to perform an assessment of the economic impact on property owners and businesses of the proposed ordinance. The bill also requires that an ordinance adopted on or before January 1, 2000, that bans the use of leaf blowers,

may not be enforced unless the ordinance was adopted in compliance with the bill or unless it was enacted by the electors of a city.

3. **Assembly Bill 1267 (Polanco)** would prohibit a city from banning or restricting the commercial use of leaf blowers between January 1, 2000 and December 31, 2001. The bill would authorize the electors of a city, on or after January 1, 2002, to enact a prohibition on the commercial use of leaf blowers by initiative. If one or more of the three bills is adopted, existing ordinances that ban the use of leaf blowers may no longer be enforceable; however, those existing city ordinances that only impose use restrictions related to noise and hours of use, similar to Pasadena's ordinance, will not be affected.

PROPOSED ORDINANCE CHANGES

Changes to the City of Pasadena's leaf blower ordinance are being proposed to reduce further the public nuisance created by leaf blowers to residents, and to improve the ease of enforcement by Public Health Department staff. In addition, technology has improved so that it is easier for leaf blower machine users to reduce noise output levels.

Change in Hours of Use

The current ordinance allows a leaf blower to be used at any time on a commercial property, regardless if the property is adjacent to a residential property. Commercial property owners would be affected by this change because maintenance personnel will not be allowed to use a leaf blower to maintain their properties during after-hours. Owners of commercial property located within 500

feet of a residential property will only be able to use a leaf blower on weekdays between 8:00 am and 6:00 pm and between 9:00 am and 5:00 pm on Saturdays. Leaf blower use on commercial properties would be prohibited on Sundays if within 500 feet of a residential property. Hours of use in a residential district is between 8:00 am and 6:00 pm, and 9:00 am to 5:00 pm on Saturdays.

Change in Decibel Noise Level

As the result of consumer demand for quieter leaf blowers, gardening equipment companies are already meeting the 65 decibels noise standard. A gardener using a late-model leaf blower will be required to purchase a new leaf blower or modify the existing leaf blower to meet the reduced noise level standard. It is anticipated that lowering the maximum noise level from 70 decibels to 65 decibels will not have a significant economic impact on most landscape gardeners. Since 1987, the Public Health Department has allowed leaf blower owners to install a governor on the machines, to control the noise level, thereby avoiding purchase of a new leaf blower. Governors are effective in limiting the maximum noise level from leaf blowers, because they are permanent and cannot be easily adjusted by the user without removing them. The majority of gardeners have chosen to install governors on their leaf blowers to comply with the ordinance and the estimated one-time cost of the device to the gardener is \$30.00. To comply with the proposed 65-decibel noise level, the owner of a leaf blower with an existing governor could adjust the position of the governor so that the 65-decibel noise standard can be met without having to purchase a new leaf blower. The cost of a new leaf blower is approximately \$350.00.

FISCAL IMPACT

There are no changes being proposed which affect Business License or Health Department fees and charges.

Respectfully submitted CYNTHIA J. KURTZ

Prepared by:

Mel Lim, Division Manager

Environmental Health Division

City Council Minutes 2-14-2000, Regular Meeting. Minutes reflect that the proposed ordinance amendments (see # 10, above) were not voted on; instead, the matter was sent to the "Business Enterprise Committee" for review of "potential impacts on local businesses." (No vote recorded; this action was taken by "consensus" of council)

City Council Minutes

October 16, 2000 Regular meeting

DIRECT THE CITY ATTORNEY TO PREPARE AN AMENDMENT TO PASADENA MUNICIPAL CODE CHAPTER 9.37 REGARDING LEAF BLOWING MACHINES

Recommendation of City Manager: It's recommended that the city council direct the city attorney to prepare an amendment to chapter 9.37 of the Pasadena municipal code regarding leaf blowing machine that will:

1. Change the earliest time when a leaf blower may be used in a residential district from 7:30 am to 8:00 am with hours of use between 8:00 am and 6:00 pm. Weekend use will remain unchanged from 9:00 am to 5:00 pm on Saturdays and use will be prohibited on Sundays;
2. Limit the hours of use in a commercial area, if the leaf blower is used within 500 feet of a residential district, to between 8:00 am and 6:00 pm on weekdays, 9:00 am to 5:00 pm on Saturday,
3. Lower the maximum noise level allowable to 65 decibels, from 70 decibels, when the leaf blower is measured from a site 50 feet away; and
4. Assign primary responsibility to the Pasadena Public Health Department for the administration and enforcement of the Leaf Blowing Machine Ordinance and authorize the Pasadena Public Health Department to issue administrative citations of the leaf blowing machine ordinance after notice has been given.

Vice Mayor Crowfoot, Chair of the Business Enterprise Committee introduced this item and reported on the committee review and discussion and commended city staff for their work on this issue.

Mr. Mel Lim, Environmental Health Division Manager, provided a brief background on the leaf blower ordinance, summarized the report and responded to questions.

Vice Mayor Crowfoot clarified the definition of 'commercial' uses includes non-residential uses.

The city manager noted staff would outreach to inform the public and commercial users of new regulation through In-Focus, Chamber of Commerce, business associations and inserts in utility bills.

It was moved by Vice Mayor Crowfoot, seconded by Councilmember Little to approve the city managers recommendation. Motion unanimously carried. Absent: None

2008

4/7/2008 – REGULAR MEETING OF CITY COUNCIL

Public Safety Committee – Noise Restrictions Ordinance

Recommendations from the City Manager

- (1) Find that the amendments to Chapter 9.36 of the Pasadena Municipal Code (Noise Restrictions Ordinance) outlined in the agenda report are exempt from review under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) pursuant to State CEQA Guidelines Section 15061(c) (amendments do not change the noise levels allowed in the City, and thus there is no potential significant effect), and Section 15323 (the amendments do not allow increased noise levels at existing facilities for public gatherings).
- (2) Direct the City Attorney's Office to return in 60 days with an ordinance to amend Chapter 9.36 of the Pasadena Municipal Code by: (a) adding an interior noise standard; (b) deleting all references to Noise Districts; (c) adding noise exemptions; and (d) re-formatting the ordinance to enhance its accessibility to the general public.

Discussion:

- Councilmember Margaret McAustin reported that the Committee had asked staff to make every effort to ensure that City equipment and operations comply with the noise ordinance and the City's efforts to be a more environmentally friendly City, in spite of the exemption for the City provided under the ordinance.
- Focus of discussion was on use of amplified sound on private property, complications related to adding a requirement for a permit for amplified sound on private property, and **noise issues involving leaf blowers**.
- Councilmember Sidney Tyler suggested staff review the **leaf blower ordinance** as this relates to noise issues and ensuring compliance with the ordinance by gardeners.

Motion:

- Carried unanimously that **staff will review the leaf blower ordinance and present a report** to the Public Safety Committee at a future meeting.

7/14/2008 – REGULAR MEETING OF CITY COUNCIL

Nothing related to noise discussed; only approval of past meeting minutes

7/21/2008 – SPECIAL MEETING OF CITY COUNCIL

Conduct first reading of “an ordinance of the City of Pasadena Amending Title 9, Chapter 9.36 of the Pasadena Municipal Code to add an interior noise standard, noise exemptions and various format changes”

The City Attorney noted that, after the first reading of the above ordinance was conducted on July 14, 2008, it was discovered that the language on Page 8 of the ordinance, Section 9.36.110 should be revised to read: “B. Prima facie violation: Any noise level exceeding the ambient base level at the property line of any property (or, if a condominium or apartment house, within any adjoining apartment) by more than 5 decibels is deemed to be prima facie evidence of a violation of the provisions of this section.” She also noted that the deleted language was covered by Specific noise standards language pertaining to multifamily residential property contained in Section 9.36.060 on Page 6 of the ordinance. She confirmed that the ordinance should be re-introduced for first reading with this revision.

7/28/2008 – REGULAR MEETING OF CITY COUNCIL

Adopted an ordinance of the City of Pasadena amending Title 9, Chapter 9.36 of the Pasadena Municipal Code to add an interior noise standard, noise exemptions and various format changes. ORDINANCE NO. 7150 (See Attachment 2)

8/4/2008 – REGULAR MEETING OF CITY COUNCIL

Council Comments:

- Councilmember Tyler commented on the South Coast Air Quality Management District’s leaf blower exchange program for professional gardeners/landscapers, and urged local participation by local gardeners/landscapers.
- The City Manager noted that the program was being promoted through the efforts of Ann Erdman, the City’s Public Information Officer, and fliers were being sent to the City’s licensed gardeners/landscapers.
- Councilmember McAustin suggested the City monitor local demand for the exchange program in the event that the City might want to underwrite this effort, if this is called for by local demand.

2009

02/09/2009 – REGULAR MEETING OF CITY COUNCIL

Public Safety Committee

Approval of plan and incentives to reduce noise and environmental impacts of Leaf Blowers in Pasadena (See Attachment 3)

Recommendation of City Manager

- (1) Approve the Public Health Department plan to reduce noise and environmental impacts of leaf blowers in Pasadena through enhanced training, community outreach, and increased enforcement of the existing leaf blower ordinance; and

(2)

Discussion:

- Dr. Takashi Wada, Director of Public Health Department reviewed the report and answered questions.

- Problems with the enforcement of the leaf blower ordinance and methods for increasing the number of licensed gardeners in the City.
- William Kimura, Acting Environmental Health Division Manager, responded to questions regarding the leaf blower enforcement process.
- City Manager discussed the various City entities that are involved in addressing complaints from the public regarding leaf blowers and the goal to consolidate this code enforcement under one entity.
- Councilmember Tyler stressed the need for staff to update Council on the results of the increased enforcement efforts, and the need to promote the incentive program to the public.
- Councilmember McAustin reported on the Public Safety Committee's discuss of the need to inform property owners of the responsibilities to be met by their gardeners.
- **Nancy Sagatelian**, Pasadena resident, spoke in support of the elimination of leaf blowers.

Motion:

- Carried unanimously to approve the City Manager's recommendation, with the understanding that an update report on the plan's effectiveness would be presented to Council in .

2/9/2009 MEETING OF CITY COUNCIL

Leaf Blower Enforcement

Staff reported as follows:

Current Certification Process

The Public Health Department's Environmental Health Division conducts the certification of leaf blowers. The current annual Public Health Department certification fee charged to professional gardeners is \$61 and gardeners must certify their leaf blowers on an annual basis. Approximately \$6,000 in annual certification fees is generated from nearly 100 licensed professional gardeners operating in the City of Pasadena. The certification process consists of a trained Environmental Health Technician conducting a sound test of the leaf blower machine to evaluate noise levels, a demonstration of the acceptable maximum noise levels for the particular leaf blower(s) being used, a review of the current regulations related to leaf blower operation and brief instruction on the preferred technique for using a leaf blower. Upon certification, the gardener can proceed to the Business License Division for an annual business license. The cost of the business license for gardeners in Pasadena is \$191.20 per vehicle.

Current Enforcement Process

Enforcement of the leaf blower ordinance is complaint driven. Noise complaints regarding leaf blowers received by the Environmental Health Division are computer logged and a City of Pasadena Health Inspector, trained in noise monitoring, is dispatched to investigate the complaint. The Health Inspector is usually successful in locating the offending gardener if the times of operation reported on the complaint are accurate.

Upon locating the gardener identified in the complaint, the Health Inspector requests proof of current business license and leaf blower certification. In these situations, the gardeners are usually unlicensed and operate uncertified leaf blowing equipment. If a violation is observed, a written notice is issued to the gardener to certify the leaf blower and to secure a business license within a specified number of days. A sound test is conducted at the complaint site and is noted on the written notice as a noise and/or business license violation. Health Department staff then follows up with the Business Services Section to verify compliance. Other common violations are operating before or after the allowed times or the high speed blowing of debris into the air affecting the air quality of the surrounding area. Currently, there are no monetary citations being issued by Health Department staff to gardeners using leaf blowers in violation of the Pasadena Municipal Code. The City's Business Services Section also separately enforces business licensing requirements for gardeners using their own inspection staff.

In most of these cases, follow-up compliance has been successful. Once non-licensed gardeners are identified and leaf blowers are certified, repeat noise complaints at the same location are rare. Many of these gardeners are not aware of the time restrictions and must be advised. Rarely, a second inspection is conducted for non-compliance and/or a hearing notice issued for second violations. One of the main challenges of enforcement and compliance is the fluidity of the gardening industry: turnover is high and new gardeners and gardening crews continually enter the Pasadena area.

Plan to Reduce Noise and Environmental Impacts of Leaf Blowers in Pasadena.

Staff has evaluated the components of the current leaf blower ordinance and no modifications are recommended to the ordinance. Several cities in California have instituted bans on the use of gas powered leaf blowers with success. Attachment B lists the cities that have banned leaf blowers and describes issues of enforceability of leaf blower bans. Although there is increasing availability of low noise and low emission leaf blowers, along with incentives for their purchase, an outright ban on standard gas powered leaf blowers could potentially have an impact on the cost of both public and private landscaping maintenance. In addition, a ban could lead to increases in water usage as an alternative to using leaf blowers. As an alternative to a complete ban on leaf blowers, the Pasadena Public Health Department proposes the following measures to reduce noise and environmental impacts of leaf blowers:

1. Enhance training and community outreach.

The certification process has been successful in showing gardeners how to properly operate their leaf blowing equipment and experience has shown that repeat complaints are reduced dramatically when the gardeners are appropriately trained. The Environmental Health Division will provide enhanced individual or group training to the professional gardeners in coordination with the Stilh Company, which has offered their assistance. The Southern Coast Air Quality Management District (AQMD) currently works with leaf blower manufacturers that produce low noise and low emission gas engine leaf blowers and offers discount incentives to professional gardeners willing to switch out old equipment. The AQMD also provides discount incentives to municipal Public Works Departments that purchase the new equipment. The Public Health Department will increase awareness of these programs amongst the public and professional gardeners through community outreach and during training sessions.

2. Formalize enforcement through citations and fines.

The Environmental Health Inspectors are being trained in enforcement of health ordinances and regulations and staff will be ready to issue citations upon approval of this plan. If a professional gardener is caught operating without a valid business license, using an uncertified leaf blower or violating the noise ordinance, a \$100 infraction citation will be issued to the violator. Within one calendar year, subsequent citations to the same violator will result in a \$200 fine on the second offense and a \$500 fine for each offense thereafter. The monetary citation process will spread the news within the professional gardening community that the Public Health Department is actively penalizing operators who violate the Pasadena Municipal Code. Based on past experience and discussions with other jurisdictions, stricter enforcement should result in a noticeable reduction in the amount of leaf blower complaints and increase compliance with the certification and business licensing process. Implementation of a complaint driven system of enforcement can be incorporated into the existing scope of work of the Environmental Health Inspectors. Additionally, the Public Health Department plans to conduct periodic sweeps throughout the community similar to the process currently used for street vendor monitoring.

3. Authorize incentive payments not to exceed the amount of the annual business license tax paid for any gardener evidencing use of a low-emission, low-noise leaf blower.

As an incentive to improve the air quality and reduce leaf blower noise levels in the City of Pasadena, staff recommends that an incentive payment equivalent to the cost of an annual business license fee be issued to gardeners who use low-emission, low-noise leaf blowers. A list of leaf blower models that meet industry criteria for low-emission and low-noise standards will be maintained by the Public Health Department. Machines will be inspected and qualified for the incentive program during the annual certification process.

FISCAL IMPACT:

The enhanced training, outreach and enforcement of the leaf blower ordinance can be accomplished utilizing existing Health Department staff capacity, but will have a nominal cost that will be absorbed by the Health Department budget. Increases in compliance with the certification and business licensing process will generate additional revenue for the city and help to offset the costs of enforcement. There is a potential loss of revenue to the general fund as a result of the incentive program. This impact to the City general fund would be dependent upon the number of gardeners who take advantage of the new incentive program by switching to low-emission, low-noise leaf blowers. The proposed incentive payment is equivalent to the cost of an annual business license for gardeners, currently \$191.20. There would be a nominal cost related to developing and marketing the incentive program.

Respectfully submitted Michael J. Beck City Manager

William Kimura, MA REHS Acting Environmental Health Division Manager

Heidi ET Petersen Leach, MPA

Pasadena Municipal Code

Title 9 PUBLIC PEACE, MORALS AND WELFARE*

Chapter 9.37 LEAF-BLOWING MACHINES

Chapter 9.37 LEAF-BLOWING

9.37.010 Declaration of policy

9.37.020 Definitions.

9.37.030 Prohibition.

9.37.040 Certificate of compliance to be filed with department of finance.

9.37.050 Public health department certification.

9.37.060 Responsibility for enforcement.

9.37.010 Declaration of policy.

It is declared to be the policy of the city to prohibit unnecessary, excessive and annoying noise, airborne dust and noxious fumes caused by the use of leaf blowers, pursuant to the city's police powers. (Ord. 6845 § 1, 2000: Ord. 6227 § 1 (part), 1987)

9.37.030 Prohibition.

A. It is unlawful for any person to use or to operate, or cause to be operated any type of leaf-blowing machine or device within a residential area before 8:00 am and after 6:00 pm, Monday through Friday; before 9:00 am and after 5:00 pm on Saturday; or at any time on Sunday.

B. It is unlawful for any person to use or allow to be used, or to operate or cause to be used or operated any type of leaf-blowing machine or device in the city within a radius of 500 feet of a residential area before 8:00 am and after 6:00 pm, Monday through Friday; before 9:00 am and after 5:00 pm on Saturday; or at any time on Sunday.

C. It is unlawful for any person to use or operate, or cause to be used or operated, a leaf blower in such a manner as to blow, dispel or make airborne, leaves, grass cuttings, paper, trash or any other type of unattached debris or material, which, by use of the leaf blower, will intentionally cause such leaves, grass cuttings, paper, trash or any other type of unattached debris or material to become airborne or travel beyond the property boundaries of the parcel on which it is being used, to adjoining properties or public rights-of-way within the city, and to remain therefore more than 15 minutes.

D. It is unlawful to operate more than one leaf blower per parcel.

E. It is unlawful to operate a leaf blower for more than 15 minutes per hour on a parcel less than 1/2 acre, and for more than 30 minutes per hour on a parcel greater than ½ acre.

F. It is unlawful to operate a leaf blower with a maximum noise level of 65 decibels when measured from a distance of 50 feet. (Ord. 6845 § 3, 2000; Ord. 6227 § 1 (part), 1987)

9.37.020 Definitions.

As used in this chapter, unless the context otherwise indicates, the words and phrases used in this chapter are defined as follows:

A. “Leaf-blowing machine” means any device or air-blowing machine, gas or electric, which is designed or intended, by generating a concentrated stream of air, to blow, dispel, or make airborne, leaves, grass cuttings, paper, trash or any other type of unattached debris or material.

B. “Parcel” as used in this chapter, means that area of real property as defined by the county recorder. Contiguous parcels owned by the same individual or entity shall be considered one parcel for the purposes of this chapter.

C. “Residential area” as used in this chapter, means any property used in a manner defined as a residential use in Section 17.16.030 of this code. Sidewalks and streets adjacent to residential property shall be considered a “residential area” for purposes of this chapter.

D. “Person” as used in this chapter means one who uses, controls, employs or hires an individual to use a leaf blower, including but not limited to, the real property owner, a tenant, an individual holding a legal interest in the real property, or a person employed in the landscape gardening or property maintenance business. (Ord. 6845 § 2, 2000; Ord. 6227 § 1 (part), 1987)

9.37.040 Certificate of compliance to be filed with department of finance.

It is unlawful for any person to utilize a leaf blower without having on file a certificate of compliance with the health department attesting to their knowledge of leaf blower operation and that they will operate a leaf blower in a manner so as to minimize dust and noise, and that they will utilize and keep in good working condition the noise reduction equipment installed on their leaf blowers. (Ord. 6227 § 1 (part), 1987)

9.37.050 Public health department certification.

It is unlawful to use or operate a leaf blower within the city unless it is certified annually by the public health department. Upon certification, a department approved sticker shall be affixed on the leaf blower so as to be visible at all times the leaf blower is in use. (Ord. 6845 § 4, 2000: Ord. 6227 § 1 (part), 1987)

9.37.060 Responsibility for enforcement.

The public health department shall have responsibility for enforcement of this chapter. (Ord. 6845 § 5, 2000)

ATTACHMENT B

Cities with Leaf Blower Bans (population in parentheses)

Belvedere (2,500) Berkeley (105,000) Beverly Hills (32,000) Carmel (4,200) Claremont (50,000)

Del Mar (5,000) Indian Wells (3,300) Laguna Beach (24,000) Lawndale (29,000) Los Altos (28,000)
Malibu (12,000) Mill Valley (13,000) Piedmont (10,000) Santa Monica (90,000) Hermosa Beach
(18,600)

West Hollywood (36,700) Palo Alto (60,000) Sunnyvale (132,000)

This list is from www.nonoise.org/quietnet/cqs/other.htm#calbans

Success in Enforcement of Leaf Blower Bans

Pasadena Public Health Department staff spoke with staff from three cities to better understand the successful components of leaf blower bans:

- Leaf blower bans are reported as 90% to 95% percent effective.
- Enforcement is responsive to citizen complaints rather than proactive.
- New or new to the area commercial gardeners who are unaware of the leaf blower ban are the most likely offenders.
- Of cities with leaf blower bans, most are relatively small in population (50,000 or fewer residents).

- The number of complaints diminishes over time.
 - Leaf blower bans have been controversial in some jurisdictions.
 - A few cities have rescinded the more restrictive components of their ordinances.
-

2013

7/15/2013

Staff presented information to City Council in response to citizen complaints

CITY COUNCIL MEETING

September 16, 2013 REGULAR MEETING

LEAF BLOWER ORDINANCE (PMC 9.37) OPTIONS FOR CONSIDERATION (POWERPOINT PRESENTATION)

The following individuals spoke in opposition of the item:

Barbara Alvarez, San Dimas resident

Brandon Linz, Monrovia resident

Due to time constraints, the Committee agreed to delay the discussion on the item until the next Committee meeting. On the order of the Chair, and by consensus of the Committee, the public comment was received and filed.

City Council meeting

October 21, 2013

10/21/2013

Staff presented options for possible changes to ordinance

Staff was asked to undertake additional review of alternatives

LEAF BLOWER ORDINANCE (PMC 9.37) OPTIONS FOR CONSIDERATION

Liza Frias, Public Health Division Manager, provided a Power Point presentation providing information on several proposed options for the Committee to consider so as to minimize the negative impacts associated with the use of leaf blowers, and responded to questions.

Nancy Sagatelian, Pasadena Resident, commented on the need to control the dust particles in the atmosphere with the use of leaf blowers. Dr. Eric Walsh, Director of Public Health, informed the Committee that staff will discuss the issues raised regarding noise restriction enforcement, including the possibility that Code Enforcement personnel would monitor and enforce leaf blower noise levels, to determine the best way for the City to handle implementation of such restrictions, and responded to questions. Michael Beck, City Manager, explained that the Pasadena Municipal Code (PMC) pertaining to leaf blowers would be driven by complaint-based enforcement.

Councilmember Kennedy requested information on the cost of noise meters used to measure and monitor the noise of leaf blowers, as well as information on the environmental impacts in regards to the carbon emissions caused by leaf blowers, and the availability of battery operated leaf blowers

Following discussion, the Committee by consensus directed staff to report back with information on the possibility of certifying only those leaf blowers that can operate within the maximum 65 dB as required in the Pasadena Municipal Code (PMC), as well as requiring the use of electrical blowers for residential areas, which would include suggestions on a timeframe to allow for the transition from gas to electric leaf blowers, the pros and cons for limiting to only electric leaf blowers, and recommendations on how to amend the current PMC provisions to incorporate such changes

Public Safety Committee Minutes

December 16, 2013 Regular Meeting

LEAF BLOWER ORDINANCE (Pasadena Municipal Code Chapter 9.37) OPTIONS FOR CONSIDERATION

Nancy Sagatelian, Pasadena resident, stated her comments, questions, and concerns regarding the current Leaf Blower Ordinance, and submitted a letter regarding Review of Leaf Blower Regulations – Pasadena Municipal Code Chapter 9.37.

Due to time constraints, the Committee agreed to delay the discussion on the item until the next Committee meeting. On order of the Chair, and by consensus of the Committee, the public comment was filed.

2014

1/27/2014

Staff requested additional time

7/14/2014 – REGULAR MEETING OF THE CITY COUNCIL

Anne Altmark expressed concerns regarding the noise issues in her neighborhood involving leaf blowers, and asked the City to consider revising the leaf blower ordinance to require the use of electric leaf blowers. Altmark's comments were made during Public Comment, and can be heard on the audio-video archive at 10:24. She states she lives on So. Euclid near Mayfield School where blowing is 6 days a week; at the school grounds she hears blowing for 1 and ½ hrs at a stretch. She contacted the Environmental Division of the City Health Dept and was given a copy of the current laws, which state blowing cannot exceed 15 minutes. "It's non-stop on our block." She spoke to her own building's gardener and many other gardeners on her block, who "are all really nice guys" who told her their bosses simply hand them a device to "strap on their backs." She feels sorry for them. The ordinance was passed in 1987 ("and that's a long time ago") -- equipment has improved since then and there are electric blowers and electric lawnmowers available, "why can't we do something to get these companies" to use upgraded equipment? Complains that the sounds on constant blowing is "neurologically" damaging. "Raking is almost forgotten" these days, "but maybe we could do that." No immediate comments from city council, but when she finished, there was loud long applause from the audience.

In response to the public comment made by Ann Altmark regarding the leaf blower ordinance, Councilmember Masuda inquired about the status of the leaf blower issue. The City Manager indicated that staff will report back to the City Council in the near future and will contact the public speaker to further discuss her concerns.

12/15/2014 – REGULAR MEETING OF PUBLIC SAFETY COMMITTEE

Leaf Blower Ordinance & Discussion

- Liza Frias, Public Health Division Manager, Environmental Health Services, provided a presentation summarizing the agenda report and responded to questions (see Attachment #, page 34 through 52 of PDF).
- Matt Feaster, Management Analyst, Public Health, continued the presentation summarizing the risk assessment and health concerns for leaf blowers.
- Steve Mermell, Assistant City Manager, provided additional information on staff's recommendations, the frequency of leaf blower complaints, and potential impacts of banning leaf blowers that are used as part of City contracts and by City employees.
- Two Pasadena residents spoke: Ann Altmark and Nancy Sagatelian
- Councilmember Kennedy requested clarification on presentation (Page 9) related to emission factors of the push broom vs. the various types of leaf blowers.
- Steve Mermell said he will further review the study from which the data was gathered and will return to the Committee with more information.

- Steve Mermell outlined for the Committee the efforts taken by staff to address the concerns raised within the parameters of the ordinance.
 - Chair and Councilmember Masuda stated support for staff's recommendations to maintain current regulations.
-

2015

02/23/2015 – SPECIAL MEETING OF PUBLIC SAFETY COMMITTEE

Follow-Up Information Regarding Leaf Blowers

- Steve Mermell, Assistant City Manager, provided follow-up information requested at the December 15, 2014 Committee meeting in response to Councilmember Kennedy's request regarding the data source used by staff in the agenda report, provided information from a study entitled, "Determination Particulate Emission Rates from Leaf Blowers" from the Environmental Protection Agency, and responded to questions.
 - **Ann Altmark**, Pasadena resident, commented on the study presented at the December 15, 2014 meeting and stated her concerns regarding the use of leaf blowers.
 - Following discussion, the Committee decided that the information was received and filed.
-

2017

08/21/2017 – REGULAR MEETING OF CITY COUNCIL

During Public Comment, representatives of the South Coast Air Quality Management District informed City Council and the general public of the latest version of the AQMD's electric lawnmower and leaf blower exchange rebate program. (Audio-video archived at 16:40)

2019

3/18/2019 – LETTER TO MAYOR TORNEK

At the monthly meeting of the Pasadena Environmental Advisory Commission ("EAC") in May 2019, Mayor Terry Tornek asked to address the Commission during "public comment" time. He told the Commission that, sometime in the recent past when word got out that the Commission was considering the subject of gas-powered leaf blowers, a large number of representatives from the landscape equipment manufacturing sector had appeared at a City Council meeting to express alarm about the possibility of a "ban" on leaf blowers. Mayor Tornek warned the EAC that stiff opposition to any proposed ban should be anticipated, based on the aforementioned experience.

EAC Vice Chair Deborah Dentler then undertook a review of every City Council agenda and minutes for the 2-year period prior to May 2019, and found no sign of any public comments made on the topic of leaf blowers.

Dentler contacted the Mayor asking for his help identifying the public speakers he had referenced. Per the exchange below, it turns out there were no public speakers on the topic in the past two years. However, there was one letter sent to the Mayor in 2017 by an industry spokesperson.

On Sept. 7, 2019, EAC Dentler send Mayor Tornek the following email:

“Dear Mayor Tornek,

The Environmental Advisory Commission (EAC), of which I am vice chair, recently formed a committee to begin working on the topic you invited the EAC to study when you came before the EAC on May 28, 2019: gas-powered landscape equipment (mainly leaf blowers). I'm the chair of the new committee on Landscape Equipment, and we are just getting underway to study this topic. I'm writing to request information our committee would find helpful to have. I'll cc this email to the EAC chair and to the EAC's assigned staff person, Ariel Hudgins, in case she can help.

When you spoke to the EAC on May 28, 2019, you referred to a City Council meeting you chaired as Mayor, where, as you described it to us, representatives from landscape equipment manufacturers and other "stakeholders" on the issue of leaf blowers used public comment time to address City Council about their concerns that the Council was considering banning leaf blowers.

I'm hoping you can help me locate the date of that City Council meeting. Our committee would like to watch the video and hear what the comments were, and we'd like to make note of the names of the speakers so we can invite them to a possible future public meeting to be convened by the EAC (if the EAC decides to hold such a meeting) in the future.

Today I spent about an hour looking at the minutes of every City Council meeting held in 2018 and all the meetings held up to the date you addressed the EAC in late May 2019. It's possible I missed something, but read all the minutes under the section titled "Public Comment on Matters Not on the Agenda" -- and I could not find any public comments about gardening equipment in 2018/2019.

Do you recall what Council meeting you were referring to? Maybe the EAC misheard you, but we had the impression you were referring to a recent Council meeting where public comments were made, and I assumed that would have been either in late 2018 or early 2019.

Thank you,

Deborah Dentler

EAC Commissioner"

On Sept. 11, 2019, the Mayor replied to Dentler's email as follows:

"Dear Ms. Dentler –

Thank you for following through on the leaf-blower issue.

I am tmailing (sic) a package of material on past City Council actions over the years. There has been no recent activity except for a transmittal from an industry spokesman, also included in the package. Sorry if I created any confusion. Please keep me posted.

Terry Tornek"

A package sent by the Mayor to Deborah Dentler contained city documents dated 2000 to 2015.



City of Pasadena
Planning & Community Development Department
Code Compliance Division
175 N Garfield Ave. 3rd Floor Pasadena Ca 91101

LEAF BLOWER ORDINANCE

PMC 9.37.030

9.37.030 - Prohibition.

A. It is unlawful for any person to use or to operate, or cause to be operated any type of leaf-blowing machine or device within a residential area before 8:00 a.m. and after 6:00 p.m., Monday through Friday; before 9:00 a.m. and after 5:00 p.m. on Saturday; or at any time on Sunday.

B. It is unlawful for any person to use or allow to be used, or to operate or cause to be used or operated any type of leaf-blowing machine or device in the city within a radius of 500 feet of a residential area before 8:00 a.m. and after 6:00 p.m., Monday through Friday; before 9:00 a.m. and after 5:00 p.m. on Saturday; or at any time on Sunday.

C. It is unlawful for any person to use or operate, or cause to be used or operated, a leaf blower in such a manner as to blow, dispel or make airborne, leaves, grass cuttings, paper, trash or any other type of unattached debris or material, which, by use of the leaf blower, will intentionally cause such leaves, grass cuttings, paper, trash or any other type of unattached debris or material to become airborne or travel beyond the property boundaries of the parcel on which it is being used, to adjoining properties or public rights-of-way within the city, and to remain there for more than 15 minutes.

D. It is unlawful to operate more than one leaf blower per parcel.

E. It is unlawful to operate a leaf blower for more than 15 minutes per hour on a parcel less than 1/2 acre, and for more than 30 minutes per hour on a parcel greater than 1/2 acre.

F. It is unlawful to operate a leaf blower with a maximum noise level of 65 decibels when measured from a distance of 50 feet.

(Ord. 6845 § 3, 2000: Ord. 6227 § 1 (part), 1987)

Introduced by Councilmember Tyler

ORDINANCE NO. 7150

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 9, CHAPTER 9.36 OF THE PASADENA MUNICIPAL CODE TO ADD AN INTERIOR NOISE STANDARD, NOISE EXEMPTIONS AND VARIOUS FORMAT CHANGES

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and the corresponding costs of publication, will be published by title and summary as permitted by Section 508 of the City Charter. The approved summary of this ordinance reads as follows:

“SUMMARY

The subject ordinance, Ordinance No. 7150, adds a new interior noise standard and noise exemptions, sets forth a new appeal procedure for amplified sound registration permits, deletes references to noise districts, modifies the format of the current ordinance and makes various clerical changes to ensure the ordinance is more user-friendly. The new interior noise standards apply to multifamily residential property.

The noise exemptions will eliminate the need for the City Council to suspend the Noise Restrictions Ordinance for particular special events as was the practice in the past. This ordinance authorizes the City Manager to permit special events to generate noise levels up to the limits specified in the Noise Element of the City’s General Plan. The General Manager of the Rose Bowl would have a similar authority to permit events licensed by the Rose Bowl Operating Company.

The appeal process for a disapproved amplified sound registration permit has been modified to permit applicants to file a written appeal with the City Manager. Several of the definitions used in the ordinance have been clarified.

Ordinance No. 7150 shall take effect thirty (30) days after its Publication.”

SECTION 2. Chapter 9.36 of Title 9 of the Pasadena Municipal Code is hereby amended to read:

“Chapter 9.36

NOISE RESTRICTIONS

Sections:

9.36.010	Short title.
9.36.020	Declaration of policy.
9.36.030	Definitions.
9.36.040	Ambient noise level.
9.36.050	General noise sources.
9.36.060	Interior noise standard - multifamily residential property.
9.36.070	Construction projects.
9.36.080	Construction equipment.
9.36.090	Machinery, equipment, fans and air conditioning.
9.36.100	Motor driven vehicles and vehicle repairs.
9.36.110	Radios, television sets and similar devices.
9.36.120	Near schools, hospitals and churches.
9.36.130	Hawkers and peddlers.
9.36.140	Drums.
9.36.150	Animals and fowl.
9.36.160	Amplified sound on public property.
9.36.170	Exemptions.
9.36.180	Enforcement responsibility.
9.36.190	Violation – Penalty.

9.36.010 Short title.

This chapter shall be known as the “noise restrictions ordinance.”

9.36.020 Declaration of policy.

It is declared to be the policy of the city to prohibit unnecessary, excessive and annoying noises from all sources pursuant to its police power. Noise at certain levels is detrimental to the health and welfare of the general public. Consequently, it shall be systematically proscribed in the public interest.

9.36.030 Definitions.

As used in this chapter, unless the context otherwise clearly indicates, the words and phrases used in the ordinance are defined as follows:

A. "Ambient noise" means the all-encompassing noise associated with a given environment, being usually a composite of many sources near and far. For the purpose of this chapter, ambient noise level is the level obtained when the noise level is averaged over a period of 15 minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made. This value shall not include noise from occasional, or occasional and transient sources.

B. "A-weighted sound level" means the sound level in decibels as measured on sound level meter using the A-weighting network. The level so read is designated "dB(A)" or "dBA."

C. "Commercial purpose" means and includes the use, operation or maintenance of any sound amplifying equipment for the purpose of advertising any business, or any goods, or any services, or for the purpose of attracting the attention of the public to, or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition or event, or for the purpose of demonstrating such sound equipment.

D. "Decibel" means a unit measure of sound (noise) level. It is a unit for expressing the relative intensity of sounds on a scale from zero for the average least perceptible sound to about 130 for the average pain level; also a unit for expressing the ratio of two amounts of electric or acoustic signal power equal to 10 times the common logarithm of this ratio.

E. "Emergency work" means work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service.

F. "General noise" means noise from any source not specifically exempted in this chapter.

G. "Noncommercial purpose" means the use, operation or maintenance of any sound equipment for other than a commercial purpose. "Noncommercial purpose" means and includes, but shall not be limited to, religious, philanthropic, political, patriotic and charitable purposes.

H. "Property line" means the line that separates private property or the event from the public right-of-way.

I. "Sound amplifying equipment" means any machine or device for the amplification of the human voice, music or any other sound. "Sound amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. "Sound amplifying equipment," as used in this chapter, shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

J. "Sound level" (noise level), in decibels (dB) is the sound measured with the A weighting and slow response by a sound level meter.

K. "Sound level meter" means an instrument including a microphone, an amplifier, an output meter and frequency weighting networks for the measurement of sound levels which satisfies the pertinent requirements in American Standard Specifications for sound level meters S1.4-1971 or the most recent revision thereof.

L. Supplementary Definitions of Technical Terms. Definitions of technical terms not defined herein shall be obtained from the American National Standards Institute's Acoustical Terminology S1-1-1971 or any revision thereof.

9.36.040 Ambient noise level.

A. When "ambient noise level" is referred to in this chapter, it means the actual measured ambient noise level.

B. Any sound level measurement made pursuant to the provisions of this chapter shall be measured with a sound level meter using the A- weighting.

1. Where the sound alleged to be offending is of a type or character set forth below, the following values shall be added to the sound level measurement of the offending noise:

a. Except for noise emanating from any electrical transformer or gas metering and pressure control equipment existing and installed prior to the effective date of the ordinance codified herein, any steady audible tone: + 5;

- b. Repeated impulsive noise: + 5;
- c. Noise occurring more than 5 but less than 15 minutes per hour: - 5;
- d. Noise occurring more than 1 but less than 5 minutes per hour: - 10;
- e. Noise occurring less than 1 minute per hour: -20.

2. Values of subsections (B)(1)(c), (d) and (e) of this section shall be added to the sound level measurements during daytime (6 a.m.--11 p.m.) periods only.

9.36.050 General noise sources.

A. It is unlawful for any person to create, cause, make or continue to make or permit to be made or continued any noise or sound which exceeds the ambient noise level at the property line of any property by more than 5 decibels.

B. Notwithstanding any other provision of this chapter and in addition thereto it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

- 1. The level of the noise;
- 2. The intensity of the noise;
- 3. Whether the nature of the noise is usual or unusual;
- 4. Whether the origin of the noise is natural or unnatural;
- 5. The level and intensity of the background noise, if any;
- 6. The proximity of the noise to residential sleeping facilities;
- 7. The nature and zoning of the area within which the noise emanates;
- 8. The density of the inhabitation of the area within which the noise emanates;
- 9. The time of the day or night the noise occurs;

10. The duration of the noise;
11. Whether the noise is recurrent, intermittent or constant; and
12. Whether the noise is produced by a commercial or noncommercial activity.

9.36.060. Interior noise standard - multifamily residential property.

It is unlawful for any person to produce, suffer or allow to be produced on any multifamily residential property, sounds at a level in excess of those enumerated in Table No. 1 when measured inside any dwelling unit on the same property or twenty (20) feet from the outside of the dwelling unit in which the noise source or sources may be located.

TABLE NO. 1 – Interior Noise Standard

Time Interval	Interior Noise Standards (dBA)
7:00 a.m. to 10:00 p.m.	60
10:00 p.m. to 7:00 a.m.	50

9.36.070 Construction projects.

A. No person shall operate any pile driver, power shovel, pneumatic hammer, derrick power hoist, forklift, cement mixer or any other similar construction equipment within a residential district or within a radius of 500 feet therefrom at any time other than as listed below:

1. From 7:00 a.m. to 7:00 p.m. Monday through Friday;
2. From 8:00 a.m. 5:00 p.m. on Saturday;
3. Operation of any of the listed construction equipment is prohibited on Sundays and holidays.

B. No person shall perform any construction or repair work on buildings, structures or projects within a residential district or within a radius of 500 feet therefrom in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance at any time other than as listed below:

1. From 7:00 a.m. to 7:00 p.m. Monday through Friday;
2. From 8:00 a.m. to 5:00 p.m. on Saturday;
3. Performance of construction or repair work is prohibited on Sundays and holidays.

C. The prohibition against construction on Sundays and holidays as set forth in subsection B of this section shall not apply under either of the following conditions:

1. The construction is actually performed by an individual who is the owner or lessor of the premises and who is assisted by not more than two individuals;
2. The person performing the construction shall have provided the building official with a petition which indicates the consent of 65% of the households residing within 500 feet of the construction site and the unanimous consent of the households adjacent to the construction site. Said petition shall be on a form promulgated by said building official and shall be accompanied by a fee, the amount of which shall be established by resolution by the city council.

D. The prohibitions of this section shall not apply to the performance of emergency work as defined in Section 9.36.030.

E. For purposes of this section, holidays are New Year's Day, Martin Luther King Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, and Christmas.

9.36.080 Construction equipment.

It is unlawful for any person to operate any powered construction equipment if the operation of such equipment emits noise at a level in excess of 85 dBA when measured within a radius of 100 feet from such equipment.

9.36.090 Machinery, equipment, fans and air conditioning.

Except for emergency work, as defined in this chapter it is unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient noise level by more than 5 decibels.

9.36.100 Motor driven vehicles and vehicle repairs.

A. It is unlawful for any person within any residential area of the city to repair, rebuild or test any motor vehicle between the hours of 10 p.m. of one day and 8 a.m. of the next day in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance.

B. It is unlawful for any person to operate any motor driven vehicle within the city in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance; provided, however, any such vehicle which is operated upon any public highway, street, or right-of-way shall be excluded from the provisions of this section.

9.36.110 Radio, television sets and similar devices.

A. **Use restricted:** It is unlawful for any person within any residential zone of the city to use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of sound (between the hours of 10 p.m. of one day and 7 a.m. of the following day) in such a manner as to disturb the peace, quiet and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area.

B. **Prima facie violation:** Any noise level exceeding the ambient base level at the property line of any property by more than 5 decibels is deemed to be prima facie evidence of a violation of the provisions of this section.

9.36.120 Near schools, hospitals and churches.

It is unlawful for any person to create any noise on any street, sidewalk or public place adjacent to any school, institution of learning, or church while the same is in use or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of a school, church or hospital.

9.36.130 Hawkers and peddlers.

It is unlawful for any person within the city to sell anything by shouting outloud within any area of the city zoned for residential uses. The provisions of this section shall not be construed to prohibit the selling by yelling of merchandise, food and beverages at licensed sporting events, parades, fairs, circuses and other similar licensed public entertainment events.

9.36.140 Drums.

It is unlawful for any person to use any drum or other instrument or device of any kind for the purpose of attracting attention by the creation of noise within the city. This section shall not apply to any person who is a participant in a school band or duly licensed parade or who has been otherwise duly authorized to engage in such conduct.

9.36.150 Animals and fowl.

No person shall keep or maintain, or permit the keeping of, upon any premises owned, occupied or controlled by such person any animal or fowl otherwise permitted to be kept which, by any sound, cry, or behavior, causes annoyance or discomfort to a reasonable person of normal sensitiveness in any residential neighborhood.

9.36.160 Amplified sound on public property.

A. Purpose: The-city council enacts this section for the sole purpose of securing and promoting the public health, comfort, safety and welfare of its residents and visitors. While recognizing that the use of sound amplifying equipment is protected by the constitutional rights of freedom of speech and assembly, the Council nevertheless feels obligated to regulate reasonably the use of sound amplifying equipment in order to protect the correlative constitutional rights of the residents and visitors of this community to privacy and freedom from the public nuisance of loud and unnecessary noise.

B. Required registration: It is unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate within the city a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures or transmitting music to any persons or assemblages of persons in or upon any street, alley, sidewalk, park or public property without first filing a registration statement with the director of finance and obtaining approval thereof as set forth in this chapter.

C. Filing: Every user of sound amplifying equipment shall file a registration statement with the director of finance 10 days prior to the date on which the sound amplifying equipment is intended to be used, which statement shall contain the following information:

1. The name, address and telephone number of both the owner and user of the sound amplifying equipment;
2. The maximum sound-producing power of the sound amplifying equipment which shall include the wattage to be used, the volume in decibels of sound which will be produced, and the approximate distance for which sound will be audible from the sound amplifying equipment;
3. The license and motor number if a sound truck is to be used;
4. A general description of the sound to be amplified (speech, music, or both) and the sound amplifying equipment which is to be used;

5. Whether the sound amplifying equipment will be used for commercial or noncommercial purposes;

6. Location of fixed sound equipment, or general route where the sound truck will be used; and

7. Such other information as the director of finance may reasonably require.

D. Appeal process:

1. **Initial determination:** The director of finance shall return to the applicant an approved certified copy of the registration statement unless it is found that:

- a. The conditions of the motor vehicle movement are such that in the opinion of the police chief, use of the equipment would constitute a detriment to traffic safety; or
- b. The conditions of pedestrian movement are such that use of the equipment would constitute a detriment to traffic safety; or
- c. The registration statement required reveals that the applicant would violate the provisions set forth in subsection E or any other provisions of this chapter; or
- d. Failure to file said statement within the prescribed period.

In the event the registration statement is disapproved, the director of finance shall cause to be endorsed upon the statement the reasons for disapproval, and return it forthwith to applicant.

2. **Appeal of decision:** Any person aggrieved by disapproval of a registration statement may file a written appeal with the City Manager within five (5) days of receipt of the notice of disapproval, setting forth all the facts which the applicant wishes the City Manager to consider. The City Manager or designee shall render a written decision on the appeal within five business days of receipt.

3. **Fee for operation:** Prior to the issuance of the registration statement, a fee in the amount of \$25.00 per day, or any portion thereof, shall be paid to the city, if the loudspeaker or sound amplifying equipment is to be used for commercial purposes. No fee shall be required for the operation of a loudspeaker or sound amplifying equipment for noncommercial purposes.

E. **Regulations:** The commercial and noncommercial use of sound amplifying equipment shall be subject to the following regulations:

1. The only sounds permitted shall be either music or the human voice, or both.
2. The operation of sound amplifying equipment shall only occur between the hours of 8 a.m. and 10 p.m. each day except on Sundays and legal holidays. No operation of sound amplifying equipment for commercial purposes shall be permitted on Sundays or legal holidays. The operation of sound amplifying equipment for noncommercial purposes on Sundays and legal holidays shall only occur between the hours of 10 a.m. and 10 p.m., except New Year's Day.
3. Sound level emanating from sound amplifying equipment shall not exceed continuously the maximum noise level of 15 decibels above the ambient noise level when measured at the outside property line where the event is being held.
4. Notwithstanding the provisions of paragraph 3 of this subsection, sound amplifying equipment shall not be operated within 200 feet of churches, schools, hospitals or city or county buildings, unless written consent thereto has been given by such church, school, hospital, city or county.
5. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

F. **Old Pasadena:** The commercial use of sound amplifying equipment in the Old Pasadena section of the city shall be subject to the following regulations:

1. In this section "Amplified sound" shall mean amplified music or the human voice used for entertainment only.
2. The ambient noise level in the Old Pasadena section of the City shall be 60 decibels between 6:00 a.m. and 1:30 a.m. of the following day; and 50 decibels between 1:30 a.m. and 6:00 a.m.
3. Amplified music on private property shall not exceed 15 decibels above the ambient noise level.
4. Use of sound amplifying equipment shall be limited to the hours between 6:00 p.m. and 1:30 a.m. of the following day.
5. Operators of sound amplifying equipment within 500 feet of a functioning church, school or hospital site shall initially obtain the written consent of such facility prior to commencing operation of amplified sound equipment.

6. Any business owner within 300 feet of a business using amplified sound equipment may request the health officer or a designee to mediate informally any dispute related to the use of such amplified sound equipment.

7. Notwithstanding the enactment of the ordinance codified in this section, the city council reserves the right at a future time to amend or repeal this provision in its entirety, and does not intend the creation of any special property rights by this amendment.

9.36.170 Exemptions.

A. This chapter is not intended to regulate construction or maintenance and repair activities conducted by public agencies or their contractors necessitated by emergency conditions or deemed necessary by the City to serve the best interests of the public and to protect the public health, safety and welfare. These operations may include, but are not limited to, street sweeping, debris and limb removal, removal of downed wires, restoring electrical service, repairing traffic lights, unplugging sewers, vacuuming catch basins, repairing water hydrants and mains, gas lines, oil lines, storm drains, roads, sidewalks, etc.

B. Notwithstanding this ordinance, the city manager is authorized to permit special events to generate noise levels up to the limits specified in the Noise Element of the City's General Plan.

C. Notwithstanding this ordinance, the General Manager of the Rose Bowl is authorized to permit events licensed by the Rose Bowl Operating Company to generate noise levels up to the limits specified in the Noise Element of the City's General Plan.

D. Provisions in the permit or license agreement shall specify the specific hour limitations imposed, and the set decibel level delineated in the Noise Element which would apply.

9.36.180 Enforcement responsibility.

The manager of the Environmental Health Division shall have primary responsibility for the administration and enforcement of this chapter.


9.36.190 Violation – Penalty.

A. It shall be unlawful and a public nuisance for any person to violate the provisions of this chapter, punishable as a misdemeanor.

B. The provisions of this chapter are nonexclusive and supplementary to existing rights and remedies. Nothing in this chapter shall prevent the city from commencing any appropriate civil action to abate a public nuisance in addition to, or alternatively to, or in conjunction with the proceedings set forth in this chapter.”

SECTION 3. This ordinance shall take effect thirty (30) days after its publication.

Signed and approved this 28th day of July 2008



Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by
the City Council of the City of Pasadena at its meeting of July 28,
2008, by the following vote:

AYES: Councilmembers Holden, McAustin, Robinson,
Tyler, Mayor Bogaard

NOES: None

ABSTAIN: None

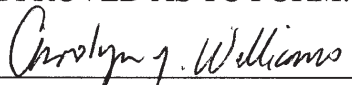
ABSENT: Councilmembers Gordo, Madison,
Vice Mayor Haderlein

Published: July 31, 2008
Pasadena Journal



for: Jane Rodriguez
City Clerk

APPROVED AS TO FORM:



Carolyn Y. Williams
Asst. City Attorney



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: July 14, 2008

FROM: CITY ATTORNEY

SUBJECT: AMENDMENT OF THE NOISE RESTRICTIONS ORDINANCE, CHAPTER
9.36 OF THE PASADENA MUNICIPAL CODE

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 9, CHAPTER 9.36 OF
THE PASADENA MUNICIPAL CODE TO ADD AN INTERIOR NOISE STANDARD,
NOISE EXEMPTIONS AND VARIOUS FORMAT CHANGES

PURPOSE OF ORDINANCE:

The purpose of this ordinance is to add an interior noise standard for multifamily residential property, delete references to noise districts, add noise exemptions for special events under certain circumstances, set forth a new appeal process for denied amplified sound registration permits, and make various formatting changes in the current ordinance to make it more user-friendly for residents.

REASON WHY THIS LEGISLATION IS NEEDED:

At the regular City Council meeting of April 7, 2008, the Council directed the City Attorney's Office to draft this ordinance. Section 410 of the Pasadena City Charter requires that the municipal code be amended by ordinance.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

Residents and staff in the Pasadena Department of Public Health be affected by this ordinance.

7/28/2008
~~-67/21/2008-~~
MEETING OF 07/14/2008
9.B.2.
AGENDA ITEM NO. 10-A-2-

FISCAL IMPLICATIONS:

Staff believes there will be no fiscal impact as a result of this amendment of the Noise Restrictions Ordinance.

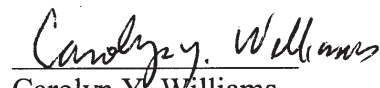
POLICY CHANGES:

This ordinance is a policy change in the sense that now multifamily residential property will be subject to a new interior noise standard, and the City Manager and the General Manager of the Rose Bowl will be authorized to permit certain special events where noise levels do not exceed limits set in the Noise Element of the City's General Plan. The new noise exemptions will eliminate the need for the City Council to suspend the Noise Restrictions Ordinance for particular special events as was the practice in the past.


Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Carolyn Y. Williams
Asst. City Attorney

Concurrence:


Bernard Melekian
City Manager

Introduced by Councilmember Tyler

ORDINANCE NO. 7150

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 9, CHAPTER 9.36 OF THE PASADENA MUNICIPAL CODE TO ADD AN INTERIOR NOISE STANDARD, NOISE EXEMPTIONS AND VARIOUS FORMAT CHANGES

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and the corresponding costs of publication, will be published by title and summary as permitted by Section 508 of the City Charter. The approved summary of this ordinance reads as follows:

“SUMMARY

The subject ordinance, Ordinance No. 7150, adds a new interior noise standard and noise exemptions, sets forth a new appeal procedure for amplified sound registration permits, deletes references to noise districts, modifies the format of the current ordinance and makes various clerical changes to ensure the ordinance is more user-friendly. The new interior noise standards apply to multifamily residential property.

The noise exemptions will eliminate the need for the City Council to suspend the Noise Restrictions Ordinance for particular special events as was the practice in the past. This ordinance authorizes the City Manager to permit special events to generate noise levels up to the limits specified in the Noise Element of the City’s General Plan. The General Manager of the Rose Bowl would have a similar authority to permit events licensed by the Rose Bowl Operating Company.

The appeal process for a disapproved amplified sound registration permit has been modified to permit applicants to file a written appeal with the City Manager. Several of the definitions used in the ordinance have been clarified.

Ordinance No. 7150 shall take effect thirty (30) days after its Publication."

Signed and approved this 28th day of July 2008

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting of July 28, 2008, by the following vote:

AYES: Councilmembers Holden, McAustin,
Robinson, Tyler, Mayor Bogaard

NOES: None

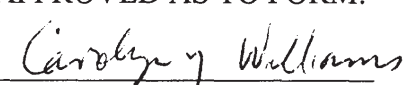
ABSTAIN: None

ABSENT: Councilmembers Gordo, Madison,
Vice Mayor Haderlein

Published: July 31, 2008
Pasadena Journal


for: Jane Rodriguez
City Clerk

APPROVED AS TO FORM:


Carolyn Y. Williams
Asst. City Attorney

B. It is unlawful for any person to operate any motor driven vehicle within the city in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance; provided, however, any such vehicle which is operated upon any public highway, street, or right-of-way shall be excluded from the provisions of this section.

9.36.110 Radio, television sets and similar devices.

A. **Use restricted:** It is unlawful for any person within any residential zone of the city to use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of sound (between the hours of 10 p.m. of one day and 7 a.m. of the following day) in such a manner as to disturb the peace, quiet and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area.

B. **Prima facie violation:** Any noise level exceeding the ambient base level at the property line of any property (or, if a condominium or apartment house, within any adjoining apartment) by more than 5 decibels is deemed to be prima facie evidence of a violation of the provisions of this section.

9.36.120 Near schools, hospitals and churches.

It is unlawful for any person to create any noise on any street, sidewalk or public place adjacent to any school, institution of learning, or church while the same is in use or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of a school, church or hospital.

9.36.130 Hawkers and peddlers.

It is unlawful for any person within the city to sell anything by shouting outloud within any area of the city zoned for residential uses. The provisions of this section shall not be construed to prohibit the selling by yelling of merchandise, food and beverages at licensed sporting events, parades, fairs, circuses and other similar licensed public entertainment events.

9.36.140 Drums.

It is unlawful for any person to use any drum or other instrument or device of any kind for the purpose of attracting attention by the creation of noise within the city. This section shall not apply to any person who is a participant in a school band or duly licensed parade or who has been otherwise duly authorized to engage in such conduct.

From: dale trader [mailto:dtrader_91104@yahoo.com]
Sent: Monday, April 07, 2008 6:21 PM
To: Rodriguez, Jane
Subject: Proposed Noise Ordinance Revisions

Jane,

Would you please forward this email to all of the following recipients?

*Thank You,
Dale Trader
Pasadena Neighborhood Coalition*

*Resent per email to Pasadena City Council, Mayor, City Manager (Interim), and
Director of Planning and Development, April 7, 2008*

Pasadena City Council
Public Safety Committee
City of Pasadena
175 N. Garfield Ave.
Pasadena, CA 91109
Email: Chair Steve Haderlein@cityofpasadena.net

July 25, 2007

RE: Proposed Noise Ordinance Revisions

Dear members of the Public Safety Committee:

At the April, 2007, meeting of the Pasadena Neighborhood Coalition, discussion centered on noise issues in Pasadena neighborhoods. The major sources of noise were identified as originating from amplified music, boom cars, motorcycles, loud parties, churches, helicopters, barking dogs and vending trucks. The consensus was that noise is an issue in our neighborhoods. Such items have their place within our neighborhoods, but should be held to community standard guidelines and limits. **Our neighborhoods are comprised of working and retired residents, who require peace and quiet during evenings and weekends within their own homes and properties.** Representatives of the Environmental Health Division, Code Compliance and Pasadena Police were present at the May PNC meeting to answer questions regarding enforcement of noise issues. **The Pasadena Neighborhood Coalition is writing to you to express our concern that the current noise ordinance is out of date, lacks proper enforcement, and is contradictory and complicated, and is asking you to direct staff to make changes in the ordinance to address present day conditions and enhance enforcement.**

Background and Current Situation

Originally crafted in 1973, an extensive series of code regarding noise issues and enforcement is contained within Pasadena Municipal Code 9.36. It continues to this day to be under the auspices of the Environmental Health Division of the Pasadena Health Department. Two sections of code explain the City Council's commitment to its residents to control sound and what a resident of the City of Pasadena is entitled to.

“board feels obligated to reasonably regulate the use of sound amplifying equipment in order to protect the correlative constitutional rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise”. 9.36.160 *Amplified sound—Purpose* . (Ord. 5118 § 5.00, 1973)

...The volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility. 9.36.220 *Amplified sound--Regulations*. (Ord. 6854 § 2, 2001; Ord. 5118 § 5.50, 1973)

Existing Code Is Outdated

At the May, 2007 PNC meeting and in a subsequent meeting with the Health Department and Code Compliance in attendance, Mel Lim, who heads the Environmental Health Division and oversees noise issues and regulations reported that the City's noise ordinance is outdated. It was his opinion that the initial code was designed to handle noises issues related to businesses and therefore conducive for Health Department staff to take readings during normal business hours. Lim also felt the City's three noise districts are no longer necessary and should be eliminated and that sound violations be measured based on 5 decibels over the ambient noise level. The PNC feels that the existing code does not reflect the changes that the City has undertaken in the past 34 years. With noise guidelines specific to commercial, non-commercial and residential usage, such distinctions may not be apparent with the current trend of mixed-use development.

Enforcement Issues

Residents tend to refer noise incidences to the Police Department; however, via phone, email, and letters and through Code Compliance we have learned that the Health Department and the Pasadena Police jointly enforce noise issues. The Health Department has limited availability while the Police Department admits to not being familiar with the provisions of PMC 9.36.

With the Department's operations centering on the City's 9/80 work schedule, the one representative assigned to noise issues is not easily accessible to handle noise incidents after-hours and on weekends. The Health Department engages the Pasadena Police to issue a citation should an incident be in violation of the noise ordinance. **The Health Department reports that they have no enforcement over noise other than a letter being sent to the offending party and that no one has ever paid a fine.** The PPD, in turn, handles such calls as disturbance of the peace and is not aware of the noise ordinance. Instead, they advocate citizen's arrest and enforcement of PMC 9.43, the City's Party Ordinance.

PMC 9.43 gives the Police Department the right to charge fees for services of an individual who is responsible for gatherings that result in numerous calls by staff within a twelve-hour period. Enforcement guidelines differ. Some officers and dispatchers are not aware of the ordinance; differ in the number of calls before the ordinance can be enacted, and when or if equipment can be confiscated. It has been documented by the Police that there is currently no easy way to track the number of calls to a repeat location within the given twelve-hour period. According to Police, a citizen's arrest is needed to enforce a noise violation which the PNC does not advocate nor feel is necessary.

Inconsistencies/Complications within Existing Code

Sound levels, ambient levels, hours of operation, and property measurement procedures vary amongst commercial, non-commercial and residential uses in addition to specific guidelines for construction, leaf blowers and designated districts such as Old Pasadena. Separate guidelines apply to commercial and non-commercial incidents depending upon their location on public or private property. There are at least three ambient levels to base sound violation levels on – as stated in the General Plan, assigned to the City's three noise districts and the third calculated at the location under investigation. It was also noted, that noise from a special event or commercial location is measured from the property line of the event, where a residential disturbance is measured five feet from the complainant's property line. The further the complainant lives from the source of the noise in a residential area, the chances of arriving at a noise violation decrease.

In closing, it is our hopes that the information presented supports our conclusion that the current code is out of date, inconsistent, complicated – all factors which include and contribute to problems of enforcement. It is therefore our objective to ask the City of Pasadena to review and update municipal code regarding noise to be reflective of the needs, present and future of our fine City based on the following recommendations.

NOISE RECOMMENDATIONS AS RECOMMENDED BY THE PASADENA NEIGHBORHOOD COALITION

Decibel levels

- Per suggestion of Environmental Health, eliminate the noise districts.
- Amplified sound or machinery throughout the City shall not exceed 55 dB between the hours of 7 am and 10 pm and 50 dB between 10 pm of one day and 7 am of the next.

Stricter Enforcement of Hours of Operation

- Producing or reproducing of sound shall be limited to 10 p.m. of one day and 7 a.m. of the following day in residential areas and out-of-door facilities.

It is unlawful for any person within any residential zone of the city to use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of sound (between the hours of 10 p.m. of one day and 7 a.m. of the following day) in such a manner as to disturb the peace, quiet and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area. *Pasadena Municipal Code 9.36.050 Radios, television sets and similar devices. Use Restricted.*

Audio-meters

- Equip and train respective personnel within the Police, Code Enforcement and the Environmental Health Departments on the use of calibrated audiometers and the specifics of this ordinance.
- Each meter to be distributed with print material defining the specific guidelines of enforcing the noise ordinance.
- Revenues generated from permit and variance applications and citation fines will be used to cover expense of purchasing audiometers, calibration maintenance and training procedures.

Measurement

- Noise level measurements may be taken at any location of any property emitting the amplified sound or other source of noise.
- No person shall interfere with or resist the taking of any noise measurement as outlined by this ordinance. (*Santa Monica , CA 4.12.160 Interference with enforcement*)

Extend Permit Process 9.36.170 Amplified sound--Registration--Required.

- Permits required for all amplified sound equipment
No person shall operate any loudspeaker or sound amplifier or similar device or any machinery, whether hand-held or fixed in such a manner as to cause any sound to be projected outside of any building or out-of-doors, except upon receipt of a permit from the Environmental Health Officer as provided in this ordinance.
 1. The Environmental Health Officer may set reasonable time, place, manner, sound level and duration restrictions on the use of loudspeakers, sound amplifiers and similar devices as a condition for the issuance of a loudspeaker permit. Radios, boom boxes, DVD players, performers with no amplified instruments are excluded from requiring a permit.
 2. In setting reasonable time, place and manner restrictions, Environmental Health Officer may consider, but is not limited to consideration of, the following factors:

- a. Proximity of the proposed use to residential neighborhoods, medical facilities and schools;
- b. Other proposed applicants who wish to use the same or a nearby area during the same time period;
- c. The likelihood that the proposed use will create a disturbance of the peace;
- d. The applicant's history of compliance with the requirements of this chapter during the past three years

Inspection and suspension of permits

The Environmental Health Officer is authorized to inspect amplified sound or machinery permit holders on an annual basis and summarily suspend such permit at any time if use of the permitted speaker, sound amplifier or other similar device of the permit holder violates the permit conditions set forth in these guidelines
(*City of San Jose, CA Municipal Code, 10.16.030*)

Noise Enforcement Procedures

- If it is determined that a noise in violation of this chapter exists, the following procedures shall be followed:
 1. A written or verbal warning shall be issued by the investigating official or his or her agent to the person(s) responsible for the event causing the noise disturbance.
 2. If the noise disturbance persists for more than fifteen (15) minutes following the issuance of a written or verbal warning, or recurs within a one- week period from the issuance of such warning, then the person responsible for the event causing the noise disturbance shall be guilty of a violation of this chapter. (*City of Oakland*)

Variances

- Individuals proving the need to operate outside the parameters of the ordinance may apply for a variance.

Party Ordinance

- Develop a tracking system, clarification and enforcement of the “Party Ordinance”.

Whenever a party, gathering or event occurs, whether or not a permit has been issued for that party, gathering or event, and police services are required to be provided more than once at the same location within a twelve-hour period, as a result of requests for such services by attendees, neighbors or others; or when a peace officer determines that there is a threat to the public health, safety or welfare as a result of the conduct of the party, gathering or event such that a second or subsequent response for police services is required, the person or persons responsible for that party, gathering or event shall be liable to the city and shall be billed by the city for the police services which, in the opinion of the police chief, watch commander or watch sergeant on duty, were necessary and proper as a second or subsequent response to the need for

police services. (Pasadena Municipal Code 9.43.020 Fees for police services at parties, gatherings or events requiring a second response--Liability of person in charge)

- Adopt an ordinance for confiscating of equipment for violators who have not adhered to prior warnings and actions.

Restrictions on noise vehicles while being operated on private property or on public parklands or sidewalks

- Stricter enforcement of machinery and “motorized” vehicles such as scooters, bike, pocket bikes etc. for both safety factors and curbing of noise.
- Impose restrictions on “Boom” cars with extremely loud stereo systems or heavy bass.
- Impose restrictions on motorcycles and vehicles that cause unnecessary noise.
- Control of noise devices utilized by vending trucks and pushcart vendors that cause noise unnecessary to their operation.

Additional guidelines for enforcement and handling of nuisance calls when the level of sound falls within acceptable decibel readings and hours of operation.

- In addition to existing code and provisions, thereto it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:
 1. The level of the noise;
 2. The intensity of the noise;
 3. Whether the nature of the noise is usual or unusual;
 4. Whether the origin of the noise is natural or unnatural;
 5. The level and intensity of the background noise, if any;
 6. The proximity of the noise to residential sleeping facilities;
 7. The physical nature and zoning of the area within which the noise emanates;

8. The density of the habitation of the area within which the noise emanates;
9. The time of the day or night the noise occurs;
10. The duration of the noise;
11. Whether the noise is recurrent, intermittent or constant; and
12. Whether the noise is produced by a commercial or noncommercial activity.
(Pasadena Municipal Code 9.36.230 General noise sources)

I welcome your comments, and would be happy to discuss our request with you or a member of your staff. You can reach me at 626-397-1507 (office), or at dtrader_91104@yahoo.com. This letter was crafted by Stephen Lipira of the PNC Environmental Committee and has been reviewed both by the Chair and Vice Chair of the Pasadena Neighborhood Coalition.

Yours truly,

Dale Trader, Chair
Pasadena Neighborhood Coalition

Cc: Mayor and Councilmembers
City Manager
Director of Planning
Code Compliance Manager
Environmental Health Officer
City of Pasadena

Oak Knoll Neighborhood Association
West Pasadena Residents Association
Bungalow Heaven Neighborhood Association
Washington Square Neighborhood Association
Garfield Heights Neighborhood Association
Brigden Ranch Neighborhood Association
Linda Vista Annandale Neighborhood Association
Historic Highlands Neighborhood Association
Normandie Heights Neighborhood Association
North Los Robles Neighborhood Association
El Rio Lake Neighborhood Association
Dundee Heights Neighborhood Association
Orange Heights Neighborhood Association

PNC Pasadena Neighborhood Coalition

P.O. BOX 51022 Pasadena, California 91115
Uniting Pasadena Neighborhood Associations on Issues of Livability City-wide

June 27, 2008

RECEIVED

'08 JUN 30 A8:53

Pasadena City Council
Bill Bogaard, Mayor
Bernard Melekian, Interim City Manager
Richard Bruckner, Director of Planning and Development
Dr. Takashi Wada, Director, Pasadena Public Health Department
Mel Lim, Manager, Pasadena Public Health Department Environmental Health Division
Christopher O. Vicino, Acting Chief of Police
Jon Pollard, Manager, Code Compliance
Parks and Recreation, Transportation Advisory and Environmental Advisory Commissions
City of Pasadena
175 N. Garfield Ave.
Pasadena, CA 91109

RE: Proposed Noise Ordinance Revisions, Absence of Effective Enforcement Procedures of a Pasadena Ordinance

Dear City Councilmembers, Mayor, City Manager, Planning Director, Health Department Director, Health Department Manager, Acting Chief of Police, Code Compliance Manager, and Commissioners:

I am writing, as Chair of the Pasadena Neighborhood Coalition, to request that the City of Pasadena use viable enforcement techniques of the Noise Ordinance revisions. For well over a year the Pasadena Neighborhood Association has been discussing noise issues in Pasadena neighborhoods. The major sources of noise were identified as originating from amplified music, boom cars, motorcycles, loud parties, churches, helicopters, barking dogs and vending trucks. The consensus was that noise is an issue in our neighborhoods. Such items have their place within our neighborhoods, but should be held to community standard guidelines and limits. **Our neighborhoods are comprised of working and retired residents, who require peace and quiet during evenings and weekends within their own homes and properties.** Representatives of the Environmental Health Division, Code Compliance and Pasadena Police have been present at PNC meetings to answer questions regarding enforcement of noise issues. *The Pasadena Neighborhood Coalition is writing to you to express our concern, again, forcefully, since our comments about lack of enforcement were rebuffed in previous meetings by councilmembers and staff, that the proposed noise ordinance revisions lack a proper enforcement vehicle, and are contradictory and complicated. We are asking you to direct staff to make changes in the ordinance to address present day conditions to allow and enhance enforcement. It is not productive for the city to enact ordinances which are not enforceable and lead to frustration of the public. The public has an expectation that ordinances are effectively enforced. Please remember that the Pasadena Police Department is the only 24/7 around the clock enforcement agency in Pasadena.*

Enforcement Issues

Residents tend to refer noise incidences to the Police Department; however, via phone, email, and letters and through Code Compliance we have learned that the Health Department and the Pasadena Police jointly enforce noise issues. The Health Department has limited availability while the Police Department admits to unfamiliarity with the provisions of PMC 9.36. The police also acknowledge that they do not know how to use the equipment necessary to obtain a conviction.

With the Health Department's operations centering on the City's 9/80 work schedule, the one representative assigned to noise issues is not easily accessible to handle noise incidents after-hours and on weekends. The Health Department engages the Pasadena Police to issue a citation should an incident be in violation of the noise ordinance. **The Health Department reports that they have no enforcement over noise other than a letter being sent to the offending party, and that no one has ever paid a fine.** The PPD, in turn, handles such calls as disturbance of the peace and is not aware of the noise ordinance. Instead, they advocate citizen's arrest and enforcement of PMC 9.43, the City's Party Ordinance.

PMC 9.43 gives the Police Department the right to charge fees for services of an individual who is responsible for gatherings that result in numerous calls by staff within a twelve-hour period. Enforcement guidelines differ. Some officers and dispatchers are not aware of the ordinance; they differ in their understanding as to the number of calls before the ordinance can be enacted, and when or if equipment can be confiscated. It has been documented by the Police that there is

currently no easy way to track the number of calls to a repeat location within the given twelve-hour period. According to Police, a citizen's arrest is needed to enforce a noise violation which the PNC does not advocate nor feel is necessary.

NOISE ORDINANCE RECOMMENDATIONS AS RECOMMENDED BY THE PASADENA NEIGHBORHOOD COALITION

Stricter Enforcement of Hours of Operation

- Producing or reproducing of sound shall be limited to 10 p.m. of one day and 7 a.m. of the following day in residential areas and out-of-door facilities.

It is unlawful for any person within any residential zone of the city to use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of sound (between the hours of 10 p.m. of one day and 7 a.m. of the following day) in such a manner as to disturb the peace, quiet and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area. *Pasadena Municipal Code 9.36.050 Radios, television sets and similar devices. Use Restricted.*

Audio-meters

- Equip and train respective personnel within the Police, Code Enforcement and the Environmental Health Departments on the use of calibrated audiometers and the specifics of this ordinance.
- Each meter to be distributed with print material defining the specific guidelines of enforcing the noise ordinance.

Measurement

- Noise level measurements may be taken at any location of any property emitting the amplified sound or other source of noise.
- No person shall interfere with or resist the taking of any noise measurement as outlined by this ordinance. *(Santa Monica, CA 4.12.160 Interference with enforcement)*

Extend Permit Process 9.36.170 Amplified sound--Registration--Required.

- Permits required for all amplified sound equipment

No person shall operate any loudspeaker or sound amplifier or similar device or any machinery, whether hand-held or fixed in such a manner as to cause any sound to be projected outside of any building or out-of-doors, except upon receipt of a permit from the Environmental Health Officer as provided in this ordinance.

1. The Environmental Health Officer may set reasonable time, place, manner, sound level and duration restrictions on the use of loudspeakers, sound amplifiers and similar devices as a condition for the issuance of a loudspeaker permit. Radios, boom boxes, DVD players, performers with no amplified instruments are excluded from requiring a permit.
2. In setting reasonable time, place and manner restrictions, Environmental Health Officer may consider, but is not limited to consideration of, the following factors:
 - a. Proximity of the proposed use to residential neighborhoods, medical facilities and schools;
 - b. Other proposed applicants who wish to use the same or a nearby area during the same time period;
 - c. The likelihood that the proposed use will create a disturbance of the peace;
 - d. The applicant's history of compliance with the requirements of this chapter during the past three years

Inspection and suspension of permits

PNC Pasadena Neighborhood Coalition

P.O. BOX 51022 Pasadena, California 91115
Uniting Pasadena Neighborhood Associations on Issues of Livability City-wide

The Environmental Health Officer is authorized to inspect amplified sound or machinery permit holders on an annual basis and summarily suspend such permit at any time if use of the permitted speaker, sound amplifier or other similar device of the permit holder violates the permit conditions set forth in these guidelines (*City of San Jose, CA Municipal Code, 10.16.030*)

Noise Enforcement Procedures

- If it is determined that a noise in violation of this chapter exists, the following procedures shall be followed:
 1. A written or verbal warning shall be issued by the investigating official or his or her agent to the person(s) responsible for the event causing the noise disturbance.
 2. If the noise disturbance persists for more than fifteen (15) minutes following the issuance of a written or verbal warning, or recurs within a one- week period from the issuance of such warning, then the person responsible for the event causing the noise disturbance shall be guilty of a violation of this chapter. (*City of Oakland*)

Variances

- Individuals proving the need to operate outside the parameters of the ordinance may apply for a variance.

Party Ordinance

- Develop a tracking system, clarification and enforcement of the "Party Ordinance".

Whenever a party, gathering or event occurs, whether or not a permit has been issued for that party, gathering or event, and police services are required to be provided more than once at the same location within a twelve-hour period, as a result of requests for such services by attendees, neighbors or others; or when a peace officer determines that there is a threat to the public health, safety or welfare as a result of the conduct of the party, gathering or event such that a second or subsequent response for police services is required, the person or persons responsible for that party, gathering or event shall be liable to the city and shall be billed by the city for the police services which, in the opinion of the police chief, watch commander or watch sergeant on duty, were necessary and proper as a second or subsequent response to the need for police services. (*Pasadena Municipal Code 9.43.020 Fees for police services at parties, gatherings or events requiring a second response--Liability of person in charge*)

- Adopt an ordinance for confiscating of equipment for violators who have not adhered to prior warnings and actions.

Additional guidelines for enforcement and handling of nuisance calls when the level of sound falls within acceptable decibel readings and hours of operation.

- In addition to existing code and provisions, thereto it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:
 1. The level of the noise;
 2. The intensity of the noise;
 3. Whether the nature of the noise is usual or unusual;
 4. Whether the origin of the noise is natural or unnatural;
 5. The level and intensity of the background noise, if any;

PNC Pasadena Neighborhood Coalition

P.O. BOX 51022 Pasadena, California 91115
Uniting Pasadena Neighborhood Associations on Issues of Livability City-wide

6. The proximity of the noise to residential sleeping facilities;
7. The physical nature and zoning of the area within which the noise emanates;
8. The density of the habitation of the area within which the noise emanates;
9. The time of the day or night the noise occurs;
10. The duration of the noise;
11. Whether the noise is recurrent, intermittent or constant; and
12. Whether the noise is produced by a commercial or noncommercial activity.
(Pasadena Municipal Code 9.36.230 General noise sources)

I welcome your comments, and would be happy to discuss our request with you or a member of your staff.
You can reach me at 626-345-9920

Very truly yours,
R. Henry Sherrod
Chair, Pasadena Neighborhood Coalition

Cc: Oak Knoll Neighborhood Association
West Pasadena Residents Association
Bungalow Heaven Neighborhood Association
Washington Square Neighborhood Association
Garfield Heights Neighborhood Association
Brigden Ranch Neighborhood Association
Linda Vista Annandale Neighborhood Association
Historic Highlands Neighborhood Association
Normandie Heights Neighborhood Association
North Los Robles Neighborhood Association
El Rio Lake Neighborhood Association
Dundee Heights Neighborhood Association
Orange Heights Neighborhood Association

Rodriguez, Jane

From: R. Henry Sherrod [r.h.sherrod@gmail.com]
Sent: Friday, June 27, 2008 5:14 PM
To: Rodriguez, Jane
Attachments: PNC Letter re proposed noise ordinance revision.doc

Please forward the attached letter to mayor Bogaard and the city councilmembers, Mr. Melekian, Mr. Bruckner, Dr. Wada, Mr. Lim, Acting Chief Vicino, Mr. Pollard and the staff personnel principally responsible for the Parks and Recreation Commission, TAC, and Environmental Advisory Commission. This letter is responsive to the proposed changes in the Noise Ordinance. Thank you.

R. Henry Sherrod

Please use my new account: r.h.sherrod@gmail.com

6/30/2008

Introduced by Councilmember _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 9,
CHAPTER 9.36 OF THE PASADENA MUNICIPAL CODE TO ADD AN
INTERIOR NOISE STANDARD, NOISE EXEMPTIONS AND VARIOUS
FORMAT CHANGES

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and the corresponding costs of publication, will be published by title and summary as permitted by Section 508 of the City Charter. The approved summary of this ordinance reads as follows:

“SUMMARY”

The subject ordinance, Ordinance No. _____, adds a new interior noise standard and noise exemptions, sets forth a new appeal procedure for amplified sound registration permits, deletes references to noise districts, modifies the format of the current ordinance and makes various clerical changes to ensure the ordinance is more user-friendly. The new interior noise standards apply to multifamily residential property.

The noise exemptions will eliminate the need for the City Council to suspend the Noise Restrictions Ordinance for particular special events as was the practice in the past. This ordinance authorizes the City Manager to permit special events to generate noise levels up to the limits specified in the Noise Element of the City’s General Plan. The General Manager of the Rose Bowl would have a similar authority to permit events licensed by the Rose Bowl Operating Company.

The appeal process for a disapproved amplified sound registration permit has been modified to permit applicants to file a written appeal with the City Manager. Several of the definitions used in the ordinance have been clarified.

Ordinance No. _____ shall take effect thirty (30) days after its Publication.”

SECTION 2. Chapter 9.36 of Title 9 of the Pasadena Municipal Code is hereby amended to read:

**“Chapter 9.36
NOISE RESTRICTIONS**

Sections:

9.36.010	Short title.
9.36.020	Declaration of policy.
9.36.030	Definitions.
9.36.040	Ambient noise level.
9.36.050	General noise sources.
9.36.060	Interior noise standard - multifamily residential property.
9.36.070	Construction projects.
9.36.080	Construction equipment.
9.36.090	Machinery, equipment, fans and air conditioning.
9.36.100	Motor driven vehicles and vehicle repairs.
9.36.110	Radios, television sets and similar devices.
9.36.120	Near schools, hospitals and churches.
9.36.130	Hawkers and peddlers.
9.36.140	Drums.
9.36.150	Animals and fowl.
9.36.160	Amplified sound on public property.
9.36.170	Exemptions.
9.36.180	Enforcement responsibility.
9.36.190	Violation – Penalty.

9.36.010	Declaration of policy.
9.36.010	<u>Short title.</u>

This chapter shall be known as the “noise restrictions ordinance.”

9.36.020 — Definitions.

9.36.020 Declaration of policy.

It is declared to be the policy of the city to prohibit unnecessary, excessive and annoying noises from all sources ~~subject to~~ pursuant to its police power. Noise at certain levels is detrimental to the health and welfare of the ~~citizenry~~ general public. Consequently, it shall be systematically proscribed in the public interest.

9.36.030 — Presumed ambient noise level.

9.36.030 Definitions.

As used in this chapter, unless the context otherwise clearly indicates, the words and phrases used in the ordinance are defined as follows:

A. "Ambient noise" means the all-encompassing noise associated with a given environment, being usually a composite of many sources near and far. For the purpose of this chapter, ambient noise level is the level obtained when the noise level is averaged over a period of 15 minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made. This value shall not include noise from occasional, or occasional and transient sources.

B. "A-weighted sound level" means the sound level in decibels as measured on sound level meter using the A-weighting network. The level so read is designated "dB(A)" or "dBA."

C. "Commercial purpose" means and includes the use, operation or maintenance of any sound amplifying equipment for the purpose of advertising any business, or any goods, or any services, or for the purpose of attracting the attention of the public to, or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition or event, or for the purpose of demonstrating such sound equipment.

D. "Decibel" means a unit measure of sound (noise) level, which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio of 2 amounts of power is 10 times the logarithm to the base 10 of this ratio. It is a unit for expressing the relative intensity of sounds on a scale from zero for the average least perceptible sound to about 130 for the average pain level; also a unit for expressing the ratio of two amounts of electric or acoustic signal power equal to 10 times the common logarithm of this ratio.

E. "Emergency work" means work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service.

F. "General noise" means noise from any source not specifically exempted in this chapter.

~~G. "L max means the maximum noise level measured."~~

G. "Noncommercial purpose" means the use, operation or maintenance of any sound equipment for other than a commercial purpose. "Noncommercial purpose" means and includes, but shall not be limited to, religious, philanthropic, political, patriotic and charitable purposes.

~~H. "Motor vehicles" shall include, but not be limited to, minibikes and go-carts.~~

H. "Property line" means the line that separates private property or the event from the public right-of-way.

I. "Sound amplifying equipment" means any machine or device for the amplification of the human voice, music or any other sound. "Sound amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. "Sound amplifying equipment," as used in this chapter, shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

~~J. "Person" means a person, firm, association, copartnership, joint venture, Corporation or any entity, public or private in nature.~~

J. "Sound level" (noise level), in decibels (dB) is the sound measured with the A weighting and slow response by a sound level meter.

K. "Sound level meter" means an instrument including a microphone, an amplifier, an output meter and frequency weighting networks for the measurement of sound levels which satisfies the pertinent requirements in American Standard Specifications for sound level meters S1.4-1971 or the most recent revision thereof.

L. Supplementary Definitions of Technical Terms. Definitions of technical terms not defined herein shall be obtained from the American National Standards Institute's Acoustical Terminology S1-1-1971 or any revision thereof.

~~O. "Sound truck" means any motor vehicle, or any other vehicle regardless of motive power, whether in motion or stationary, having mounted thereon, or attached thereto, any sound amplifying equipment.~~

~~9.36.040 Noise districts.~~

~~For the purposes of this chapter, the city is divided into areas designated as noise districts, the boundaries of which are shown on the map attached to the ordinance codified herein marked "Exhibit A" and by this reference made a part hereof.~~

9.36.040 Ambient noise level.

A. When "ambient noise level" is referred to in this chapter, it means the higher of the following: 1. The actual measured ambient noise level, or Presumed ambient noise level as determined from the chart below:

Noise District	Sound Level A Decibels			
	Day (Maximum)		Night (Maximum)	
	6 a.m.	11 p.m.	11 p.m.	6 a.m.
I		50		40
II		55		45
III		60		50

B. Any sound level measurement made pursuant to the provisions of this chapter shall be measured with a sound level meter using the A- weighting.

1. Where the sound alleged to be offending is of a type or character set forth below, the following values shall be added to the sound level measurement of the offending noise:

- a. Except for noise emanating from any electrical transformer or gas metering and pressure control equipment existing and installed prior to the effective date of the ordinance codified herein, any steady audible tone: + 5;
- b. Repeated impulsive noise: + 5;
- c. Noise occurring more than 5 but less than 15 minutes per hour: - 5;
- d. Noise occurring more than 1 but less than 5 minutes per hour: - 10;
- e. Noise occurring less than 1 minute per hour: -20.

2. Values of subsections (B)(1)(c), (d) and (e) of this section shall be added to the sound level measurements during daytime (6 a.m.--11 p.m.) periods only.

~~9.36.050 Radios, television sets and similar devices.~~

9.36.050 General noise sources.

A. It is unlawful for any person to create, cause, make or continue to make or permit to be made or continued any noise or sound which exceeds the ambient noise level at the property line of any property by more than 5 decibels, or the noise levels as specified in Section 9.36.030.

B. Notwithstanding any other provision of this chapter and in addition thereto it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

1. The level of the noise;
2. The intensity of the noise;
3. Whether the nature of the noise is usual or unusual;
4. Whether the origin of the noise is natural or unnatural;
5. The level and intensity of the background noise, if any;
6. The proximity of the noise to residential sleeping facilities;
7. The nature and zoning of the area within which the noise emanates;
8. The density of the inhabitation of the area within which the noise emanates;
9. The time of the day or night the noise occurs;
10. The duration of the noise;
11. Whether the noise is recurrent, intermittent or constant; and
12. Whether the noise is produced by a commercial or noncommercial activity.

~~9.36.060 Hawkers and peddlers.~~

9.36.060. Interior noise standard - multifamily residential property.

It is unlawful for any person to produce, suffer or allow to be produced on any multifamily residential property, sounds at a level in excess of those enumerated in Table No. 1 when measured inside any dwelling unit on the same property or twenty (20) feet from the outside of the dwelling unit in which the noise source or sources may be located.

TABLE NO. 1 – Interior Noise Standard

<u>Time Interval</u>	<u>Interior Noise Standards (dBA)</u>
<u>7:00 a.m. to 10:00 p.m.</u>	<u>60</u>
<u>10:00 p.m. to 7:00 a.m.</u>	<u>50</u>

9.36.070 — Drums.

9.36.070 Construction projects.

A. No person shall operate any pile driver, power shovel, pneumatic hammer, derrick power hoist, forklift, cement mixer or any other similar construction equipment within a residential district or within a radius of 500 feet therefrom at any time other than as listed below:

1. From 7:00 a.m. to 7:00 p.m. Monday through Friday;
2. From 8:00 a.m. 5:00 p.m. on Saturday;
3. Operation of any of the listed construction equipment is prohibited on Sundays and holidays.

B. No person shall perform any construction or repair work on buildings, structures or projects within a residential district or within a radius of 500 feet therefrom in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance at any time other than as listed below:

1. From 7:00 a.m. to 7:00 p.m. Monday through Friday;
2. From 8:00 a.m. to 5:00 p.m. on Saturday;
3. Performance of construction or repair work is prohibited on Sundays and holidays.

C. The prohibition against construction on Sundays and holidays as set forth in subsection B of this section shall not apply under either of the following conditions:

1. The construction is actually performed by an individual who is the owner or lessor of the premises and who is assisted by not more than two individuals;

2. The person performing the construction shall have provided the building official with a petition which indicates the consent of 65% of the households residing within 500 feet of the construction site and the unanimous consent of the households adjacent to the construction site. Said petition shall be on a form promulgated by said building official and shall be accompanied by a fee, the amount of which shall be established by resolution by the city council.

D. The prohibitions of this section shall not apply to the performance of emergency work as defined in Section 9.36.030.

E. For purposes of this section, holidays are New Year's Day, Martin Luther King Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, and Christmas.

~~9.36.080 — Near schools, hospitals and churches.~~

9.36.080 Construction equipment.

It is unlawful for any person to operate any powered construction equipment if the operation of such equipment emits noise at a level in excess of 85 dBA when measured within a radius of 100 feet from such equipment.

~~9.36.090 — Animals and fowls.~~

9.36.090 Machinery, equipment fans and air conditioning.

Except for emergency work, as defined in this chapter it is unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient noise level by more than 5 decibels.

~~9.36.100 — Machinery, equipment, fans and air conditioning.~~

9.36.100 Motor driven vehicles and vehicle repairs.

A. It is unlawful for any person within any residential area of the city to repair, rebuild or test any motor vehicle between the hours of 10 p.m. of one day and 8 a.m. of the next day in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance.

B. It is unlawful for any person to operate any motor driven vehicle within the city in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance; provided, however, any such vehicle which is operated upon any public highway, street, or right-of-way shall be excluded from the provisions of this section.

~~9.36.105 Leaf blowing machines.~~

~~Any leaf blowing machine as defined in Section 9.37.020 certified by the health department in accordance with Section 9.37.050 and used pursuant to the terms of certification is in compliance with this chapter.~~

~~9.36.110. Construction projects.~~

9.36.110 Radio, television sets and similar devices.

A. **Use restricted:** It is unlawful for any person within any residential zone of the city to use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of sound (between the hours of 10 p.m. of one day and 7 a.m. of the following day) in such a manner as to disturb the peace, quiet and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area.

B. **Prima facie violation:** Any noise level exceeding the ambient base level at the property line of any property (or, if a condominium or apartment house, within any adjoining apartment) by more than 5 decibels is deemed to be prima facie evidence of a violation of the provisions of this section.

~~9.36.120 Construction equipment.~~

9.36.120 Near schools, hospitals and churches.

It is unlawful for any person to create any noise on any street, sidewalk or public place adjacent to any school, institution of learning, or church while the same is in use or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of a school, church or hospital.

~~9.36.130 Emergency equipment exempted.~~

~~Construction activities for emergency work are exempted herefrom.~~

9.36.130 Hawkers and peddlers.

It is unlawful for any person within the city to sell anything by ~~outcry~~ shouting outloud within any area of the city zoned for residential uses. The provisions of this section shall not be construed to prohibit the selling by ~~outcry~~ yelling of merchandise, food and beverages at licensed sporting events, parades, fairs, circuses and other similar licensed public entertainment events.

~~9.36.140 Vehicle repairs.~~

9.36.140 Drums.

It is unlawful for any person to use any drum or other instrument or

device of any kind for the purpose of attracting attention by the creation of noise within the city. This section shall not apply to any person who is a participant in a school band or duly licensed parade or who has been otherwise duly authorized to engage in such conduct.

~~9.36.150 — Motor driven vehicles.~~

~~9.36.150 — Animals and fowl.~~

No person shall keep or maintain, or permit the keeping of, upon any premises owned, occupied or controlled by such person any animal or fowl otherwise permitted to be kept which, by any sound, cry, or behavior, causes annoyance or discomfort to a reasonable person of normal sensitiveness in any residential neighborhood.

~~9.36.160 — Amplified sound Purpose.~~

~~9.36.163 — Amplified sound Old Pasadena.~~

~~9.36.170 — Amplified sound Registration Required.~~

~~9.36.180 — Amplified sound Registration Filing.~~

~~9.36.190 — Amplified sound Registration Approval or disapproval.~~

~~A. Approval.~~

~~B. Disapproval.~~

~~9.36.200 — Amplified sound Appeals of decision.~~

~~9.36.210 — Amplified sound Fee for operation.~~

~~9.36.220 — Amplified sound Regulations.~~

9.36.160 — Amplified sound on public property.

A. Purpose: The ~~board of directors~~ city council enacts this section for the sole purpose of securing and promoting the public health, comfort, safety and welfare of its ~~citizenry~~ residents and visitors. While recognizing that the use of sound amplifying equipment is protected by the constitutional rights of freedom of speech and assembly, the ~~board~~ Council nevertheless feels obligated to regulate reasonably the use of sound amplifying equipment in order to protect the correlative constitutional rights of the ~~citizens~~ residents and visitors of this community to privacy and freedom from the public nuisance of loud and unnecessary noise.

B. Required registration: It is unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate within the city a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures or transmitting music to any persons or assemblages of persons in or upon any street, alley, sidewalk, park or public property without first filing a registration statement with the director of finance and obtaining approval thereof as set forth in this chapter.

C. Filing: Every user of sound amplifying equipment shall file a registration statement with the director of finance 10 days prior to the date on which the sound

amplifying equipment is intended to be used, which statement shall contain the following information:

1. The name, address and telephone number of both the owner and user of the sound amplifying equipment;
2. The maximum sound-producing power of the sound amplifying equipment which shall include the wattage to be used, the volume in decibels of sound which will be produced, and the approximate distance for which sound will be audible from the sound amplifying equipment;
3. The license and motor number if a sound truck is to be used;
4. A general description of the sound to be amplified (speech, music, or both) and the sound amplifying equipment which is to be used;
5. Whether the sound amplifying equipment will be used for commercial or noncommercial purposes;
6. Location of fixed sound equipment, or general route where the sound truck will be used; and
7. Such other information as the director of finance may reasonably require.

D. Appeal process:

1. **Initial determination:** The director of finance shall return to the applicant an approved certified copy of the registration statement unless it is found that:

- a. The conditions of the motor vehicle movement are such that in the opinion of the police chief, use of the equipment would constitute a detriment to traffic safety; or
- b. The conditions of pedestrian movement are such that use of the equipment would constitute a detriment to traffic safety; or
- c. The registration statement required reveals that the applicant would violate the provisions set forth in subsection ^E ~~D~~ or any other provisions of this chapter; or

- d. Failure to file said statement within the prescribed period.

In the event the registration statement is disapproved, the director of finance shall cause to be endorsed upon the statement the reasons for disapproval, and return it forthwith to applicant.

2. **Appeal of decision:** Any person aggrieved by disapproval of a registration statement may ~~appeal by complying with the provisions of Section 5.36.130 through 5.36.170,~~ file a written appeal with the City Manager within five (5) days of receipt of the notice of disapproval, setting forth the basic steps to be followed in connection therewith all the facts which the applicant wishes the City Manager to consider. The City Manager or designee shall render a written decision on the appeal within five business days of receipt.

3. **Fee for operation:** Prior to the issuance of the registration statement, a fee in the amount of \$25.00 per day, or any portion thereof, shall be paid to the city, if the loudspeaker or sound amplifying equipment is to be used for commercial purposes. No fee shall be required for the operation of a loudspeaker or sound amplifying equipment for noncommercial purposes.

E. **Regulations:** The commercial and noncommercial use of sound amplifying equipment shall be subject to the following regulations:

1. The only sounds permitted shall be either music or the human voice, or both.
2. The operation of sound amplifying equipment shall only occur between the hours of 8 a.m. and 10 p.m. each day except on Sundays and legal holidays. No operation of sound amplifying equipment for commercial purposes shall be permitted on Sundays or legal holidays. The operation of sound amplifying equipment for noncommercial purposes on Sundays and legal holidays shall only occur between the hours of 10 a.m. and 10 p.m., except New Year's Day.
3. Sound level emanating from sound amplifying equipment shall not exceed continuously the maximum noise level (~~L_{max}~~) of 15 decibels above the ambient noise level when measured at the outside property line where the event is being held.
4. Notwithstanding the provisions of paragraph 3 of this subsection, sound amplifying equipment shall not be operated within 200 feet of churches, schools, hospitals or city or county buildings, unless written consent thereto has been given by such church, school, hospital, city or county.
5. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

F. **Old Pasadena:** The commercial use of sound amplifying equipment in the Old Pasadena section of the city shall be subject to the following regulations:

1. In this section "Amplified sound" shall mean amplified music or the human voice used for entertainment only.
2. The ~~presumed~~ ambient noise level in the Old Pasadena section of the City shall be 60 decibels between 6:00 a.m. and 1:30 a.m. of the following day; and 50 decibels between 1:30 a.m. and 6:00 a.m.
3. Amplified music on private property shall not exceed 15 decibels above the ambient noise level, ~~which is defined as the higher of either the actual ambient noise level or the presumed ambient noise level set forth above.~~
4. Use of sound amplifying equipment shall be limited to the hours between 6:00 p.m. and 1:30 a.m. of the following day.
5. Operators of sound amplifying equipment within 500 feet of a functioning church, school or hospital site shall initially obtain the written consent of such facility prior to commencing operation of amplified sound equipment.
6. Any business owner within 300 feet of a business using amplified sound equipment may request the health officer or a designee to mediate informally any dispute related to the use of such amplified sound equipment.
7. Notwithstanding the enactment of the ordinance codified in this section, the city council reserves the right at a future time to amend or repeal this provision in its entirety, and does not intend the creation of any special property rights by this amendment.

9.36.170 Exemptions.

A. This chapter is not intended to regulate construction or maintenance and repair activities conducted by public agencies or their contractors necessitated by emergency conditions or deemed necessary by the City to serve the best interests of the public and to protect the public health, safety and welfare. These operations may include, but are not limited to, street sweeping, debris and limb removal, removal of downed wires, restoring electrical service, repairing traffic lights, unplugging sewers, vacuuming catch basins, repairing water hydrants and mains, gas lines, oil lines, storm drains, roads, sidewalks, etc.

B. Notwithstanding this ordinance, the city manager is authorized to permit special events to generate noise levels up to the limits specified in the Noise Element of the City's General Plan.

C. Notwithstanding this ordinance, the General Manager of the Rose Bowl is authorized to permit events licensed by the Rose Bowl Operating Company to generate noise levels up to the limits specified in the Noise Element of the City's General Plan.

D. Provisions in the permit or license agreement shall specify the specific hour limitations imposed, and the set decibel level delineated in the Noise Element which would apply.

9.36.180 Enforcement responsibility.

The manager of the Environmental Health Division shall have primary responsibility for the administration and enforcement of this chapter.

9.36.190 Violation – Penalty.

A. It shall be unlawful and a public nuisance for any person to violate the provisions of this chapter, punishable as a misdemeanor.

B. The provisions of this chapter are nonexclusive and supplementary to existing rights and remedies. Nothing in this chapter shall prevent the city from commencing any appropriate civil action to abate a public nuisance in addition to, or alternatively to, or in conjunction with the proceedings set forth in this chapter.”

~~9.36.230 General noise sources.~~

~~9.36.240 Applicability.~~

~~The noise level created by equipment installed prior to the effective date of the ordinance codified herein may exceed the presumed ambient noise levels or the ambient noise levels, whichever is higher, by 8 decibels for a period not exceeding 5 years from said effective date.~~

~~9.36.250 Violations – Misdemeanor.~~

~~Any person violating any of the provisions of this chapter is deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not exceeding \$500.00 or be imprisoned in the city or county jail for a period not exceeding 6 months, or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.~~

~~9.36.260 Violations – Additional remedies – Injunctions.~~

~~As an additional remedy, the operation or maintenance of any device, instrument, vehicle or machinery in violation of any provision of this chapter which operation or maintenance causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health or peace of residents in the area, shall be deemed and is declared to be a public nuisance and may be subject to~~

~~abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.~~

SECTION 3. This ordinance shall take effect thirty (30) days after its publication.

Signed and approved this _____ day of _____ 2008.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting of _____, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Published:

Jane Rodriguez
City Clerk

APPROVED AS TO FORM:

Carolyn Y. Williams
Carolyn Y. Williams
Asst. City Attorney

THE PASADENA JOURNAL NEWS
1541 N. Lake Avenue, Suite A
Pasadena, CA 91104
(626) 798-3972

This space is for Clerk's filing Stamp

PROOF OF PUBLICATION
(2025.5 C.C.P.)

STATE OF CALIFORNIA
County of Los Angeles

Proof of Publication of:

ORDINANCE NO. 7150

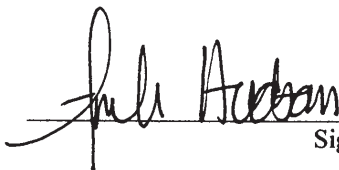
I am a citizen of the United States and a resident of the County of aforesaid. I am the Principal clerk of the printer of the Pasadena Journal, a newspaper of general circulation, printed and published weekly in the City of Pasadena, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of April 16, 1991, Case Number C013336, that the notice of which is annexed is a printed copy (set in type not smaller than nonpareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dated to-wit

SEE ATTACHED

July 31 in the year 2008.

I certify and declare under penalty perjury that the foregoing is true and correct

Dated at Pasadena, California, this 31st day of July, 2008.



Signature

Amber Hudson

PROOF OF PUBLICATION

Introduced by Councilmember Tyler

ORDINANCE NO. 7150

AN ORDINANCE OF THE CITY OF PASADENA
AMENDING TITLE 9, CHAPTER 9.36 OF THE
PASADENA MUNICIPAL CODE TO ADD AN
INTERIOR NOISE STANDARD, NOISE
EXEMPTIONS AND VARIOUS FORMAT
CHANGES

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and the corresponding costs of publication, will be published by title and summary as permitted by Section 508 of the City Charter. The approved summary of this ordinance reads as follows:

"SUMMARY

The subject ordinance, Ordinance No. 7150, adds a new interior noise standard and noise exemptions, sets forth a new appeal procedure for amplified sound registration permits, deletes references to noise districts, modifies the format of the current ordinance and makes various clerical changes to ensure the ordinance is more user-friendly. The new interior noise standards apply to multifamily residential property.

The noise exemptions will eliminate the need for the City Council to suspend the Noise Restrictions Ordinance for particular special events as was the practice in the past. This ordinance authorizes the City Manager to permit special events to generate noise levels up to the limits specified in the Noise Element of the City's General Plan. The General Manager of the Rose Bowl would have a similar authority to permit events licensed by the Rose Bowl Operating Company.

The appeal process for a disapproved amplified sound registration permit has been modified to permit applicants to file a written appeal with the City Manager. Several of the definitions used in the ordinance have been clarified.

Ordinance No. 7150 shall take effect thirty (30) days after its Publication."

Signed and approved this 28th day of July 2008.

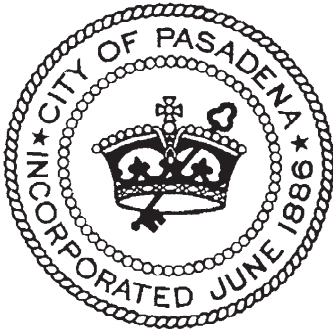
Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting of July 28, 2008, by the following vote:

AYES: Councilmembers Holden,
McAustin, Robinson, Tyler,
Mayor Bogaard
NOES: None
ABSTAIN: None
ABSENT: Councilmembers Gordo, Madison,
Vice Mayor Haderlein

Jane Rodriguez,
City Clerk

Published: July 31, 2008
Pasadena Journal



Agenda Report

TO: CITY COUNCIL

DATE: February 9, 2009

FROM: CITY MANAGER

THROUGH: PUBLIC SAFETY COMMITTEE (February 2, 2009)

SUBJECT: APPROVAL OF PLAN AND INCENTIVES TO REDUCE NOISE AND ENVIRONMENTAL IMPACTS OF LEAF BLOWERS IN PASADENA

RECOMMENDATION:

It is recommended that the City Council:

1. Approve the Public Health Department plan to reduce noise and environmental impacts of leaf blowers in Pasadena through enhanced training, community outreach and increased enforcement of the existing leaf blower ordinance; and
2. Authorize incentive payments not to exceed the amount of the business license tax paid for any gardener evidencing use of a low-emission, low-noise leaf blower.

BACKGROUND:

Over twenty years ago, Southern California faced extreme drought conditions and the City of Pasadena was confronted with the issue of conserving water. One of the many areas of concern was the use of water by professional and home gardeners to clean off their properties after conducting yard work. Leaf blowers, if used properly, are a reasonable alternative to help clean up a property quickly and save water. In response, the City Council pioneered a set of ordinances to establish parameters regarding the use of motorized leaf blowers. The current Pasadena Municipal Codes relating to leaf blower use are included as Attachment A.

Over the years, the use of leaf blowers has increased dramatically in the city as well as the number of residents' complaints related to excessive noise, time use violations and over blowing of debris and machine emissions into the air and adjacent properties. The Public Safety Committee reviewed the leaf blower regulations and directed staff to assess means to reduce the number of leaf blower related complaints from the community.

Current Certification Process

The Public Health Department's Environmental Health Division conducts the certification of leaf blowers. The current annual Public Health Department certification fee charged to professional gardeners is \$61 and gardeners must certify their leaf blowers on an annual basis. Approximately \$6,000 in annual certification fees is generated from nearly 100 licensed professional gardeners operating in the City of Pasadena. The certification process consists of a trained Environmental Health Technician conducting a sound test of the leaf blower machine to evaluate noise levels, a demonstration of the acceptable maximum noise levels for the particular leaf blower(s) being used, a review of the current regulations related to leaf blower operation and brief instruction on the preferred technique for using a leaf blower. Upon certification, the gardener can proceed to the Business License Division for an annual business license. The cost of the business license for gardeners in Pasadena is \$191.20 per vehicle.

Current Enforcement Process

Enforcement of the leaf blower ordinance is complaint driven. Noise complaints regarding leaf blowers received by the Environmental Health Division are computer logged and a City of Pasadena Health Inspector, trained in noise monitoring, is dispatched to investigate the complaint. The Health Inspector is usually successful in locating the offending gardener if the times of operation reported on the complaint are accurate.

Upon locating the gardener identified in the complaint, the Health Inspector requests proof of current business license and leaf blower certification. In these situations, the gardeners are usually unlicensed and operate uncertified leaf blowing equipment. If a violation is observed, a written notice is issued to the gardener to certify the leaf blower and to secure a business license within a specified number of days. A sound test is conducted at the complaint site and is noted on the written notice as a noise and/or business license violation. Health Department staff then follow up with the Business Services Section to verify compliance. Other common violations are operating before or after the allowed times or the high speed blowing of debris into the air affecting the air quality of the surrounding area. Currently, there are no monetary citations being issued by Health Department staff to gardeners using leaf blowers in violation of the Pasadena Municipal Code. The City's Business Services Section also separately enforces business licensing requirements for gardeners using their own inspection staff.

In most of these cases, follow-up compliance has been successful. Once non-licensed gardeners are identified and leaf blowers are certified, repeat noise complaints at the same location are rare. Many of these gardeners are not aware of the time restrictions and must be advised. Rarely, a second inspection is conducted for non-compliance and/or a hearing notice issued for second violations. One of the main challenges of enforcement and compliance is the fluidity of the gardening industry: turnover is high and new gardeners and gardening crews continually enter the Pasadena area.

Plan to Reduce Noise and Environmental Impacts of Leaf Blowers in Pasadena

Staff has evaluated the components of the current leaf blower ordinance and no modifications are recommended to the ordinance. Several cities in California have instituted bans on the use of gas powered leaf blowers with success. Attachment B lists the cities that have banned leaf blowers and describes issues of enforceability of leaf blower bans. Although there is increasing availability of low noise and low emission leaf blowers, along with incentives for their purchase, an outright ban on standard gas powered leaf blowers could potentially have an impact on the cost of both public and private landscaping maintenance. In addition, a ban could lead to increases in water usage as an alternative to using leaf blowers. As an alternative to a complete ban on leaf blowers, the Pasadena Public Health Department proposes the following measures to reduce noise and environmental impacts of leaf blowers:

1. Enhance training and community outreach. The certification process has been successful in showing gardeners how to properly operate their leaf blowing equipment and experience has shown that repeat complaints are reduced dramatically when the gardeners are appropriately trained. The Environmental Health Division will provide enhanced individual or group training to the professional gardeners in coordination with the Stilh Company, which has offered their assistance. The Southern Coast Air Quality Management District (AQMD) currently works with leaf blower manufacturers that produce low noise and low emission gas engine leaf blowers and offers discount incentives to professional gardeners willing to switch out old equipment. The AQMD also provides discount incentives to municipal Public Works Departments that purchase the new equipment. The Public Health Department will increase awareness of these programs amongst the public and professional gardeners through community outreach and during training sessions.
2. Formalize enforcement through citations and fines. The Environmental Health Inspectors are being trained in enforcement of health ordinances and regulations and staff will be ready to issue citations upon approval of this plan. If a professional gardener is caught operating without a valid business license, using an uncertified leaf blower or violating the noise ordinance, a \$100 infraction citation will be issued to the violator. Within one calendar year, subsequent citations to the same violator will result in a \$200 fine on the second offense and a \$500 fine for each offense thereafter. The monetary citation process will spread the news within the professional gardening community that the Public Health Department is actively penalizing operators who violate the Pasadena Municipal Code. Based on past experience and discussions with other jurisdictions, stricter enforcement should result in a noticeable reduction in the amount of leaf blower complaints and increase compliance with the certification and business licensing process. Implementation of a complaint driven system of enforcement can be incorporated into the existing scope of work of the Environmental Health Inspectors. Additionally, the Public Health Department plans to conduct periodic sweeps throughout the community similar to the process currently used for street vendor monitoring.

3. Authorize incentive payments not to exceed the amount of the annual business license tax paid for any gardener evidencing use of a low-emission, low-noise leaf blower. As an incentive to improve the air quality and reduce leaf blower noise levels in the City of Pasadena, staff recommends that an incentive payment equivalent to the cost of an annual business license fee be issued to gardeners who use low-emission, low-noise leaf blowers. A list of leaf blower models that meet industry criteria for low-emission and low-noise standards will be maintained by the Public Health Department. Machines will be inspected and qualified for the incentive program during the annual certification process.

FISCAL IMPACT:

The enhanced training, outreach and enforcement of the leaf blower ordinance can be accomplished utilizing existing Health Department staff capacity, but will have a nominal cost that will be absorbed by the Health Department budget. Increases in compliance with the certification and business licensing process will generate additional revenue for the city and help to offset the costs of enforcement. There is a potential loss of revenue to the general fund as a result of the incentive program. This impact to the City general fund would be dependent upon the number of gardeners who take advantage of the new incentive program by switching to low-emission, low-noise leaf blowers. The proposed incentive payment is equivalent to the cost of an annual business license for gardeners, currently \$191.20. There would be a nominal cost related to developing and marketing the incentive program.

Respectfully submitted,



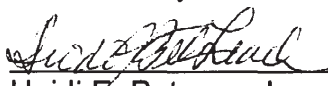
Michael J. Beck
City Manager

Prepared by:



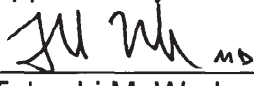
for William Kimura, MA REHS
Acting Environmental Health Division Manager

Reviewed by:



Heidi E. Petersen Leach, MPA
Deputy Director of Public Health

Approved by:



Takashi M. Wada, MD MPH
Director of Public Health/Health Officer

ATTACHMENT A

Pasadena Municipal Code

Title 9 PUBLIC PEACE, MORALS AND WELFARE*

Chapter 9.37 LEAF-BLOWING MACHINES

Chapter 9.37 LEAF-BLOWING MACHINES

9.37.010 Declaration of policy.

9.37.020 Definitions.

9.37.030 Prohibition.

9.37.040 Certificate of compliance to be filed with department of finance.

9.37.050 Public health department certification.

9.37.060 Responsibility for enforcement.

9.37.010 Declaration of policy.

It is declared to be the policy of the city to prohibit unnecessary, excessive and annoying noise, airborne dust and noxious fumes caused by the use of leaf blowers, pursuant to the city's police powers. (Ord. 6845 § 1, 2000; Ord. 6227 § 1 (part), 1987)

9.37.030 Prohibition.

A. It is unlawful for any person to use or to operate, or cause to be operated any type of *leaf*-blowing machine or device within a residential area before 8:00 a.m. and after 6:00 p.m., Monday through Friday; before 9:00 a.m. and after 5:00 p.m. on Saturday; or at any time on Sunday.

B. It is unlawful for any person to use or allow to be used, or to operate or cause to be used or operated any type of *leaf*-blowing machine or device in the city within a radius of 500 feet of a residential area before 8:00 a.m. and after 6:00 p.m., Monday through

Friday; before 9:00 a.m. and after 5:00 p.m. on Saturday; or at any time on Sunday.

C. It is unlawful for any person to use or operate, or cause to be used or operated, a *leaf blower* in such a manner as to blow, dispel or make airborne, leaves, grass cuttings, paper, trash or any other type of unattached debris or material, which, by use of the *leaf blower*, will intentionally cause such leaves, grass cuttings, paper, trash or any other type of unattached debris or material to become airborne or travel beyond the property boundaries of the parcel on which it is being used, to adjoining properties or public rights-of-way within the city, and to remain therefore more than 15 minutes.

D. It is unlawful to operate more than one *leaf blower* per parcel.

E. It is unlawful to operate a *leaf blower* for more than 15 minutes per hour on a parcel less than 1/2 acre, and for more than 30 minutes per hour on a parcel greater than 1/2 acre.

F. It is unlawful to operate a *leaf blower* with a maximum noise level of 65 decibels when measured from a distance of 50 feet. (Ord. 6845 § 3, 2000; Ord. 6227 § 1 (part), 1987)

9.37.020 Definitions.

As used in this chapter, unless the context otherwise indicates, the words and phrases used in this chapter are defined as follows:

A. "Leaf-blowing machine" means any device or air-blowing machine, gas or electric, which is designed or intended, by generating a concentrated stream of air, to blow, dispel, or make airborne, leaves, grass cuttings, paper, trash or any other type of unattached debris or material.

B. "Parcel" as used in this chapter, means that area of real property as defined by the county recorder. Contiguous parcels owned by the same individual or entity shall be considered one parcel for the purposes of this chapter.

C. "Residential area" as used in this chapter, means any property used in a manner defined as a residential use in Section 17.16.030 of this code.

Sidewalks and streets adjacent to residential property shall be considered a "residential area" for purposes of this chapter.

D. "Person" as used in this chapter means one who uses, controls, employs or hires an individual to use a *leaf blower*, including but not limited to, the real property owner, a tenant, an individual holding a legal interest in the real property, or a person employed in the landscape gardening or property maintenance business. (Ord. 6845 § 2, 2000; Ord. 6227 § 1 (part), 1987)

9.37.040 Certificate of compliance to be filed with department of finance.

It is unlawful for any person to utilize a *leaf blower* without having on file a certificate of compliance with the health department attesting to their knowledge of *leaf blower* operation and that they will operate a *leaf blower* in a manner so as to minimize dust and noise, and that they will utilize and keep in good working condition the noise reduction equipment installed on their *leaf blowers*. (Ord. 6227 § 1 (part), 1987)

9.37.050 Public health department certification.

It is unlawful to use or operate a leaf blower within the city unless it is certified annually by the public health department. Upon certification, a department approved sticker shall be affixed on the leaf blower so as to be visible at all times the leaf blower is in use. (Ord. 6845 § 4, 2000; Ord. 6227 § 1 (part), 1987)

9.37.060 Responsibility for enforcement.

The public health department shall have responsibility for enforcement of this chapter. (Ord. 6845 § 5, 2000)

ATTACHMENT B

Cities with Leaf Blower Bans
(population in parentheses)

Belvedere (2,500)	Berkeley (105,000)	Beverly Hills (32,000)
Carmel (4,200)	Claremont (50,000)	Del Mar (5,000)
Indian Wells (3,300)	Laguna Beach (24,000)	Lawndale (29,000)
Los Altos (28,000)	Malibu (12,000)	Mill Valley (13,000)
Piedmont (10,000)	Santa Monica (90,000)	Hermosa Beach (18,600)
West Hollywood (36,700)	Palo Alto (60,000)	Sunnyvale (132,000)

This list is from <http://www.nonoise.org/quietnet/cqs/other.htm#calbans>

Success in Enforcement of Leaf Blower Bans

Pasadena Public Health Department staff spoke with staff from three cities to better understand the successful components of leaf blower bans:

- Leaf blower bans are reported as 90% to 95% percent effective.
- Enforcement is responsive to citizen complaints rather than proactive.
- New or new to the area commercial gardeners who are unaware of the leaf blower ban are the most likely offenders.
- Of cities with leaf blower bans, most are relatively small in population (50,000 or fewer residents).
- The number of complaints diminishes over time.
- Leaf blower bans have been controversial in some jurisdictions.
- A few cities have rescinded the more restrictive components of their ordinances.

482 Municipalities

58 Counties

Name	Type	County	Population	Land area	Gas & Electric ban		Gasoline Bans	Noise/Time Restrictions
Adelanto	City	San Bernardino	31,765	56.01				no ban
Agoura Hills	City	Los Angeles	20,330	7.79			X	no ban; noise/time ordinance
Alameda	City	Alameda	73,812	10.61			X	no ban; noise/time ordinance
Albany	City	Alameda	18,539	1.79			X	no ban; noise/time ordinance
Alhambra	City	Los Angeles	83,089	7.63			X	no ban; noise/time ordinance
Aliso Viejo	City	Orange	47,823	7.47			X	no ban; noise/time ordinance
Alturas	City	Modoc	2,827	2.43				no ban
Amador City	City	Amador	185	0.31				no ban
American Canyon	City	Napa	19,454	4.84				no ban
Anaheim	City	Orange	336,265	49.84			X	no ban; noise/time ordinance
Anderson	City	Shasta	9,932	6.37				no ban
Angels Camp	City	Calaveras	3,836	3.63				no ban
Antioch	City	Contra Costa	102,372	28.35				no ban
Apple Valley	Town	San Bernardino	69,135	73.19			X	no ban; noise/time ordinance
Arcadia	City	Los Angeles	56,364	10.93			X	no ban; noise/time ordinance
Arcata	City	Humboldt	17,231	9.1			X	no ban; noise/time ordinance
Arroyo Grande	City	San Luis Obispo	17,252	5.84			X	no ban; noise/time ordinance
Artesia	City	Los Angeles	16,522	1.62			X	no ban; noise/time ordinance
Arvin	City	Kern	19,304	4.82				no ban
Atascadero	City	San Luis Obispo	28,310	25.64				no ban
Atherton	Town	San Mateo	6,914	5.02			X	no ban; noise/time ordinance
Atwater	City	Merced	28,168	6.09				no ban
Auburn	City	Placer	13,330	7.14				no ban
Avalon	City	Los Angeles	3,728	2.94				no ban
Avenal	City	Kings	15,505	19.42				no ban
Azusa	City	Los Angeles	46,361	9.66				no ban
Bakersfield	City	Kern	347,483	142.16			X	no ban; noise/time ordinance
Baldwin Park	City	Los Angeles	75,390	6.63				no ban
Banning	City	Riverside	29,603	23.1				no ban
Barstow	City	San Bernardino	22,639	41.38			X	no ban; noise/time ordinance
Beaumont	City	Riverside	36,877	30.91				no ban
Bell	City	Los Angeles	35,477	2.5				no ban
Bell Gardens	City	Los Angeles	42,072	2.46				no ban
Bellflower	City	Los Angeles	76,616	6.12				no ban
Belmont	City	San Mateo	25,835	4.62			X	no ban; noise/time ordinance
Belvedere	City	Marin	2,068	0.52		X		Ban on Gas powered only
Benicia	City	Solano	26,997	12.93				no ban
Berkeley	City	Alameda	112,580	10.47		X		Ban on Gas powered only
Beverly Hills	City	Los Angeles	34,109	5.71		X		Ban on Gas powered only
Big Bear Lake	City	San Bernardino	5,019	6.35				no ban
Biggs	City	Butte	1,707	0.64				no ban
Bishop	City	Inyo	3,879	1.86				no ban
Blue Lake	City	Humboldt	1,253	0.59				no ban
Blythe	City	Riverside	20,817	26.19				no ban
Bradbury	City	Los Angeles	1,048	1.96				no ban
Brawley	City	Imperial	24,953	7.68				no ban
Brea	City	Orange	39,282	12.08				no ban
Brentwood	City	Contra Costa	51,481	14.79			X	no ban; noise/time ordinance
Brisbane	City	San Mateo	4,282	3.1				no ban
Buellton	City	Santa Barbara	4,828	1.58			X	No ban; temporary ban due to fires
Buena Park	City	Orange	80,530	10.52				no ban
Burbank	City	Los Angeles	103,340	17.34			X	no ban; noise/time ordinance
Burlingame	City	San Mateo	28,806	4.41			X	no ban; noise/time ordinance
Calabasas	City	Los Angeles	23,058	12.9				no ban
Calexico	City	Imperial	38,572	8.39			X	no ban; noise/time ordinance
California City	City	Kern	14,120	203.52				no ban
Calimesa	City	Riverside	7,879	14.85			X	no ban; noise/time ordinance
Calipatria	City	Imperial	7,705	3.72				no ban
Calistoga	City	Napa	5,155	2.6			X	no ban; noise/time ordinance
Camarillo	City	Ventura	65,201	19.53			X	no ban; noise/time ordinance
Campbell	City	Santa Clara	39,349	5.8				no ban
Canyon Lake	City	Riverside	10,561	3.93				no ban
Capitola	City	Santa Cruz	9,918	1.59			X	no ban; noise/time ordinance
Carlsbad	City	San Diego	105,328	37.72			X	no ban; noise/time ordinance
Carmel-by-the-Sea	City	Monterey	3,722	1.08		X		Ban on Gas powered only
Carpinteria	City	Santa Barbara	13,040	2.59			X	no ban; noise/time ordinance
Carson	City	Los Angeles	91,714	18.72			X	no ban; noise/time ordinance
Cathedral City	City	Riverside	51,200	21.5			X	no ban; noise/time ordinance
Ceres	City	Stanislaus	45,417	8.01				no Ban
Cerritos	City	Los Angeles	49,041	8.73			X	no ban; noise/time ordinance
Chico	City	Butte	86,187	32.92			X	no ban; noise/time ordinance
Chino	City	San Bernardino	77,983	29.64				no ban
Chino Hills	City	San Bernardino	74,799	44.68				no ban

[illegible]

Fremont	City	Alameda	214,089	77.46						no ban
Fresno	City	Fresno	494,665	111.96					X	no ban; noise/time ordinance
Fullerton	City	Orange	135,161	22.35					X	no ban; noise/time ordinance
Galt	City	Sacramento	23,647	5.93						no ban
Garden Grove	City	Orange	170,883	17.94						no ban
Gardena	City	Los Angeles	58,829	5.83					X	no ban; noise/time ordinance
Gilroy	City	Santa Clara	48,821	16.15						no ban
Glendale	City	Los Angeles	191,719	30.45					X	no ban; noise/time ordinance
Glendora	City	Los Angeles	50,073	19.39						no ban
Goleta	City	Santa Barbara	29,888	7.9		X				Ban on Gas powered only
Gonzales	City	Monterey	8,187	1.92						no ban
Grand Terrace	City	San Bernardino	12,040	3.5						no ban
Grass Valley	City	Nevada	12,860	4.74						no ban
Greenfield	City	Monterey	16,330	2.14						no ban
Gridley	City	Butte	6,584	2.07						no ban
Grover Beach	City	San Luis Obispo	13,156	2.31						no ban
Guadalupe	City	Santa Barbara	7,080	1.31						no ban
Gustine	City	Merced	5,520	1.55						no ban
Half Moon Bay	City	San Mateo	11,324	6.42						no ban
Hanford	City	Kings	53,967	16.59						no ban
Hawaiian Gardens	City	Los Angeles	14,254	0.95					X	no ban; noise/time ordinance
Hawthorne	City	Los Angeles	84,293	6.08						no ban
Hayward	City	Alameda	144,186	45.32						no ban
Healdsburg	City	Sonoma	11,254	4.46						no ban
Hemet	City	Riverside	78,657	27.85						no ban
Hercules	City	Contra Costa	24,060	6.21						no ban
Hermosa Beach	City	Los Angeles	19,506	1.43		X		X		Complete Ban
Hesperia	City	San Bernardino	90,173	73.1						no ban
Hidden Hills	City	Los Angeles	1,856	1.69						no ban
Highland	City	San Bernardino	53,104	18.76					X	no ban; noise/time ordinance
Hillsborough	Town	San Mateo	10,825	6.19						no ban
Hollister	City	San Benito	34,928	7.29						no ban
Holtville	City	Imperial	5,939	1.15						no ban
Hughson	City	Stanislaus	6,640	1.82						no ban
Huntington Beach	City	Orange	189,992	26.75					X	no ban; noise/time ordinance
Huntington Park	City	Los Angeles	58,114	3.01						no ban
Huron	City	Fresno	6,754	1.59						no ban
Imperial	City	Imperial	14,758	5.86						no ban
Imperial Beach	City	San Diego	26,324	4.16						no ban
Indian Wells	City	Riverside	4,958	14.32					X	no ban; noise/time ordinance
Indio	City	Riverside	76,036	29.18					X	no ban; noise/time ordinance
Industry	City	Los Angeles	219	11.78						no ban
Inglewood	City	Los Angeles	109,673	9.07						no ban
Ione	City	Amador	7,918	4.76						no ban
Irvine	City	Orange	212,375	66.11					X	no ban; noise/time ordinance
Irwindale	City	Los Angeles	1,422	8.83						no ban
Isleton	City	Sacramento	804	0.44						no ban
Jackson	City	Amador	4,651	3.73						no ban
Jurupa Valley	City	Riverside	95,004[11]	43.7					X	no ban; noise/time ordinance
Kerman	City	Fresno	13,544	3.23						no ban
King City	City	Monterey	12,874	3.84						no ban
Kingsburg	City	Fresno	11,382	2.83						no ban
La Cañada Flintridge	City	Los Angeles	20,246	8.63					X	no ban; noise/time ordinance
La Habra	City	Orange	60,239	7.37						no ban
La Habra Heights	City	Los Angeles	5,325	6.16						no ban
La Mesa	City	San Diego	57,065	9.08						no ban
La Mirada	City	Los Angeles	48,527	7.84						no ban
La Palma	City	Orange	15,568	1.81						no ban
La Puente	City	Los Angeles	39,816	3.48						no ban
La Quinta	City	Riverside	37,467	35.12					X	no ban; noise/time ordinance
La Verne	City	Los Angeles	31,063	8.43						no ban
Lafayette	City	Contra Costa	23,893	15.22					X	no ban; noise/time ordinance
Laguna Beach	City	Orange	22,723	8.85		X		X		Complete Ban
Laguna Hills	City	Orange	30,344	6.67						no ban
Laguna Niguel	City	Orange	62,979	14.83						no ban
Laguna Woods	City	Orange	16,192	3.12						no ban
Lake Elsinore	City	Riverside	51,821	36.21					X	no ban; noise/time ordinance
Lake Forest	City	Orange	77,264	17.82						no ban
Lakeport	City	Lake	4,753	3.06						no ban
Lakewood	City	Los Angeles	80,048	9.41						no ban
Lancaster	City	Los Angeles	156,633	94.28					X	no ban; noise/time ordinance
Larkspur	City	Marin	11,926	3.03			X			Ban on Gas powered only
Lathrop	City	San Joaquin	18,023	21.93						no ban
Lawndale	City	Los Angeles	32,769	1.97						no ban
Lemon Grove	City	San Diego	25,320	3.88					X	no ban; noise/time ordinance
Lemoore	City	Kings	24,531	8.52						no ban

Lincoln	City	Placer	42,819	20.11			no ban
Lindsay	City	Tulare	11,768	2.61			no ban
Live Oak	City	Sutter	8,392	1.87			no ban
Livermore	City	Alameda	80,968	25.17			no ban
Livingston	City	Merced	13,058	3.72			no ban
Lodi	City	San Joaquin	62,134	13.61			no ban
Loma Linda	City	San Bernardino	23,261	7.52			no ban
Lomita	City	Los Angeles	20,256	1.91		X	no ban; noise/time ordinance
Lompoc	City	Santa Barbara	42,434	11.6			no ban
Long Beach	City	Los Angeles	462,257	50.29		X	no ban; noise/time ordinance
Loomis	Town	Placer	6,430	7.27			no ban
Los Alamitos	City	Orange	11,449	4.05			no ban
Los Altos	City	Santa Clara	28,976	6.49	X		Ban on Gas powered only
Los Altos Hills	Town	Santa Clara	7,922	8.8			no ban
Los Angeles	City	Los Angeles	3,792,621	468.67	X		Ban on Gas powered only
Los Banos	City	Merced	35,972	9.99			no ban; noise/time ordinance
Los Gatos	Town	Santa Clara	29,413	11.08	X		Ban on Gas powered only
Loyalton	City	Sierra	769	0.36			no ban
Lynwood	City	Los Angeles	69,772	4.84			no ban
Madera	City	Madera	61,416	15.79			no ban
Malibu	City	Los Angeles	12,645	19.78	X		Ban on Gas powered only
Mammoth Lakes	Town	Mono	8,234	24.87			no ban
Manhattan Beach	City	Los Angeles	35,135	3.94	X		Complete Ban
Manteca	City	San Joaquin	67,096	17.73		X	no ban; noise/time ordinance
Maricopa	City	Kern	1,154	1.5			no ban
Marina	City	Monterey	19,718	8.88			no ban
Martinez	City	Contra Costa	35,824	12.13			no ban
Marysville	City	Yuba	12,072	3.46			no ban
Maywood	City	Los Angeles	27,395	1.18		X	no ban; noise/time ordinance
McFarland	City	Kern	12,707	2.67			no ban
Mendota	City	Fresno	11,014	3.28			no ban
Menifee	City	Riverside	77,519	46.47			no ban
Menlo Park	City	San Mateo	32,026	9.79			no ban
Merced	City	Merced	78,958	23.32			no ban
Mill Valley	City	Marin	13,903	4.76	X		Ban on Gas powered only
Millbrae	City	San Mateo	21,532	3.25		X	no ban; noise/time ordinance
Milpitas	City	Santa Clara	66,790	13.59		X	no ban; noise/time ordinance
Mission Viejo	City	Orange	93,305	17.74			no ban
Modesto	City	Stanislaus	201,165	36.87			no ban
Monrovia	City	Los Angeles	36,590	13.6		X	no ban; noise/time ordinance
Montague	City	Siskiyou	1,443	1.78			no ban
Montclair	City	San Bernardino	36,664	5.52			no ban
Monte Sereno	City	Santa Clara	3,341	1.62			no ban
Montebello	City	Los Angeles	62,500	8.33		X	no ban; noise/time ordinance
Monterey	City	Monterey	27,810	8.47			no ban
Monterey Park	City	Los Angeles	60,269	7.67		X	no ban; noise/time ordinance
Moorpark	City	Ventura	34,421	12.58			no ban
Moraga	Town	Contra Costa	16,016	9.43		X	no ban; noise/time ordinance
Moreno Valley	City	Riverside	193,365	51.27			no ban
Morgan Hill	City	Santa Clara	37,882	12.88			no ban
Morro Bay	City	San Luis Obispo	10,234	5.3			no ban
Mount Shasta	City	Siskiyou	3,394	3.77			no ban
Mountain View	City	Santa Clara	74,066	12		X	no ban; noise/time ordinance
Murrieta	City	Riverside	103,466	33.58			no ban
Napa	City	Napa	76,915	17.84			no ban
National City	City	San Diego	58,582	7.28		X	no ban; noise/time ordinance
Needles	City	San Bernardino	4,844	30.81			no ban
Nevada City	City	Nevada	3,068	2.19			no ban
Newark	City	Alameda	42,573	13.87			no ban
Newman	City	Stanislaus	10,224	2.1			no ban
Newport Beach	City	Orange	85,186	23.8	X		Ban on Gas powered only; Residential Ban
Norco	City	Riverside	27,063	13.96			no ban
Norwalk	City	Los Angeles	105,549	9.71		X	no ban; noise/time ordinance
Novato	City	Marin	51,904	27.44		X	no ban; noise/time ordinance
Oakdale	City	Stanislaus	20,675	6.04			no ban
Oakland	City	Alameda	390,724	55.79			no ban
Oakley	City	Contra Costa	35,432	15.85		X	no ban; noise/time ordinance
Oceanside	City	San Diego	167,086	41.23			no ban
Ojai	City	Ventura	7,461	4.39		X	no ban; temporary ordinance due to fire
Ontario	City	San Bernardino	163,924	49.94			no ban
Orange	City	Orange	134,616	24.8		X	no ban; noise/time ordinance
Orange Cove	City	Fresno	9,078	1.91			no ban
Orinda	City	Contra Costa	17,643	12.68		X	no ban; noise/time ordinance
Orland	City	Glenn	7,291	2.97			no ban
Oroville	City	Butte	15,546	12.99			no ban
OXnard	City	Ventura	197,899	26.89			no ban

Pacific Grove	City	Monterey	15,041	2.86		X	no ban; noise/time ordinance
Pacifica	City	San Mateo	37,234	12.66			no ban
Palm Desert	City	Riverside	48,445	26.81		X	no ban; noise/time ordinance
Palm Springs	City	Riverside	44,552	94.12	X		Ban on Gas powered only
Palmdale	City	Los Angeles	152,750	105.96			no ban
Palo Alto	City	Santa Clara	64,403	23.88	X		Ban on Gas powered only
Palos Verdes Estates	City	Los Angeles	13,438	4.77		X	no ban; noise/time ordinance
Paradise	Town	Butte	26,218	18.31			no ban
Paramount	City	Los Angeles	54,098	4.73			no ban
Parlier	City	Fresno	14,494	2.19			no ban
Pasadena	City	Los Angeles	137,122	22.97		X	no ban; noise/time ordinance
Paso Robles	City	San Luis Obispo	29,793	19.12		X	no ban; noise/time ordinance
Patterson	City	Stanislaus	20,413	5.95			no ban
Perris	City	Riverside	68,386	31.39		X	no ban; noise/time ordinance
Petaluma	City	Sonoma	57,941	14.38			No Information
Pico Rivera	City	Los Angeles	62,942	8.3			no ban
Piedmont	City	Alameda	10,667	1.68	X		Ban on Gas powered only
Pinole	City	Contra Costa	18,390	5.32			no ban
Pismo Beach	City	San Luis Obispo	7,655	3.6			no ban
Pittsburg	City	Contra Costa	63,264	17.22			no ban
Placentia	City	Orange	50,533	6.57			no ban
Placerville	City	El Dorado	10,389	5.81			no ban
Pleasant Hill	City	Contra Costa	33,152	7.07			no ban
Pleasanton	City	Alameda	70,285	24.11		X	no ban; noise/time ordinance
Plymouth	City	Amador	1,005	0.93			no ban
Point Arena	City	Mendocino	449	1.35			no ban
Pomona	City	Los Angeles	149,058	22.95			no ban
Port Hueneme	City	Ventura	21,723	4.45			no ban
Porterville	City	Tulare	54,165	17.61			no ban
Portola	City	Plumas	2,104	5.41			no ban
Portola Valley	Town	San Mateo	4,353	9.09		X	no ban; noise/time ordinance
Poway	City	San Diego	47,811	39.08			no ban
Rancho Cordova	City	Sacramento	64,776	33.51			no ban
Rancho Cucamonga	City	San Bernardino	165,269	39.85			no ban
Rancho Mirage	City	Riverside	17,218	24.45		X	no ban; noise/time ordinance
Rancho Palos Verdes	City	Los Angeles	41,643	13.46	X		Ban on Gas powered only
Rancho Santa Margarita	City	Orange	47,853	12.96			no ban
Red Bluff	City	Tehama	14,076	7.56			no ban
Redding	City	Shasta	89,861	59.65		X	no ban; noise/time ordinance
Redlands	City	San Bernardino	68,747	36.13			no ban
Redondo Beach	City	Los Angeles	66,747	6.2	X	X	Complete Ban
Redwood City	City	San Mateo	76,815	19.42		X	no ban; noise/time ordinance
Reedley	City	Fresno	24,194	5.08			no ban
Rialto	City	San Bernardino	99,171	22.35			no ban
Richmond	City	Contra Costa	103,701	30.07		X	no ban; noise/time ordinance
Ridgecrest	City	Kern	27,616	20.77			no ban
Rio Dell	City	Humboldt	3,368	2.28			no ban
Rio Vista	City	Solano	7,360	6.69			no ban
Ripon	City	San Joaquin	14,297	5.3			no ban
Riverbank	City	Stanislaus	22,678	4.09			no ban
Riverside	City	Riverside	303,871	81.14			no ban
Rocklin	City	Placer	56,974	19.54			no ban
Rohnert Park	City	Sonoma	40,971	7		X	no ban; noise/time ordinance
Rolling Hills	City	Los Angeles	1,860	2.99			no ban
Rolling Hills Estates	City	Los Angeles	8,067	3.57		X	no ban; noise/time ordinance
Rosemead	City	Los Angeles	53,764	5.16			no ban
Roseville	City	Placer	118,788	36.22			no ban
Ross	Town	Marin	2,415	1.56	X		Ban on Gas powered only
Sacramento	City	Sacramento	466,488	97.92		X	no ban; noise/time ordinance
St. Helena	City	Napa	5,814	4.99			no ban
Salinas	City	Monterey	150,441	23.18			no ban
San Anselmo	Town	Marin	12,336	2.68		X	no ban; noise/time ordinance
San Bernardino	City	San Bernardino	209,924	59.2			no ban
San Bruno	City	San Mateo	41,114	5.48			no ban
San Carlos	City	San Mateo	28,406	5.54			no ban
San Clemente	City	Orange	63,522	18.71		X	no ban; noise/time ordinance
San Diego	City	San Diego	1,301,617	325.19		X	no ban; noise/time ordinance
San Dimas	City	Los Angeles	33,371	15.04		X	no ban; noise/time ordinance
San Fernando	City	Los Angeles	23,645	2.37		X	no ban; noise/time ordinance
San Francisco	City and c	San Francisco	805,235	46.87		X	no ban; noise/time ordinance
San Gabriel	City	Los Angeles	39,718	4.14		X	no ban; noise/time ordinance
San Jacinto	City	Riverside	44,199	25.72			no ban
San Joaquin	City	Fresno	4,001	1.15			no ban
San Jose	City	Santa Clara	945,942	176.53			no ban
San Juan Bautista	City	San Benito	1,862	0.71		X	no ban; noise/time ordinance
San Juan Capistrano	City	Orange	34,593	14.12			no ban

San Leandro	City	Alameda	84,950	13.34					no ban
San Luis Obispo	City	San Luis Obispo	45,119	12.78			X		no ban; noise/time ordinance
San Marcos	City	San Diego	83,781	24.37					no ban
San Marino	City	Los Angeles	13,147	3.77			X		no ban; noise/time ordinance
San Mateo	City	San Mateo	97,207	12.13			X		no ban; noise/time ordinance
San Pablo	City	Contra Costa	29,139	2.63					no ban
San Rafael	City	Marin	57,713	16.47					no ban
San Ramon	City	Contra Costa	72,148	18.06					no ban
Sand City	City	Monterey	334	0.56					no ban
Sanger	City	Fresno	24,270	5.52					no ban
Santa Ana	City	Orange	324,528	27.27					no ban
Santa Barbara	City	Santa Barbara	88,410	19.47		X			Ban on Gas powered only
Santa Clara	City	Santa Clara	116,468	18.41			X		no ban; noise/time ordinance
Santa Clarita	City	Los Angeles	176,320	52.72				X	no ban; noise/time ordinance
Santa Cruz	City	Santa Cruz	59,946	12.74				X	no ban; noise/time ordinance
Santa Fe Springs	City	Los Angeles	16,223	8.87				X	no ban; noise/time ordinance
Santa Maria	City	Santa Barbara	99,553	22.76					no ban
Santa Monica	City	Los Angeles	89,736	8.41		X	X		Complete Ban
Santa Paula	City	Ventura	29,321	4.59					no ban
Santa Rosa	City	Sonoma	167,815	41.29					no ban
Santee	City	San Diego	53,413	16.24					no ban
Saratoga	City	Santa Clara	29,926	12.38				X	no ban; noise/time ordinance
Sausalito	City	Marin	7,061	1.77				X	no ban; noise/time ordinance
Scotts Valley	City	Santa Cruz	11,580	4.59					no ban
Seal Beach	City	Orange	24,168	11.29					no ban
Seaside	City	Monterey	33,025	9.24					no ban
Sebastopol	City	Sonoma	7,379	1.85				X	no ban; noise/time ordinance
Selma	City	Fresno	23,219	5.14					no ban
Shafter	City	Kern	16,988	27.94					no ban
Shasta Lake	City	Shasta	10,164	10.92					no ban
Sierra Madre	City	Los Angeles	10,917	2.95				X	no ban; noise/time ordinance
Signal Hill	City	Los Angeles	11,016	2.19					no ban
Simi Valley	City	Ventura	124,237	41.48				X	no ban; noise/time ordinance
Solana Beach	City	San Diego	12,867	3.52		X			Ban on Gas powered only
Soledad	City	Monterey	25,738	4.41					no ban
Solvang	City	Santa Barbara	5,245	2.43				X	no ban; noise/time ordinance
Sonoma	City	Sonoma	10,648	2.74		X			Ban on Gas powered only
Sonora	City	Tuolumne	4,903	3.06					no ban
South El Monte	City	Los Angeles	20,116	2.84					no ban
South Gate	City	Los Angeles	94,396	7.24					no ban
South Lake Tahoe	City	El Dorado	21,403	10.16					no ban
South Pasadena	City	Los Angeles	25,619	3.41		X			Ban on Gas powered only
South San Francisco	City	San Mateo	63,632	9.14					no ban
Stanton	City	Orange	38,186	3.15					no ban
Stockton	City	San Joaquin	291,707	61.67					no ban
Suisun City	City	Solano	28,111	4.11					no ban
Sunnyvale	City	Santa Clara	140,081	21.99		X			Ban on Gas powered only
Susanville	City	Lassen	17,947	7.93				X	no ban; noise/time ordinance
Sutter Creek	City	Amador	2,501	2.56					no ban
Taft	City	Kern	9,327	15.11					no ban
Tehachapi	City	Kern	14,414	9.87					no ban
Tehama	City	Tehama	418	0.79					no ban
Temecula	City	Riverside	100,097	30.15					no ban
Temple City	City	Los Angeles	35,558	4.01					no ban
Thousand Oaks	City	Ventura	126,683	55.03					no ban
Tiburon	Town	Marin	8,962	4.43		X			Ban on Gas powered only
Torrance	City	Los Angeles	145,538	20.48					no ban
Tracy	City	San Joaquin	82,922	22					no ban
Trinidad	City	Humboldt	367	0.48					no ban
Truckee	Town	Nevada	16,180	32.32					no ban
Tulare	City	Tulare	59,278	20.93					no ban
Tulelake	City	Siskiyou	1,010	0.41					no ban
Turlock	City	Stanislaus	68,549	16.93				X	no ban; noise/time ordinance
Tustin	City	Orange	75,540	11.08					no ban
Twentynine Palms	City	San Bernardino	25,048	59.14					no ban
Ukiah	City	Mendocino	16,075	4.67					no ban
Union City	City	Alameda	69,516	19.47					no ban
Upland	City	San Bernardino	73,732	15.62					no ban
Vacaville	City	Solano	92,428	28.37					no ban
Vallejo	City	Solano	115,942	30.67					no ban
Ventura	City	Ventura	106,433	21.65					Repealed a temporary ban due to Thomas Fire
Vernon	City	Los Angeles	112	4.97					no ban
Victorville	City	San Bernardino	115,903	73.18					no ban
Villa Park	City	Orange	5,812	2.08					no ban
Visalia	City	Tulare	124,442	36.25					no ban
Vista	City	San Diego	93,834	18.68					no ban

Walnut	City	Los Angeles	29,172	8.99			no ban
Walnut Creek	City	Contra Costa	64,173	19.76			no ban
Wasco	City	Kern	25,545	9.43		X	no ban; noise/time ordinance
Waterford	City	Stanislaus	8,456	2.33			no ban
Watsonville	City	Santa Cruz	51,199	6.69			no ban
Weed	City	Siskiyou	2,967	4.79			no ban
West Covina	City	Los Angeles	106,098	16.04			no ban
West Hollywood	City	Los Angeles	34,399	1.89		X	Ban on Gas powered only
West Sacramento	City	Yolo	48,744	21.43			no ban
Westlake Village	City	Los Angeles	8,270	5.19			no ban
Westminster	City	Orange	89,701	10.05			no ban
Westmorland	City	Imperial	2,225	0.59			no ban
Wheatland	City	Yuba	3,456	1.48			no ban
Whittier	City	Los Angeles	85,331	14.65			no ban
Wildomar	City	Riverside	32,176	23.69			no ban
Williams	City	Colusa	5,123	5.44			no ban
Willits	City	Mendocino	4,888	2.8			no ban
Willows	City	Glenn	6,166	2.85			no ban
Windsor	Town	Sonoma	26,801	7.27			no ban
Winters	City	Yolo	6,624	2.91			no ban
Woodlake	City	Tulare	7,279	2.25			no ban
Woodland	City	Yolo	55,468	15.3			no ban
Woodside	Town	San Mateo	5,287	11.73			no ban
Yorba Linda	City	Orange	64,234	19.48			no ban
Yountville	Town	Napa	2,933	1.53		X	no ban; noise/time ordinance
Yreka	City	Siskiyou	7,765	9.98			no ban
Yuba City	City	Sutter	64,925	14.58			no ban
Yucaipa	City	San Bernardino	51,367	27.89			no ban
Yucca Valley	Town	San Bernardino	20,700	40.02			no ban

Different hazards to examine (and questions this report seeks to address):

- I. **Noise** - *How does noise affect workers, children, adults and seniors? What are the WHO standards for noise?*
- II. **Dust, biohazards, particulate matter** – *how do fumes, oil contaminants, aerosols, dust affect workers and community members (children, adults, senior adults, asthma sufferers)?*
- III. **Environmental health** – *Do two-stroke engines contribute to greenhouse gas emissions? Do two-stroke engines destroy insect habitats? How do two-stroke engines affect topsoil? Does noise from two-stroke engines destroy the natural biophony?*
- IV. **Alternatives to two-stroke engine lawn equipment** – *Is there an appetite and a market for battery-powered systems? Are there less noisy, less polluting models?*

I. Noise

How does noise from two-stroke leaf blower affect workers?

Noise specifications are typically measured from about 50-feet away from blower.¹ Therefore, operators and nearby workers experience significantly higher noises. Many newer leaf models set the specification that noise should not exceed 65 dB from 50 feet away. But even with this recommendation, operators may experience levels even greater than 85 dB, which can result in hearing loss.^{2,3} Notably, OSHA requires employers to implement a noise exposure program to employees exposed to average noise levels of 85 dB over 8 hours of work.⁴ Under these standards, the casual user (or even an operator at a landscaping “mom and pop” boutique) is unlikely to break compliance but still may experience hearing loss resulting from noise exposure.²⁻³

To the best of our knowledge, no detailed quantitative study shows how long an average user is exposed to these noises, but for the purposes of this report we can safely assume that this value is greater than zero, and any exposure to loud noises above 85 dB can result in hearing damage or loss.^{2,3}

How does noise from two-stroke leaf blowers affect community members?

Children are at high risk for hearing damage as they are developing.^{5,6} Leaf blowers operating above an effective decibel volume (i.e., the volume perceived) of 45 dB are likely to disrupt the sleep of infants, toddlers, second and third shift workers. Leaf blowers are often used much closer than 50 ft (for example, when used near an external wall), meaning that the effective volume is often much greater than 45 dB and likely to be audible indoors.⁷⁻⁹

While many different types of lawn equipment (e.g., lawn mowers, weed eaters, leaf blowers) make noise, those with tonal components like leaf blowers tend to elicit the strongest annoyance.⁷ Low-frequency sound waves travel further than shorter waves and are also less likely to be abated by walls or nearby objects like trees.⁷ Without proper abatement, low-frequency noise can be as loud as 65 dB from 800 ft away.⁸

Perceived Sound Level	Sound Level		Examples	Leaf Blower Reference
	dB	μPa		
PAINFULLY LOUD	160	2×10^9	fireworks at 3 feet	
	150		jet at takeoff	
	140	2×10^8	threshold of pain	OSHA limit for impulse noise
UNCOMFORTABLY LOUD	130		power drill	
	120	2×10^7	thunder	
	110		auto horn at 1 meter	90-105 dB leaf blower at operators ear
	100	2×10^6	snowmobile	90 dB OSHA permissible exposure limit
VERY LOUD	90		diesel truck, food blender	
	80	2×10^5	garbage disposal	
MODERATELY LOUD	70		vacuum cleaner	62-75 dB Leaf blower at 50 feet
	60	2×10^4	ordinary conversation	
	50		average home	
	40	2×10^3	library	
QUIET	30		quiet conversation	
VERY QUIET	20	2×10^2	soft whisper	
	10		rustling leaves	
BARELY AUDIBLE	0	2×10^1	threshold of hearing	

dB= decibels
 μPa = micro Pascals

Figure 1: Reproduced from California EPA study (2000)¹⁰

II. Dust, particulate matter, fumes, biohazards

How do fumes, oil contaminants, aerosols, dust affect workers? Community members?

A. Emissions

Two-stroke engines are an obvious source of emissions, including burned and unburned fuel, carbon monoxide (CO), nitrous oxide (NO), benzene, 1,3-butadiene, acetaldehyde and formaldehyde.¹⁰ By the very nature of these engines, fuels are mixed with lubricating oils. A single two-stroke engine produces the equivalent pollution of 30-50 four-stroke engines. A 1999 study provided a further benchmark: Hydrocarbon emissions from 30 minutes of blower operation (from a two-stroke engine) equal about 8000 miles of driving at an average speed of 30 miles per hour.¹⁰ A 2017 study cited in the Wall Street Journal accounts for the improvement engine efficiency: Operating a two-stroke engine for 1-hour is equivalent to driving a 2016 Toyota Camry about 1200 miles.¹¹ Two-stroke engines also release more nitrogen oxides (NO_x) and carbon monoxide (CO) than high-performance pick-up trucks.¹² A 2008 study cites that outdoor air pollution kills more than 800,000 people globally per year and sickens many more.¹³

B. Fugitive dust

Fugitive dust is dust resuspended in air through the act of blowing, raking, etc. It is difficult to quantify the degree of fugitive dust attributed solely to two-stroke engine lawn equipment, though certainly tools that blow hurricane force winds greater than 185 mph can generate a significant amount of dust that can irritate passersby.^{10,14} To mitigate this problem, gardeners could switch off the blowing function when someone passes by and

avoid blowing debris into the street where they will get kicked up by passing automobiles.

C. Fecal matter

The Orange County Grand jury (1999) and the City of Palo Alto (2000) found that animal droppings were spread by leaf blowers.¹⁰ Animal droppings make humans sick. *Campylobacter jejuni*,¹⁵ *Cryptosporidium* spp.¹⁶ and *Toxoplasmosa oocyst* (parasite from cat feces)¹⁷ are just some of the diseases that can be spread through leaf blowers. Notably, however, other lawn equipment – including rakes and lawnmowers—can also potentially spread fecal matter. Notably, epidemiologists believe that these infections are most commonly transmitted through drinking untreated water contaminated with infected animal droppings.¹⁵⁻¹⁷ These risks can be mitigated by enforcing that pet owners clean up after their pets and limiting community exposure to sick pets. Lastly, community members can also protect themselves by washing their hands before touching their face or eating and not drinking untreated water.¹⁵⁻¹⁷

III. How do two-stroke engines impact environmental health beyond emissions?

- A. Leaf blowing can degrade the soil as fallen leaves and yard debris could form natural mulch. Also, leaf blowing removes moisture from the base of trees, which can increase watering needs.¹⁸
- B. Fallen leaves, vegetation and debris form the natural habitat for many insects including some bee species. Lower insect populations could prove detrimental to birds, etc. therefore, leaf removal (including through blowing) could have a devastating impact on the ecosystem.¹⁸
- C. (Carbureted) two-stroke engines banned in certain California water ways (due to emission pollution);¹⁹ these types of engines were largely supplanted circa 2000 with direct inject engines. A 2001 study found Elk had increased stress hormone in their urine due to snowmobile usage in their habitat.²⁰ To the best of our knowledge, no report exists on how leaf blowers specifically cause disease in humans, though notably there are multiple complaints about the noise from leaf blowers disrupting sleep patterns (especially of small children and people working second or third shift), which can have a profound impact on health.¹⁰ Importantly, these studies are not firmly controlled and health outcomes cannot be solely attributed to two-stroke engines.

IV. Alternatives to the two-stroke engine

Most technologies are focused on becoming “cleaner” – the two-stroke engine bucks this trend.

- A. Battery-powered alternatives are cleaner, but tend to have less power.²¹
- B. A famous example of a lady in her 50s clearing her yard in shorter time than electric leaf blower and almost as fast as gas-powered leaf blower.²²
- C. Zero-scaping where there is no need to move leaves and debris
- D. Perform some education around not needing most powerful blowers for all jobs (e.g., powerful blowers are required for jobs with heavy leaf cover, but battery-powered or electric equipment may be preferable for edge work like sweeping grass from sidewalks).

Annotated References (summarizes methodology and key scientific findings when applicable):

- 1 P. Hope. Quietest **Leaf Blowers and Outdoor Power Gear** *Consumer Reports* 12 October 2019 <https://www.consumerreports.org/tools-power-equipment/quietest-leaf-blowers-and-outdoor-power-gear/> (Accessed October 2019)
Consumer Report rankings of leaf blowers and other outdoor equipment based on various specifications like noise levels and power
- 2 Centers for Disease Control and Prevention. **What noises can cause hearing loss?** https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html (Accessed October 2019)
CDC reference sheet on hearing loss
- 3 National Institute on Deafness and Other Communication Disorders <https://www.nidcd.nih.gov/health/noise-induced-hearing-loss> (accessed 9 November 2019)
 - Hearing loss reference sheet
 - Metric and benchmark for different noises
- 4 United States Department of Labor. Occupational Noise Exposure <https://www.osha.gov/SLTC/noisehearingconservation/> (Accessed 2 January 2020)
Reference sheet for regulations and standards around occupational noise exposure
- 5 D. Millis. **Leaf blowers are not healthy for children and other living things** *Monrovia Neighbor News* <https://patch.com/california/monrovia/leaf-blowers-are-not-healthy-for-children-and-other-living-things> (Accessed December 2019)
Example complaint (opinion piece) on the basis of noise, emissions and other environmental concerns
- 6 P. Landrigan *et al.* **Medical grounds for a restriction on Internal Combustion Power Tools and Leaf Blowers** http://www.lincolntown.org/DocumentCenter/View/733/PEHSU_Eastchester_letter_042210_1_?bidId= (Accessed December 2020)
 - On April 22, 2010, every doctor in the pediatric environmental health specialty unit at Mt. Sinai Hospital signed a letter supporting a four-month ban- for two-stroke engine lawn equipment on the basis of potential hearing damage.
 - Made special note that children breathe more air per pound of body weight per day, which makes them vulnerable to emissions and fugitive dust kicked up by these machines
- 7 K. Perrson and M. Bjorkman. **Annoyance due to low frequency noise and the use of the dB(A) scale** *Journal of Sound and Vibration* 1988 Volume 127(3).
 - 98 subjects exposed to 4 x 30 minutes – two out of 80, 250, 500 and 1000 Hz. Given questionnaire. Low frequency considered more annoying than high frequency.
 - dB(A) – underestimates noise by 3 dB for levels around 65 dB (lin); underestimates noise by 6 dB for levels around 70 dB (lin)
 - Low frequencies are less attenuated by air and ground
 - No Statistically significant relation between age and degree of annoyance
 - Annoyance level graphs (Figure 5) – show equal annoyance, Same increase in noise level (as measured by decibels) elicits more annoyance at lower frequencies

- Annoyance at low-frequency noise is higher in areas with a low background level, e.g., during hours of the day when ambient noise is lower.
- 8 E. Walker and J.L. Banks **Characteristics of lawn and garden equipment sound: A community pilot study** *Journal of Environmental Toxicological Studies* 2017 Dec; 1(1)
 - WHO standards – 55 dB(A)
 - Measured low-, medium-, high-frequency components of sounds from two backpack leaf blowers and a hose vacuum.
 - Concentric circles 50 ft, 100 ft, 200 ft, 400 ft and 800 ft from centroid
 - Takeaway: low-frequency components travel further and attenuate less
 - 9 T. Pasanen et al. **Leaf Blower Noise** *Joint Baltic-Nordic Acoustics Meeting 2004*, 8-10 June Mariehamn Åland <http://www.akustinenseura.fi/wp-content/uploads/2013/08/o46.pdf>
 - Measured leaf blower noise of popular leaf blowers and other professional lawn equipment with 6 microphone positions arranged in a semicircle
 - Tabulates noise emissions, user exposure and emission spectrum figure references for each machine tested
 - Loudest noises were observed for two-stroke engine leaf blower with the most power
 - 10 California Environmental Protection Agency, Mobile Source Control Division . **A report to the California Legislature on the potential health and environmental impacts of leaf blowers** February 2002, <https://ww3.arb.ca.gov/research/apr/reports/l828.pdf> (Accessed 4 November 2019)
 - Discusses findings from noise pollution
 - Particulate matter/ fugitive dust explanation
 - Exhaust and emissions benchmark
 - 11 D. Fitz *et al.* **Determination (sic) particulate emission rates from leaf blowers** *Environmental Protection Agency conference proceedings* <https://www3.epa.gov/ttnchie1/conference/ei15/session5/fitz.pdf>
 - Spiked clean surfaces with dirt, measured using filters and light scattering
 - 2m x 2m x 10m (or 20m) chambers
 - compares leaf blowers to raking on cement and asphalt
 - 12 J.C. McGinty **That ear-splitting leaf blower? It also emits more pollution than a car** *Wall Street Journal* 15 December 2017 <https://www.wsj.com/articles/that-ear-splitting-leaf-blower-it-also-emits-more-pollution-than-a-car-1513346400>

Provides more recent benchmark to emissions from two-stroke engine leaf blowers
 - 13 **Leaf blower's emissions dirtier than high-performance pickup truck's (sic), says Edmunds' InsideLine.com** *Edmunds* 6 December 2011 <https://www.edmunds.com/about/press/leaf-blowers-emissions-dirtier-than-high-performance-pick-up-trucks-says-edmunds-insidelinecom.html> (Accessed January 2, 2020)
 - Consumer-grade leaf blowers emit more pollutants than 2011 Ford F150 ("F150") pickup truck
 - Echo two-stroke leaf blower generated greater than 20 times the carbon monoxide and 300 times the amount of non-methane hydrocarbons as the F150

- A half-hour of yard work with a two-stroke leaf blower is equivalent to driving the F150 3900 miles
- 14 D. Kushner **Two strokes and you're out** *Discover Magazine* 20 May 2008
<https://www.discovermagazine.com/environment/two-strokes-and-youre-out> (Accessed October 2019)
 - Provides 2008 estimate that air pollution kills more than 800,000 people per year and sickens a far greater number
 - Ortega offered economic incentives (e.g., a \$200 loan for an upgrade to a four-stroke engine) to get rid of two-stroke engine
 - Article speaks to the high cost of upgrading to many poor people
 - Mentions tech start-up that attempts to retrofit two-stroke engines (kits reduce hydrocarbon emissions by 90% and increase fuel efficiency by as much as 35%)
 - Cites EPA role in curbing emissions from two-stroke engines in Asia (particularly in using retrofitting to tackle pollution in India)
 - 15 Center for Food Security and Public Health **Zoonic campylobacteriosis**
<http://www.cfsph.iastate.edu/Factsheets/pdfs/campylobacteriosis.pdf>
 Campylobacteria fact and resource sheet
 - 16 Centers for Disease Control and Prevention
<https://www.cdc.gov/parasites/crypto/general-info.html> (Accessed October 2019)
 Cryptosporidium fact and resource sheet
 - 17 E. F. Torrey and R. H. Yolken **Toxoplasma oocysts as a public health problem**
Trends in Parasitology 29(8), pp. 380-384
 - Toxoplasma gondii oocysts are spread from cats
 - typical measurement 3 to 350 oocysts/ square foot
 - can be mitigated by lowering reducing feral cat population, keeping cats indoors, properly disposing cat litter and limiting the area where children play
 - 18 *Master Pollinator Program* **Native insect pollinators and their habitats** *University of Missouri Extension*.
<https://mospace.umsystem.edu/xmlui/bitstream/handle/10355/67463/NativeInsectPollinatorsandTheirHabitats.pdf?sequence=1>
 - Bumblebees and other insects prefer habitats with coarse vegetation and natural debris
 - Many insects make nests in vegetation debris and abandoned rodent burrows (which are often found near fallen debris)
 - Bumblebees, in particular, must forage close to their nests, which have little storage capacity
 - 19 California Division of Boating and Waterways **Two-stroke vessel engines**
https://dbw.parks.ca.gov/?page_id=28770 (Accessed October 2019)
 Resource for two-stroke engine use on California waterways (currently no statewide bans, but regulations exist on specifications for new boats with two-stroke engines that haven't been sold to an end-user before)
 - 20 B. Krause. **The sound of a damaged habitat** *The New York Times* 28 July 2012
https://www.researchgate.net/profile/Bernie_Krause/publication/257943543_The_Sound_of_a_Damaged_Habitat/links/00b7d5266932cf3dad000000.pdf (Accessed October 2019)

Cited reference that snowmobile noise raised the levels of stress hormones in their feces and that the levels returned to normal concentrations when the intrusive din was absent

- 21 R. Berendsohn. **The 10 best leaf blowers for any size yard** *Popular Mechanics* <https://www.popularmechanics.com/home/tools/a24539816/best-leaf-blowers/> (Accessed October 2019)

- Tested 10 leaf blowers: traditional gas-powered and battery operated
- Performed several tests:
 - Erosion test (sawdust on 6 ft x14 ft plot of pavement – point leaf blower at it to see how much sawdust is displaced in a single blow at full speed)
 - Leaf clearing test (layer of leaves on a 6 ft x 12 ft rectangle of grass – see how easily leaves can be cleared at full speed)
 - Run time (measured how long blowers have power when at full throttle)
 - Air speed (used an anemometer that can measure precise speeds up to 250 mph)

- 22 Citizens for a quieter Sacramento **Leaf blowers and health: A letter to California Air Resources Board** <https://www.nonoise.org/quietnet/cqs/new.htm> (Accessed October 2019)

Participants (a woman with a rake versus a man with a leaf blower) had to undertake 3 tests (shown below)

- Clean a patio with 8 chairs (gas-powered leaf blower <2 minutes, burly man; rake 2:30 second, 50+ year old woman) – rake did a better job at clearing debris like tiny pebbles
- Paper cups and wadded paper down a 50-foot slope and up again (rake/ woman faster than gas-powered leaf blower/ man) – some indication that leaf blowers spread material
- Heavy bed of pine needles down and up a 30-foot slope (rake/ woman faster and more accurate than gas-powered leaf blower/ man) – some indication that leaf blower not as accurate and can spread fugitive dust.

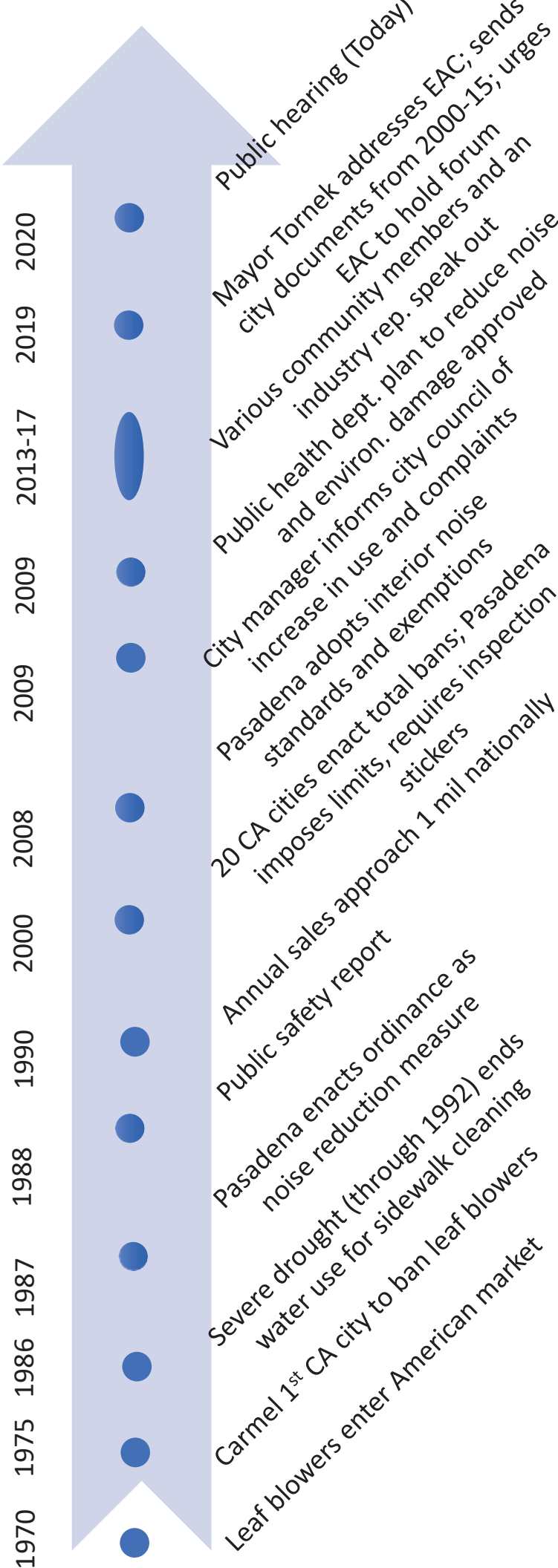
Forum on Lawn Equipment



Environmental Advisory Commission
Ad-hoc Committee on Lawn Equipment
City of Pasadena
October 2020

A brief historical timeline of two-stroke engine lawn equipment

Full timeline is presented in packets



Packets include alphabetical list of municipalities and status

Full spreadsheet is presented in packets

Name	Type	County	Pop.	Land Area (square miles)	Gas & Electric Ban	Gasoline Ban	Noise/ Time Restriction	Comments
314 Parlier	City	Fresno	14,494	2.19				no ban
315 Pasadena	City	Los Angeles	137,122	22.97			X	no ban; noise/time ordinance
316 Paso Robles	City	San Luis Obispo	29,793	19.12			X	no ban; noise/time ordinance
317 Patterson	City	Stanislaus	20,413	5.95				no ban
331 Pomona	City	Los Angeles	149,058	22.95				no ban
332 Port Hueneme	City	Ventura	21,723	4.45				no ban
333 Porterville	City	Tulare	54,165	17.61				no ban
334 Portola	City	Plumas	2,104	5.41				no ban
335 Portola Valley	Town	San Mateo	4,353	9.09			X	no ban; noise/time ordinance
336 Poway	City	San Diego	47,811	39.08				no ban
337 Rancho Cordova	City	Sacramento	64,776	33.51				no ban
338 Rancho Cucamonga	City	San Bernardino	165,269	39.85				no ban
339 Rancho Mirage	City	Riverside	17,218	24.45			X	no ban; noise/time ordinance
340 Rancho Palos Verdes	City	Los Angeles	41,643	13.46		X		Ban on Gas powered only
341 Rancho Santa Marga	City	Orange	47,853	12.96				no ban
342 Red Bluff	City	Tehama	14,076	7.56				no ban
343 Redding	City	Shasta	89,861	59.65			X	no ban; noise/time ordinance
344 Redlands	City	San Bernardino	68,747	36.13				no ban
345 Redondo Beach	City	Los Angeles	66,747	6.2	X	X		Complete Ban
346 Redwood City	City	San Mateo	76,815	19.42			X	no ban; noise/time ordinance

- o An estimated 13% of the state's population (5.2 million people) currently live under a ban.
- o SoCal communities that ban all leaf blowers include South Pasadena, Beverly Hills, Santa Monica, W. Hollywood
- o Cities that ban gas-powered blowers include Los Angeles & San Diego

What potential hazards do two-stroke engines present?

- **Noise** - How does noise affect workers, children, adults and seniors? What are the WHO standards for noise?
- **Dust, biohazards, particulate matter** – how do fumes, oil contaminants, aerosols, dust affect workers and community members (children, adults, senior adults, asthma sufferers)?
- **Environmental health** – Do two-stroke engines contribute to greenhouse gas emissions? Do two-stroke engines destroy insect habitats? How do two-stroke engines affect topsoil? Does noise from two-stroke engines destroy the natural biophony?
- **Alternatives to two-stroke engine lawn equipment** – Is there an appetite and a market for battery-powered systems? Are there less noisy, less polluting electric models for lawn equipment?

Photo Credit: Chris Lindahl, Pasadena Star-News

Benchmarking leaf blower noise

Perceived Sound Level Sound Level Examples Leaf Blower Reference

Perceived Sound Level	Sound Level	Examples	Leaf Blower Reference
PAINFULLY LOUD	dB		
	μPa		
	160	fireworks at 3 feet	OSHA limit for impulse noise
	150	jet at takeoff	
UNCOMFORTABLY LOUD	140	threshold of pain	90-105 dB leaf blower at operators ear 90 dB OSHA permissible exposure limit
	130	power drill	
	120	thunder	
	110	auto horn at 1 meter	
VERY LOUD	100	snowmobile	62-75 dB Leaf blower at 50 feet
	90	diesel truck, food blender	
	80	garbage disposal	
	70	vacuum cleaner	
MODERATELY LOUD	60	ordinary conversation	
	50	average home	
QUIET	40	library	
	30	quiet conversation	
VERY QUIET	20	soft whisper	
	10	rustling leaves	
BARELY AUDIBLE	0	threshold of hearing	

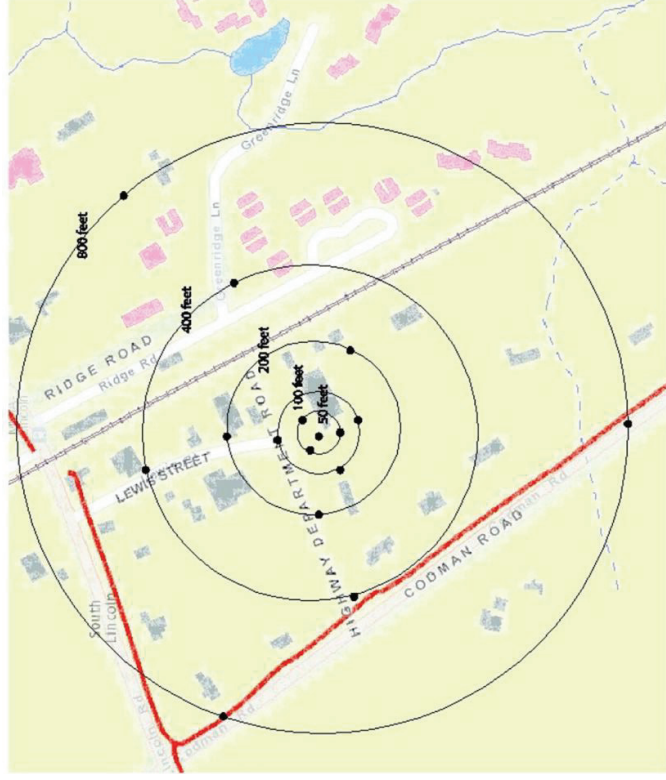
dB= decibels
μPa= micro Pascals

Sound level at operator's ear

- Standard measured from 50 ft
- Pedestrian exposure estimate

- Benchmark for adults, but children may be more susceptible to loud noises
- Two-stroke engines tend to be louder than electric engines

Low-frequency noise from leaf blowers travels far



- Suburb in Massachusetts
- Tested noise levels from discrete distances

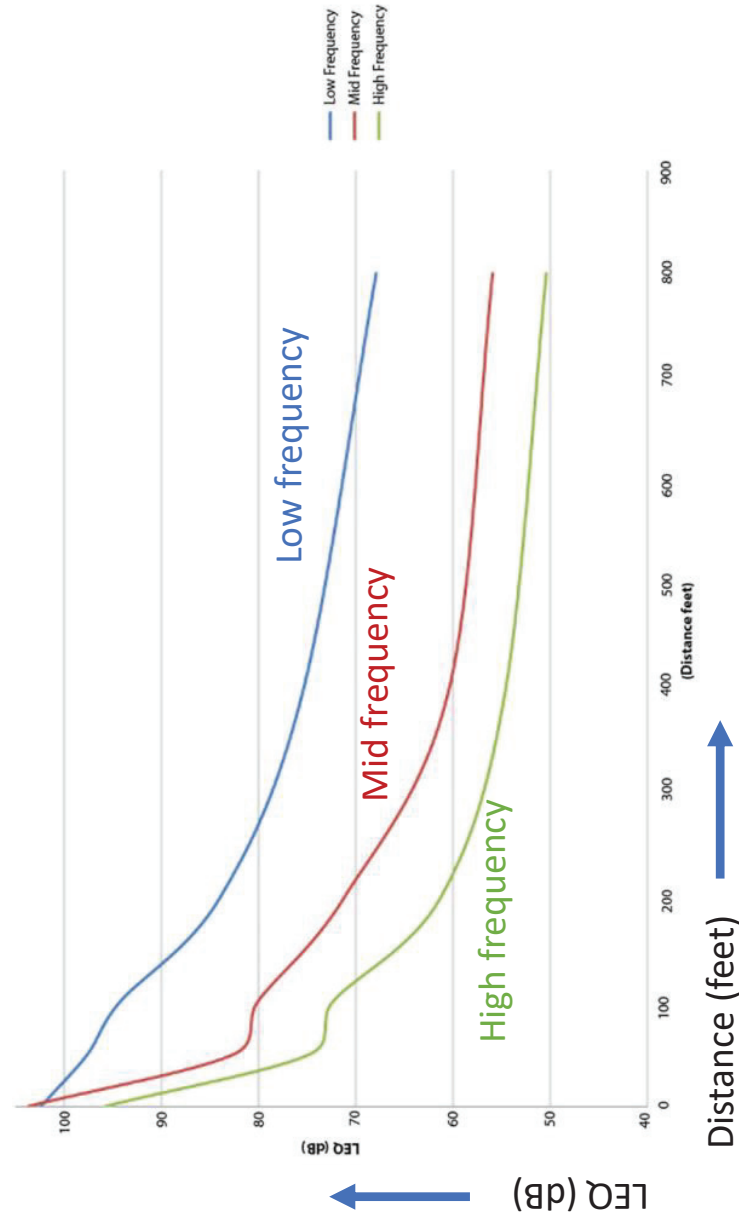




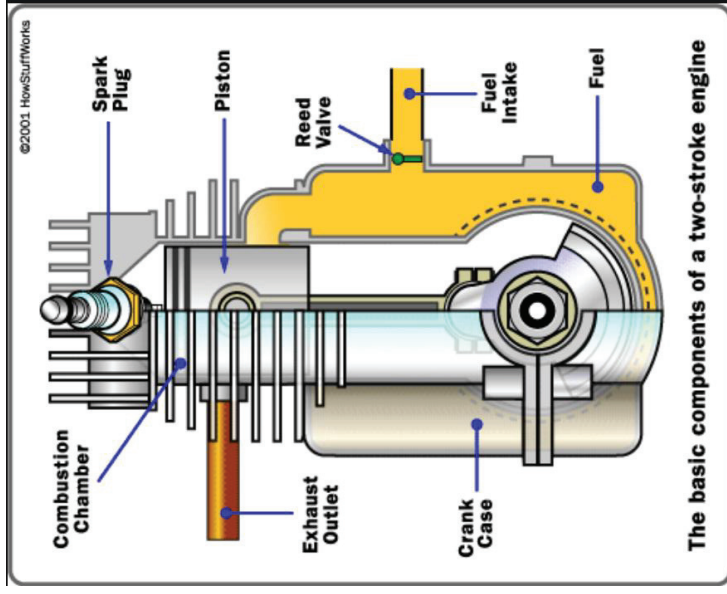
Image Credit:
Medscape.com

Human health effects beyond noise

- Sleep disturbance/ acute sleep deprivation
- Increased stress hormone levels (e.g., cortisol)
- Elevated blood pressure

Berglund B, Hassmen B, Job R (1996) Sources and effects of low-frequency noise. *J Acoust Soc Am* 99:2985–3002.

Benchmarking two-stroke engine emissions



30 minutes usage*
(Basic two-stroke engine)

emits as much greenhouse gas (GHG) as

1200 miles at 30 mph
(2016 Toyota Camry)

*Notably, leaf-blowers contribute very little to total GHG emissions

Leaf blowers can spread fugitive dust and fecal matter



Image Credit: Quietcommunities.org



Image Credit: Paul Prescott

...but so can manual lawn equipment like rakes. The difference is the degree.

How do two-stroke engines impact environmental health beyond emissions?



Image Credit: Dreamstime.com



Image Credit: Xerces Society

- [Leaf-clearing](#)—including with rakes and equipment with electric engine—[removes](#) a natural source of [moisture and nutrients](#) for trees
- Extensive leaf-clearing [disrupts insect habitats](#), including pollinators

How do two-stroke engines impact environmental health beyond emissions?



Image Credit: Shirley Draski

Snow-mobiles (which use a two-stroke engine) have been attributed to **increased stress hormone levels** in elk at Yellowstone National Park.

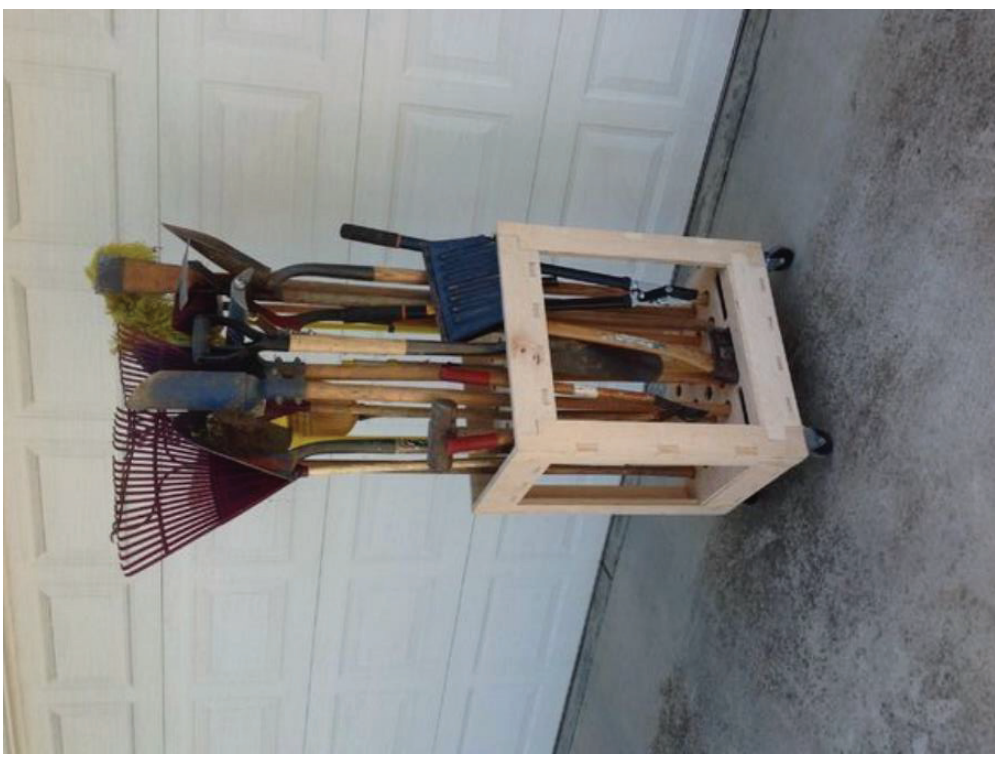
Source: B. Krause. **The sound of a damaged habitat** *The New York Times* 28 July 2012

Alternatives to the two-stroke engine

- Electric and battery-powered leaf blowers
- Manual equipment (e.g., rakes)
- Zero-scaping



Products are shown for demonstrative purposes only. The EAC does not endorse any products.



Pasadena Municipal Code

Title 9 PUBLIC PEACE, MORALS AND WELFARE*

Chapter 9.37 LEAF-BLOWING MACHINES

Chapter 9.37 LEAF-BLOWING MACHINES

9.37.010 Declaration of policy

9.37.020 Definitions.

9.37.030 Prohibition.

9.37.040 Certificate of compliance to be filed with department of finance.

9.37.050 Public health department certification.

9.37.060 Responsibility for enforcement.

9.37.010 Declaration of policy.

It is declared to be the policy of the city to prohibit unnecessary, excessive and annoying noise, airborne dust and noxious fumes caused by the use of leaf blowers, pursuant to the city's police powers. (Ord. 6845 § 1, 2000: Ord. 6227 § 1 (part), 1987)

9.37.030 Prohibition.

A. It is unlawful for any person to use or to operate, or cause to be operated any type of leaf-blowing machine or device within a residential area before 8:00 am and after 6:00 pm, Monday through Friday; before 9:00 am and after 5:00 pm on Saturday; or at any time on Sunday.

B. It is unlawful for any person to use or allow to be used, or to operate or cause to be used or operated any type of leaf-blowing machine or device in the city within a radius of 500 feet of a residential area before 8:00 am and after 6:00 pm, Monday through Friday; before 9:00 am and after 5:00 pm on Saturday; or at any time on Sunday.

C. It is unlawful for any person to use or operate, or cause to be used or operated, a leaf blower in such a manner as to blow, dispel or make airborne, leaves, grass cuttings, paper, trash or any other type of unattached debris or material, which, by use of the leaf blower, will intentionally cause such leaves, grass cuttings, paper, trash or any other type of unattached debris or material to become airborne or travel beyond the property boundaries of the parcel on which it is being used, to adjoining properties or public rights-of-way within the city, and to remain therefore more than 15 minutes.

D. It is unlawful to operate more than one leaf blower per parcel.

E. It is unlawful to operate a leaf blower for more than 15 minutes per hour on a parcel less than 1/2 acre, and for more than 30 minutes per hour on a parcel greater than ½ acre.

F. It is unlawful to operate a leaf blower with a maximum noise level of 65 decibels when measured from a distance of 50 feet. (Ord. 6845 § 3, 2000: Ord. 6227 § 1 (part), 1987)

9.37.020 Definitions.

As used in this chapter, unless the context otherwise indicates, the words and phrases used in this chapter are defined as follows:

- A. “Leaf-blowing machine” means any device or air-blowing machine, gas or electric, which is designed or intended, by generating a concentrated stream of air, to blow, dispel, or make airborne, leaves, grass cuttings, paper, trash or any other type of unattached debris or material.
- B. “Parcel” as used in this chapter, means that area of real property as defined by the county recorder. Contiguous parcels owned by the same individual or entity shall be considered one parcel for the purposes of this chapter.
- C. “Residential area” as used in this chapter, means any property used in a manner defined as a residential use in Section 17.16.030 of this code. Sidewalks and streets adjacent to residential property shall be considered a “residential area” for purposes of this chapter.
- D. “Person” as used in this chapter means one who uses, controls, employs or hires an individual to use a leaf blower, including but not limited to, the real property owner, a tenant, an individual holding a legal interest in the real property, or a person employed in the landscape gardening or property maintenance business. (Ord. 6845 § 2, 2000; Ord. 6227 § 1 (part), 1987)

9.37.040 Certificate of compliance to be filed with department of finance.

It is unlawful for any person to utilize a leaf blower without having on file a certificate of compliance with the health department attesting to their knowledge of leaf blower operation and that they will operate a leaf blower in a manner so as to minimize dust and noise, and that they will utilize and keep in good working condition the noise reduction equipment installed on their leaf blowers. (Ord. 6227 § 1 (part), 1987)

9.37.050 Public health department certification.

It is unlawful to use or operate a leaf blower within the city unless it is certified annually by the public health department. Upon certification, a department approved sticker shall be affixed on the leaf blower so as to be visible at all times the leaf blower is in use. (Ord. 6845 § 4, 2000; Ord. 6227 § 1 (part), 1987)

9.37.060 Responsibility for enforcement.

The public health department shall have responsibility for enforcement of this chapter. (Ord. 6845 § 5, 2000)

From: [Jo-ann Savoia](#)
To: [Hudgins, Ariel](#)
Subject: lawn mower equipment noise
Date: Friday, October 9, 2020 4:43:44 PM

CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you know the content is safe.

i am absolutely opposed to ANY noisy lawn equipment- esp when leaf blowers just move the debris to others' properties.
Please consider my thoughts when you meet up as i am a medical professional and cannot make the meeting time.

thank you
js
loma vista st
pasadena

From: [michael brady](#)
To: [Hudgins, Ariel](#)
Subject: Gas Powered Landscape Equipment
Date: Friday, October 9, 2020 3:05:21 PM

CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you know the content is safe.

I will be out of town on Tuesday, however as a former Commissioner on the EAC, I would like to register my opinion, and respectfully thank the Commissioners for their service to the City.

While gas powered lawnmowers and blowers are ubiquitous, I believe we have come to a time to change. We are learning more and more about improving and protecting our immediate as well as global environment. Regardless of water usage, I believe lawns are important for carbon exchange, cooling and frankly keeping dust down.

I have no objection to gas powered lawn mowers,

Blowers are a different thing entirely however. They are incredibly noisy, and worst, they put an entirely unacceptable and damaging amount of dust, dirt and pollen up in the air. They make it unhealthy to go for walks or be in the front yard when the neighbors are using them, and are entirely replaceable with rakes and brooms.

Without going further, I would like to see gas powered at least and preferably all blowers banned in the City. Lawn vacuums could be substituted as they don't put dust, dirt and allergens in the air, and would probably lessen the clogging load on the storm drain system

Thank you for your consideration

Mike Brady



From: [Michael Rhine](#)
To: [Hudgins, Ariel](#)
Subject: Gas blowers and lawn mowers
Date: Friday, October 9, 2020 1:59:48 PM

CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you know the content is safe.

We need to get with it pasadena and eliminate these noisy, polluting machines. They arent necessary and should be replaced with battery power soon!

Sent from my iPhone

From: [Richard Nutter](#)
To: [Hudgins, Ariel](#)
Subject: Gas Powered Landscape Equipment - comment
Date: Saturday, October 10, 2020 9:39:32 AM

CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you know the content is safe.

Ever since we moved here 12 years ago, my wife and I have wondered how a city known for and priding itself on its trees and flowers could allow the incredible amount of air pollution caused by motorized lawn equipment.

It's like a betrayal of one's own interests. The Huntington (technically not in Pasadena), prides itself on its gardens and celebration of nature, yet it refuses to switch to electric equipment. I was told such equipment is too expensive. Yet somehow they have managed to scrape together well over \$100,000,000 for new buildings and gardens over the last six years.

Yes, electric lawn equipment is more expensive. It's a question of priorities, environment versus money. I suggest subsidizing lawn care companies for replacing motorized equipment with electric equipment.

From: [Kathy Macauley](#)
To: [Hudgins, Ariel](#)
Subject: Landscape noise pollution
Date: Sunday, October 11, 2020 8:16:20 PM

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Landscape machines are a terrible nuisance. Leaf blowers are particularly awful. They are grating and disturb the peace. A rake makes a much softer sound. Furthermore, leaf blowers blow up a lot of dust unnecessarily! One doesn't want to drive by a leaf blower in use!

Some small communities have banned the use of leaf blowers. If they can do that, Pasadena can too.

Electric mowers make very little sound compared to gas mowers. Could we have a ban on gas mowers by some future date (to give services time to change equipment)?

It is wonderful to have this noise pollution addressed.

Sent from my iPhone

From: [Zwart Family](#)
To: [Hudgins, Ariel](#)
Cc: [REDACTED]; [Masuda, Gene](#)
Subject: Usage and Adherence of Power Equipment Guidelines
Date: Sunday, October 11, 2020 4:57:50 PM

CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you know the content is safe.

Dear Ariel -

Both my wife's and my families have lived in Pasadena for nearly 100 years dating back to the early 1920's. Obviously many things have changed in the city over the years and among them is the tremendous increase in noise, particularly as it relates to power equipment. I understand that power equipment has become a way of life in today's world as we employ a gardener who uses power equipment as do I. My concern isn't so much the power equipment itself but it's the following of the city's guidelines and ordinances along with the city's enforcement of those rules that has prompted me to contact my city councilman, Gene Masuda, in the past along with this correspondence.

Quite often, not only in my immediate neighborhood but also in the other many Pasadena neighborhoods I both walk and bike ride through, power equipment is being operated well outside the designated hours and day they are allowed. I believe this occurs as many residents and/or their workers are either unaware of the city ordinance(s) and guidelines(s) or they just disregard them altogether as the city doesn't appear to enforce them or have consequences to those not following the rules. Unfortunately, to many, laws and rules are meaningless if they're not enforced or don't have consequences associated with them.

My inquiry is simple - how does the city make aware, govern and enforce the power equipment ordinance(s) and what are the consequences to those who don't follow them?

Yes, times have sure changed in Pasadena over the past 100 years but respect for our neighborhoods and, more importantly, our neighbors, shouldn't have or been allowed to.

Thank you for you time! I look forward to a timely response.

Respectfully,

Peter Zwart

Sent from my iPhone

Sent from my iPhone

From: [Blair Miller](#)
To: [Hudgins, Ariel](#)
Subject: Environmental Advisory Commission comment
Date: Monday, October 12, 2020 11:46:28 AM

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I am a Pasadena resident and I am writing in support of replacement of two stroke engines in landscaping equipment. I support a rapid transition away from these machines that pollute, in a manner that does not adversely impact the landscaping businesses.

If there was a program where residents who pay for landscaping services were given an option to help fund non-polluting equipment through a one-time donation, I am sure that many Pasadena residents would be happy to participate in such a program.

Thank you,

Blair Miller
Pasadena Resident

From: [Brett Engstrom](#)
To: [Hudgins, Ariel](#)
Subject: gas powered landscaping equipment
Date: Monday, October 12, 2020 10:23:36 PM

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Good evening,

I'm a Pasadena resident, homeowner and business owner. Pasadena is a great city and thank you to everyone that helps to make it so.

Regarding the use of gas powered landscape equipment. I would prefer they not be used. With many of my neighbors, I have been working from home a great deal due to Covid concerns. One of the main distractions during the day are the gas powered leaf blowers, which are very noisy and seem to operate daily in my neighborhood. If the gas powered leaf blowers were entirely necessary to complete the job, I could understand and learn to deal with the noise. However I do not believe they are necessary, and the issues they cause to the rest of the neighborhood are not worth it.

Thank you again for continuing to take care of our city.

Brett Engstrom

From: [Elisa Parhad](#)
To: [Hudgins, Ariel](#)
Subject: Gas powered lawn equipment
Date: Monday, October 12, 2020 3:03:29 PM

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Dear City Counsel,

I am in support of limiting the use of gas powered lawn equipment. They are huge polluters, degrading our air and also quietness in our neighborhoods. Given that there are good alternatives, there is no reason not to phase out their lawful use. I often hear the argument that it costs too much for gardeners to make the switch. Perhaps we can talk about rebates? But another reaction I have for this is that it is for the gardener's health too. And, leaded gasoline is cheaper too, but there is a good reason we don't use it.

Thank you,
Elisa Parhad, Pasadena resident

From: [Elizabeth Brady](#)
To: [Hudgins, Ariel](#)
Subject: leaf blowers
Date: Monday, October 12, 2020 9:13:32 PM

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Mr or Ms Hudgins,

Please include my comment with the many similar ones I'm sure you will be receiving about lawn mowers and leaf blowers - the noise level in our 91106 neighborhood is deafening on any given day of the week! If we could limit leaf blowing to a few days of the week it would be a welcome relief.

Say Tuesdays and Wednesdays only, then we would all get a rest from the noise. I hope this idea is under consideration.

Sincerely,

Elizabeth Woods
Pasadena, CA 91106

From: [Lewis Phelps](#)
To: [Hudgins, Ariel](#)
Cc: [Lewis M. Phelps](#); [Cathy Phelps](#)
Subject: Gas Leaf blowers
Date: Monday, October 12, 2020 2:22:41 PM

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As a 35-year resident of Pasadena, I am writing to urge that the City ban the use of leaf blowers entirely, and ban the use of lawnmowers powered by internal combustion engines.

I also favor banning or restrictions on the use of chain saws powered by gasoline engines (as used by tree trimmers) except when absolutely necessary due to the large size of trees being cut.

I also favor prohibition of tree branch chopping devices in residential areas. Tree branches can and should be compressed on-site and taken to non-residential areas for chopping, mulching, etc.

With respect to leaf blowers, they too often are used simply to move debris from a property onto the public streets, sidewalks, etc., or onto neighbors' property. Whether powered by internal combustion engine or otherwise, they create a considerable nuisance with the spreading of dust and debris.

The argument that a ban would disadvantage those who do lawn work is nonsense. It will take them a few minutes longer to complete a job without blowers, but they can and should simply raise their rates to offset the additional labor. If every lawn care person in Pasadena is operating under the same restrictions, nobody will be disadvantaged competitively.

Lewis M. Phelps
[REDACTED]
Pasadena, CA 91106-3830

[REDACTED]

From: [nancy.merritt](#)
To: [Hudgins, Ariel](#)
Subject: 2 stroke engines - landscape equipment
Date: Monday, October 12, 2020 10:17:11 AM

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I realize that for gardeners and landscapers the use of the 2 stroke blower reduces their time at a location and is more efficient for them.

However, these blowers only serve to blow dust and leaves into the air and onto other properties. In addition, the operator of the leaf blower unless they are wearing a mask, inhales a lot of the debris dust, which can't be good for them either.

On my street many residents employ gardeners with leaf blowers, so it seems there is rarely a quiet moment.

I don't know what the answer is to this problem without doing economic harm to the gardeners and landscapers

In my ideal world every gardener and landscaper would use a broom.

Sincerely,
Nan Merritt

[REDACTED]
Pasadena, CA 91107

From: [Nick Kratz](#)
To: [Hudgins, Ariel](#)
Subject: Citizen comment on two-stroke engines used for landscape equipment
Date: Monday, October 12, 2020 9:06:45 PM

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Greetings,

I am submitting my comment to this address per its listing in an article on the Pasadena Now website. Please forward this message if this is an incorrect or inappropriate address. Thanks!
I will not be attending the 13 October virtual meeting.

Comments

My comments go beyond the particulars of the engines used for this equipment. Yes, 2-stroke are especially bad in terms of air pollution and noise. Nearly every day of the week my enjoyment of living at home in Pasadena is degraded by the noise of these devices at surrounding properties. When i am outside or the windows are open, the exhaust pollution and blown dust & debris are a serious problem.

The issue goes well beyond the power source of this equipment. Blowers, whether blowing leaves or lawn trimmings or dust or any assortment of these plus other debris by their nature blow things off the property being served onto adjacent properties or public sidewalks/thoroughfares. *This is Trespass!* How is it allowable that anyone is allowed to hire workers to blow *their* yard debris onto *my* property?! (I have found discussing this issue with the work crews unproductive and with the property owners impossible.) It is really no different than if i raked up all my leaves and raked them over to a neighbor's property and left them there—trespass! Hostile, uncivil, and un-neighborly!

It is my opinion that blowing devices should be banned categorically. If not that, some means needs to be put into place to ensure that they are used to blow only into yard waste containers belonging to the landscape company doing the work or the property owner being served. Better would be substituting vacuum devices which suck up and bag the debris rather than trespassing and making it someone else's problem. I have such a device made by Toro and do my own landscape work, thus i properly keep *my* yard debris on *my* property, composted in the back yard or put into a yard waste bin. Mine is electrically powered and does make noise, though less than any small gasoline engine i've heard.

No Trespass! Ban All Leaf and related Blowers, no matter how powered!

Nick Kratz

full-time Pasadena citizen since 1998. Descendent of Pasadena citizens going back to the early decades of the 1900s.

From: [Scott Worthington](#)
To: [Hudgins, Ariel](#)
Subject: EAC two-stroke engine comment
Date: Monday, October 12, 2020 10:21:10 AM

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Hello Ariel,
I just wanted to submit a comment as a Pasadena resident.

Leaf blowers and other gas powered landscaping equipment, to my understanding, are health hazards both because of the dust they create and the fumes from the engines close to both the workers and residents. In addition, they produce a significant amount of noise heard daily in many areas of the city (I have lived at Oakland/California, Marengo/Alpine, and Allen/Colorado). While recognizing Pasadena is a relatively urban environment, this equipment is **far** louder than any traffic or neighbor noise and this daily, sometimes constant, equipment noise significantly reduces quality of life.

If the city bans this equipment (which I believe it should!!), please implement a system to help the landscaping workers acquire new manual or electric-powered equipment (whatever fits the new guidelines) that will help them do their jobs.

Thank you for your time,
Scott

From: [JOYCE H BRESLIN](#)
To: [Hudgins, Ariel](#)
Subject: Garden Leaf Blowers
Date: Tuesday, October 13, 2020 8:43:06 AM

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Hello Ariel, I read in Andy Wilson's District 7 Update you were looking for comments for the Environmental Advisory Public Forum. I cannot tell you how much I hate the power garden leaf blowers used by gardeners in our City. The sound is deafening and I can't escape it. On Mondays the condominium I live in uses them. On Tuesday the apartment house across the street uses them and on Wednesday Caltech gardeners use them. They smell like gasoline and blow dust and dirt all over. My deck is always filthy, also the windows and the dust manages to get inside my Unit, requiring constant dusting. I am 80 years old and it really is too much for me. Please do whatever you can to get them regulated or better yet - banned!

Thank you. Joyce Breslin

From: [Progressive Bodyworks](#)
To: [Hudgins, Ariel](#)
Subject: Toxic dirt clouds and particulate matter - for someone else to pick up
Date: Tuesday, October 13, 2020 6:44:46 AM

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Hello -

I am a longtime homeowner in Pasadena and also own a small business in Pasadena.

Leaf blowers stir up dust, particulate matter and rat scat, and dislocate dirt, scattering it into the air and creating an environmental hazard.

It is not uncommon to see a horrific cloud of dust envelop an entire block from the use of just one a leaf blower. Who wants to walk or ride a bike through that? Would you want YOUR child to play in that kind of toxic dust cloud?

Switching to electric power is not the solution, as any blower simply relocates dust, dirt and particulate matter into the street for someone else to pick up.

The noise from these devices also presents unneeded noise pollution.

Just as the city has made difficult decisions with regard to tobacco use, plastic bags and straws the city needs to continue its role as environmental leader and phase out the use of leaf blowers and equipment that stir up dust and create noise pollution.

We have had to live for weeks with the result of fires made worse from climate change - largely from gas-powered transportation, the most significant contributor to carbon emissions driving climate change. Even as these horrific fires shrouded our communities in a smoky haze for weeks, the leaf blowers sent even more dust, dirt into our precious air only to be picked up by someone else.

Thank you,

Kathy Braidhill

[REDACTED]

Pasadena, CA 91106

From: [Noelle Mayhew](#)
To: [Hudgins, Ariel](#)
Subject: Leaf blowers
Date: Tuesday, October 13, 2020 9:26:15 AM

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I am in full support of a ban on gas-powered leaf blowers!

It would be so wonderful to get rid of this source of air and noise pollution.

I have a child with asthma and have always wondered why we allow these leaf blowers when they contribute to our air pollution. It can't be good for the workers who have to use them either!

Sincerely,

Noelle Mayhew

(Pasadena resident)

The Health Risks of Leaf Blowing

Leaf blowers can be seen lining our Pasadena streets nearly everyday. The dangers of something so ubiquitous can easily be overlooked, yet leaf blowers have detrimental effects on our physical health, our mental health, and the health of our environment.

In the midst of a pandemic, offices and schools have shut down, leaving many of us to work and learn from home. Noise pollution from leaf blowers, while already damaging in the pre-pandemic world, has now become exponentially more detrimental. The roar of leaf blowers not only interrupts work, decreasing productivity, but interrupts sleep and relaxation, which can be draining to our mental health. And the impacts of this near constant noise do not stop there. A National Institute of Health study on lawn and garden equipment states, “Adverse health effects from sound include auditory effects such as hearing loss and tinnitus, and non-auditory effects such as reduced cognitive performance and mental health, sleep disruption, ischemic heart disease, myocardial infarction, and hypertension.” According to the CDC, exposure to noise greater than 80 dB (leaf blowers usually produce 80 - 85 dB) is enough to cause permanent hearing damage after only 2 hours of exposure. Now consider how long we are exposed to this noise daily, let alone how long our gardeners are exposed. However, noise is far from the only health danger posed by leaf blowers.

Leaf blowers fill our air with dangerous fumes, toxins, and carcinogens. According to the Lung Association, a leaf blower motor emits as much smog as 17 cars. This pollution is known to cause cardiopulmonary disease and cancer. Air pollution affects neighbors and work crews, and is particularly hazardous for those with lung disabilities, including asthma. Clouds of dust and dangerous fumes linger in our air, but there is more to this air quality problem. Blowers also re-aerosolize particulate matter from the ground, such as fossil fuel débris, as well as germs and contaminants from the driveways, parking lots, and streets. According to the New York State Department of Environmental Conservation, “Leaf blowers push 300 to 700 cubic feet of air per minute at 150 to 280 MPH. The resulting dust can contain PM_{2.5} and PM₁₀ particles including pollen and mold, animal feces, heavy metals, and chemicals from herbicides and pesticides.” Leaf blowers still operate using the outdated and inefficient technology of 2-stroke engines. In addition to the hydrocarbons released from burned fuel, leaf blowers’ 2-stroke motors release many dangerous chemicals in the form of unburnt fuel, including but not limited to benzene, 1,3 butadiene, acetaldehyde, and formaldehyde, according to the California Air Resources Board. Studies from the Silent Spring Institute in Massachusetts, recently published in an NIH journal, found that benzene and butadiene are the two most common breast cancer carcinogens. A 2014 study published in Nature Communications found that each cubic meter of exhaust from an idling two-stroke scooter engine contained 60,000 times the safe exposure levels of benzene. While many countries have long been banning 2-stroke engines, we still allow them in our backyards.

Those most at risk are gardening crews, who may suffer chronic respiratory conditions, eye and vision conditions, chronic sinus issues, and cumulatively higher risks for cancers and cardiopulmonary disease due to their extended exposures. Knowing these risks, and as employers, we should take some responsibility for making sure our gardeners are not at increased risk (that they may not even know of) because of the jobs they do for us. We are exposing our neighbors, our gardeners, and our families to high risks in exchange for very minimal rewards. A leafless environment is not beneficial, and many leaves end up merely redistributed around the neighborhood, all the while releasing dangerous chemicals and pollutants into our atmosphere.

To be clear, we are not advocating for taking any work away from gardeners, rather for the use of alternative methods to keep themselves and the community safe. Although better, electric blowers are not necessarily the answer because they still pose many of the same health risks, most notably the aerosolization of ground pollutants and toxins. Instead, we should be raking and sweeping, and if a few leaves are left on the ground, they will only benefit the health of the soil below.

In addition to the many health risks they pose to us, leaf blowers also threaten the health of our planet. The California Air Resources Board found that one hour of leaf blower use is equivalent to driving 1,100 miles (the distance from LA to Denver). The New York State Department of Environmental Conservation explains that “The amount of CO (carbon monoxide) emitted from a typical backpack leaf blower for just 1 hour is equal to CO coming from the tailpipe of a current year automobile operating for over 8 hours. For the other pollutants, [including hydrocarbons, oxides of nitrogen, and PM’s (fine particulate matter)] the amounts are even greater.” In 2017, the California Air Resources Board issued a warning that by 2020, gas-powered leaf blowers, lawn mowers, and similar equipment in the state could produce more ozone pollution than all the millions of cars in California combined. We have already reached this grim milestone, and the pollution will only increase. It is time for us to take action and phase out leaf blowing in our community.

-- Wendy M Denham, MD

-- Jeffrey H Denham, MD

-- Gillian Denham

From: [Manuela Gomez Rhine](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment Gas Powered Leaf Blowers
Date: Tuesday, October 13, 2020 11:14:58 AM

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Dear City of Pasadena Environmental Advisory Commission:

Thank you for your work regarding the use of gas-powered landscape equipment. The leaf blowers in particular are a terrible menace to our quality of life. The noise pollution is an assault to our senses. How many times have we been driven away from walks and outdoor activities because of the extremely loud noise that must be even worse for children, the elderly, and animals. Too many times we've had to go indoors and shut all doors and windows to escape the terrible noise and pollution that we can smell in the air.

If there was an actual purpose to the use of leaf blowers, we might be more understanding, but we've watched gardeners blow around dirt and leaves that will only reappear the next day. In a time of mounting climate chaos, gas-powered leaf blowers must finally be banned for everyone's well being.

Thank you,

Manuela Gomez Rhine
Michael Rhine

[REDACTED]
Pasadena CA 91106

--


Manuela Gomez Rhine
Writer & Journalist
[REDACTED]
Manuelagomezrhine.com

From: [Christle Balvin](#)
To: [Hudgins, Ariel](#)
Subject: Every little bit counts
Date: Tuesday, October 13, 2020 11:40:17 AM

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To members of the Pasadena Environmental Advisory Committee

I am delighted that the Pasadena Environmental Advisory Committee will look into the issue of gas powered garden equipment. Although leaf blowers and gas powered lawn mowers account for only a very small segment of green-house gas emissions, every piece of gas powered equipment further pollutes our air. By removing these small items we move toward removal of more and larger carbon emitters. Step by step, we may free our planet of fossil fuels and move toward green energy. Every little bit counts.

Christle Balvin


From: [Steven Clark](#)
To: [Hudgins, Ariel](#)
Subject: Comment regarding gas-powered landscape equipment
Date: Tuesday, October 13, 2020 2:19:30 PM

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First, I would like to thank the commission for taking on this important health issue.

I think everyone knows the problem. It starts just after sunrise and it lasts almost until sundown. It forces me to close all of my windows, even on lovely cool mornings when it would be nice to get some fresh air. Sometimes I turn up the TV or turn on some music to cover up the noise.

The noise and the smoke are unrelenting, non-stop, 10 hours a day, almost every single day. (Except Sundays are usually much quieter.)

It's not just a nuisance. It's not just annoying. It is a health hazard.

It is also a tough problem to solve because we all contribute to it. Like everyone else, I have a gardener who comes once a week. I don't want to take away the tools of his trade, and I don't expect anyone else to, either.

These gas-powered contraptions are not going away. But, they can be better regulated. They must be better regulated.


Ideally, people will get rid of their old, smoky, noisy machines. But, that will cost them money to replace their equipment. They need to have an incentive to do that. First, smoky noisy equipment must be banned. Second, people need to receive financial incentives to turn in and replace their smoky noisy equipment. This plan will require some buy-in from manufacturers and retailers of course, and they should be motivated to work with the program. (One cannot mandate new equipment that manufacturers don't make and stores don't sell.)

There also needs to be enforcement. People who continue using noisy, smoky machines need to be cited for violations, with increasing sanctions for multiple violations. For gardeners who work for gardening firms, the cost of the violations must be borne by the employer – not the employee. Residents need to pay fines as well.

There needs to be good communication about the regulations. Residents need to know the rules so they can tell their gardeners. I don't want my gardener to pay fines for doing his job. I don't want to pay fines either. Give us a warning on the first violation. Let us know that the second violation will cost us some money. We will all get with the program.

People will complain about Nanny State Over-regulation. But - This will be good for everyone. Our neighborhoods will be quieter and less polluted. Gardeners will use better and newer equipment and will also be exposed to less noise and less pollution. Manufacturers and retail stores will be incentivized to build and sell better products. Win. Win. Win.

Thank you very much for your work on this important public health problem.

Steven E. Clark
Professor, Department of Psychology
University of California, Riverside
Riverside, CA 92521


From: [Michael Polka](#)
To: [Hudgins, Ariel](#)
Subject: Public comments Environmental Advisory Commission
Date: Tuesday, October 13, 2020 3:46:52 PM

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Environmental Advisory Commission Hosts Public Forum Regarding Gas-Powered Landscape Equipment

Thank you for taking the initiative!

I am in favor of reducing the hazards of noise, dust, and particulate matter, as well as health and environmental hazards – that could emanate from two-stroke engines that power lawnmowers and leaf blowers.

Mike Polka

From: [Eric](#)
To: [Hudgins, Ariel](#)
Subject: Leaf Blower ban
Date: Thursday, December 10, 2020 9:27:56 AM

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Dear Ariel Hudgins,

I live in Pasadena near Pasadena City College where I work and would like to add my name to those who support the leaf blower ban proposal. Being at home because of the pandemic I see what is going on in the neighborhood much more clearly now. It seems every day there's someone or several within close proximity using these awfully toxic machines that also blow everything on the ground into the air and broadcast it over a large area. I barricade myself inside the apartment and try to seal the windows a couple of times per week.

I do hope that large organizations that are some of the worst offenders not be given exemptions if indeed the ban comes to pass.

Operations that use these sorts of machines (2 stroke) have had literally decades of warning that they need to find alternatives but I haven't seen much in the way of actual practice although I would certainly give credit to some private citizens who have switched to electric, that does help some at least. It seems to me that picking up the dirt using machines that don't put lots of pollution into the air would be a rational way to go.

Thank you, I appreciate efforts of all involved.
Sincerely,

Eric Herdan

Sent from my iPhone

From: [Alison Lifland](#)
To: [Hudgins, Ariel](#)
Subject: Yes, I'm in favor of banning leaf blowers
Date: Thursday, December 17, 2020 1:57:34 PM

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Dear Ms. Hudgins,

I've been a Pasadena resident for over 20 years, as is my husband Charles Lifland

We are strongly in favor of banning leaf blowers. As I type this, I have been listening to a nearby leaf blower whine for the last hour.

They are a noisy nuisance.

Another one just started up at a different neighbor's. Argh!

Best,

Alison Lifland



From: [Mario Hubert](#)
To: [Hudgins, Ariel](#)
Subject: Leaf Blower Ban
Date: Wednesday, December 23, 2020 11:43:50 AM

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Dear Ariel Hudgins,

I'm a resident of Pasadena, and I'm writing to you to make my case to ban leaf blowers. I live in the north of Pasadena on Marengo Ave, and I almost daily directly experience the bad effects of leaf blowers. Several times per day, I hear someone using a leaf blower. Here are my reasons, why leaf blowers need to be banned (as they are in South Pasadena and other areas in California):

1. Leaf blowers damage our health:

1. **Dust and mircoparticles:** Leaf blowers blow all the dust and dirt from the ground into the air. And we need to breath all this. We banned smoking in public spaces and have strong restrictions for cars, but the dirt that leaf blowers release into the air goes unfiltered in our lungs. Whenever our neighbors use a leaf blower I can see a layer of dust on cars and furniture. The people using leaf blowers are the most affected because they are directly exposed for a long time, and the masks or fabric that they use for protection is not appropriate to protect them from the microparticles that they breathe in. Normally, people use leaf blowers for up to 2 hours non-stop. And then another neighbor uses their leaf blower for another 2 hours. Then I would need to breathe all this stuff for almost the entire morning and afternoon. (At this moment, two neighbors are using their leaf blowers at the same time!!!)
2. **Gasoline:** Apart from the dust that they distribute, the engines of these leaf blowers are among the worst engines out there. They stink the first minute they are turned on. In contrast to cars, these engines have nothing close to the filters and catalysts that are required for cars. It makes me dizzy just smelling what comes out of the exhaust of a leaf blower.

2. Leaf blowers damage the environment:

1. **Dust and mircorpartidles:** The dirt that leaf blowers blow into the air, heavily worsens air quality. It not only affects humans but also the animals in our neighborhood.
 2. **Gasoline:** It's unquestionable that the unfiltered exhaust damages the environment.
- 3. Leaf blowers are a safety risk:** I regularly use my bike to move around Pasadena. Whenever I see someone using a leaf blower, I need to be very careful because the dust worsens the visibility of the street and regularly dust and small particles enter my eyes, so that I can't safely ride my bike. More than once was I about to fall off the bike or crash into a car because something went into my eyes.
- 4. Leaf blowers disturb our neighborhoods:** These leaf blowers are so loud! It is so annoying when someone uses their leaf blowers. Even when I'm inside my home (doors and windows all closed) I can hear these things as if they are right next to my ear. It's impossible to relax in my own home when someone uses leaf blowers.

5. **Leaf blowers are not effective:** It takes hours to clean up the backyard and the street with leaf blowers, and they basically just spread out all the dirt instead of collecting it. Therefore, leaf blowers are not more time-efficient than a traditional broom. A broom costs less, doesn't emit any CO₂ and dangerous microparticles, and it is absolutely quiet. A broom doesn't take more work either, because leaf and dust are very light and carrying a leaf blower for hours on the back is very exhausting.

For all these reasons, I really pledge you to ban these leaf blowers. They really deteriorate the quality of life in Pasadena, and they have no advantage over other tools. Pasadena is such a beautiful city, and without these devices it would be much more worth living here.

Kind regards,
Dr. Mario Hubert

Sent with [ProtonMail](#) Secure Email.

From: [Adam T. Lewis](#)
To: [Hudgins, Ariel](#)
Subject: Pasadena leaf blowers
Date: Tuesday, January 26, 2021 11:23:14 PM

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Hello, please ban leaf blowers in Pasadena they are loud and fill the air with dirt and debris. Leaf blowers are a health hazard on every level.

There are also many loud modified cars invading Pasadena that also need to be banned! Modified engines and mufflers that are way louder than leafblowers! Please address that problem too.

Thanks

From: [Bob Gutzman](#)
To: [Hudgins, Ariel](#)
Subject: Gas-Powered Leaf Blowers
Date: Thursday, February 4, 2021 3:05:30 PM

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Hi, Ariel.

I live in Pasadena and have been doing some research on the negative effects of gas-powered leaf blowers. I just found out from neighbors that the City of Pasadena is studying this issue. To that, I say hooray!

Can you please tell me the current status of this outreach and studying by the City? What are the next steps?

Also, is it possible for me to chime in on this issue?

Gas-powered leaf blowers are used throughout all of Pasadena. Unfortunately, these carbon monsters are extraordinarily bad news in terms of both noise and air pollution. The fumes, oil contaminants, aerosols, dust, and noise negatively impact workers and community members.

One hour of gas-powered leaf blower use generates pollution equal to driving a car 1,100 miles. Yikes!

Pasadena--like many other cities around California have already done--should move as quickly as possible to ban gas-powered leaf blowers and incentivize the use of electric blowers. Our lungs (and ears) will give thanks.

Thanks much.

Bob Gutzman

From: [City Web](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 on Agenda Item Leaf Blowers (two-Stroke engines)
Date: Tuesday, October 6, 2020 3:48:49 PM

Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 about agenda item Leaf Blowers (two-Stroke engines)

Select one City legislative body for the comment	Environmental Advisory Commission
Meeting Date	October 13, 2020
Agenda Item	Leaf Blowers (two-Stroke engines
Name	Cathleen Rogde
Email	
Phone	
Address	
City	Pasadena
State	California
Zip Code	91104
Comments (under 200 words)	With the drought plus dried out lawns and California native landscapes, gardeners using leaf blowers are blowing clouds of dust into surrounding yards and on vehicles parked and passing by, resulting in dust on plants and vehicles of surrounding properties which not only leads to higher water usage requiring dust to be washed off leaves on plants and vehicles, but animosity

towards neighbors who usually don't realize their gardeners are doing this to their neighbors. The gardeners often blow dust and leaves into the street and adjoining properties affecting those with asthma, emphysema, allergies and other breathing difficulties. How many drive down the streets throughout the city with a newly washed car, only to have a cloud of dust blow or drift onto it? It's very frustrating!

**I consent
to have
my
comment
read out
loud
during the
meeting.**

From: [City Web](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 on Agenda Item Gas powered landscape equipment
Date: Thursday, October 8, 2020 9:10:48 PM

Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 about agenda item Gas powered landscape equipment

Select one Environmental Advisory Commission
City
legislative
body for
the
comment

Meeting Date October 13, 2020

Agenda Item Gas powered landscape equipment

Name Joyce Locatell

Email [REDACTED]

Phone [REDACTED]

Address [REDACTED]

City Pasadena

State CA

Zip Code 91104

Comments (under 200 words) Leaf blowers are really ear splitting, to the point that I must put something in my ears to protect my hearing. I believe if I don't do that, the noise will damage my hearing. The leaf blowers are a nuisance. The landscapers should use a broom. The blowers, at a minimum, should be much quieter. I noticed that the gardener had ear plugs in his ears, while he was using the leaf

blower. So, you can imagine how loud it is. He does that to protect his hearing, What about our hearing? The leaf blower comes very close to my windows. Even when they are closed, they don't do much to mitigate the loud noise. It is very painful! It needs to change. It is not fair to the residents of Pasadena. Supposedly, the leaf blower has to meet certain decibel levels. If that is so, the levels need to change. The allowable levels are way too high! Either that, or the people using them are not getting them screened for decibel levels. Maybe, they used a different leaf blower when it was evaluated. I have no idea. Please, help Pasadena residents in regards to this matter. Thank you.

I consent to have my comment read out loud during the meeting.	Yes
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From: [City Web](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 on Agenda Item LANDSCAPE EQUIPMENT
Date: Sunday, October 11, 2020 6:38:31 PM

Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 about agenda item LANDSCAPE EQUIPMENT

Select one Environmental Advisory Commission
City
legislative
body for
the
comment

Meeting Date October 13, 2020

Agenda Item LANDSCAPE EQUIPMENT

Name Julie Hoy

Email [REDACTED]

Address [REDACTED]

City Pasadena

State CA

Zip Code 91106

Comments (under 200 words) I object to the use of leaf blowers in Pasadena. I walk around town daily and I am regularly harassed by the use of leaf blowers as standard lawn care equipment. Leaf blowers create particulate pollution by blowing dust around, which creates a health hazard. They create noise pollution in the process. I work from home and it is difficult to hold online meetings without the regular interruption of lawn care equipment, forcing me to interrupt a

meeting to shut doors and windows. This equipment also uses fossil fuels, which is undesirable. Additionally, the daily subjection to high decibels and emissions are hazardous to the health of lawn care workers. I have never understood the rationale of equipment that blows yard waste around, rather than bagging and containing it. I support a ban on leaf blowers for the City of Pasadena.

**I consent
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during the
meeting.**

From: [City Web](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 on Agenda Item Gas Powered Landscape Equipment
Date: Monday, October 12, 2020 7:52:36 PM

Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 about agenda item Gas Powered Landscape Equipment

Select one Environmental Advisory Commission
City
legislative
body for
the
comment

Meeting Date October 13, 2020

Agenda Item Gas Powered Landscape Equipment

Name Jessamy Gloor

Email [REDACTED]

City Pasadena

State CA

Zip Code 91107

Comments (under 200 words) It is past time to address the environmental problem of gas-powered landscape equipment. While we will all reap the benefits of phasing out this equipment, the burden of this change will be disproportionately placed on the small and family businesses who rely on this equipment for their livelihoods. A robust program must be instated to financially assist these micro-businesses in switching away from gas-powered landscape equipment. Thank you!

**I consent
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meeting.**

From: [City Web](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 on Agenda Item Leaf blower use
Date: Monday, October 12, 2020 9:18:39 AM

Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 about agenda item Leaf blower use

Select one Environmental Advisory Commission
City
legislative
body for
the
comment

Meeting Date October 13, 2020

Agenda Item Leaf blower use

Name Suzy Dalrymple

Email [REDACTED]

City Pasadena

State CA

Zip Code 91104

Comments (under 200 words) I've thought a lot about the use of leaf blowers in our neighborhood for some time.

I don't believe that leaf blowers are being used as intended by their name. They're also used to push dust and tiny debris into a pile. The filthy dust that's transmitted into the air is ignored by most because of the convenience of keeping they're cement clean. I don't believe it unreasonable to hose down a driveway once a month to prevent the noise and air pollution that we must endure from the leaf blowers. In fact, water is used to keep the dust down during the Hahamongna dirt collection, street cleanings and most large

construction sites.

I understand that the gardeners must make a living and keep as many clients as possible in order to make ends meet, but I would gladly pay 50% more each month if they would use rakes and keep the dust on the ground.

Thank you,
Suzy Dalrymple

**I consent
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during the
meeting.**

Yes

From: [City Web](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 on Agenda Item Gas powered leaf blowers, lawnmowers
Date: Tuesday, October 13, 2020 2:08:15 PM

Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 about agenda item Gas powered leaf blowers, lawnmowers

Select one City legislative body for the comment	Environmental Advisory Commission
Meeting Date	October 13, 2020
Agenda Item	Gas powered leaf blowers, lawnmowers
Name	Jose Luis Zavala
Email	
Phone	
Address	
City	South Pasadena
State	CA
Zip Code	91030
Comments (under 200 words)	As a resident in the San Gabriel Valley, and doing. Business in Pasadena over 20 years, I am proud to support the director of this committee as a user of all electric land care equipment. Our collective behavior on reducing carbon emissions is vital and transitioning to all electric lawnmower, leaf blower, other equipment through a resolution will help in this mission.

One organization that provides a free demo for residents is South-WestGreen.Com for those interested. Providing “Community Based Clean Air Ambassadors” will help in these efforts

**I consent to
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during the
meeting.**

From: [City Web](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 on Agenda Item gasoline-powered landscaping equipment
Date: Tuesday, October 13, 2020 2:18:03 PM

Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 about agenda item gasoline-powered landscaping equipment

Select one Environmental Advisory Commission
City
legislative
body for
the
comment

Meeting Date October 13, 2020

Agenda Item gasoline-powered landscaping equipment

Name Diana Carpinone

Email [REDACTED]

Phone [REDACTED]

Address [REDACTED]

City Newport Beach

State California

Zip Code 92660

Comments (under 200 words) It is the position of Non Toxic Communities that gas powered landscaping equipment poses an unacceptable risk to our communities due to toxic emissions and noise. The pollution generated by gas equipment contributes to climate change and degrades our air quality. The particulate matter generated by these engines is linked to serious health harms like preterm births,

respiratory illness, lung cancer and heart disease . Even a small increase in this type of pollution can have a large impact on the population level. We support municipal restrictions on gas powered equipment to protect the environment, worker health and the public.

I consent to have my comment read out loud during the meeting.	Yes
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From: [City Web](#)
To: [Hudgins, Ariel](#)
Subject: Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 on Agenda Item Gas Powered Landscape Equipment
Date: Tuesday, October 13, 2020 2:40:14 PM

Public Comment for Environmental Advisory Commission Meeting on October 13, 2020 about agenda item Gas Powered Landscape Equipment

Select one Environmental Advisory Commission
City
legislative
body for
the
comment

Meeting Date October 13, 2020

Agenda Item Gas Powered Landscape Equipment

Name Rachel Linden

Email [REDACTED]

Phone [REDACTED]

Address [REDACTED]

City Torrance

State CA

Zip Code 90505

Comments (under 200 words) Electric powered landscape equipment (EPLE) is the new standard of care for our communities and is far less polluting and damaging to the well being of workers. EPLE is associated with a higher standard and reflects in positive property values over time as residents enjoy less noise and toxic emissions from the out dated gas equipment. EPLE is an investment in the future and in

quality of life for all.

Now is a great time to make change happen and our non-profit enthusiastically endorses your choice to move forward with EPLE and looks forward to the other cities that will follow Pasadena's great example!

-Rachel Linden, Executive Director

Green Lifestyles Network

**I consent
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during the
meeting.**

Landscape Equipment Public Forum Q&A/Chat Transcripts – October 13, 2020

1. (Name not captured): "We need to educate the public that this need to remove every leaf is unnecessary."
2. (Name not captured): "Have four-stroke gas engines been considered as an alternative to two-stroke engines? Why were electric and rakes the only alternatives considered?"
 - a. Glenn: "No, those weren't the only things considered. We have thought about four-stroke engines. But I can update the document to more accurately reflect that as well. But yes, we have considered two-stroke versus four-stroke engines. Four-strokes I believe are a little less powerful and they are more clunky to use because you have to keep them upright, as opposed to the two-stroke engine. But we can make that come out a little bit more in all of our documents as well."
3. Joy Walters: "Were you able to read through the Orange County Grand Jury Leaf Pollution Hazards in Orange County?"
 - a. Glenn: "Yes, I read through it, and I believe it is cited in the report that we produced as well."
4. Deborah Dentler: "This is former Commission Dentler addressing the question from Joy Walters, who cannot see this answer from me, but I wanted the panel to have an answer at their fingertips. The answer is yes [we did look at a copy of the Orange County document]."
5. Christine Celata: "I would like to back a ban on 2-stroke gas-powered equipment because of noise and greenhouse gases and dust and pollen. I have allergies and an acute sensitivity to an air pollution. Thank you."
6. Joy Walters: "South Coast Air Quality Management District has an exchange program and currently the cost for electric/battery equipment is 75% off through 2020."
 - a. Cobleigh: "This is a great bit of information that we will definitely be sharing with the Public Safety Committee."
7. Joy Walters: "AGZA.net offers gardeners to try out electric/battery equipment and to train landscapers on their use."
 - a. Cobleigh: "That's another wonderful tip and recommendation that I think will be included in [our recommendation] for the Public Safety Committee."
8. Joy Walters: "Have you investigated using either one of these?"
 - a. Answered above
9. Paul: "Have we received comments from lawn care workers? It seems like all the comments are from residents. I have a concern about social justice that the concerns about noise reflect privilege. Perhaps we need input from people whose livelihoods may be impacted?"
 - a. Cobleigh: "This is an excellent comment and definitely will be a comment that gets shared with the Public Safety Committee. I think, before any decisions are made, and I hope I speak for my fellow commissioners, that more outreach needs to be done to all kinds of stakeholders in this city, not just the residents. So thank you for sharing your concerns."

10. Edward Rivera: "Will your committee be making some type of recommendation to the public safety committee this evening? Or is tonight just informational?"
 - a. Cobleigh: "Our committee, as an advisory body, is merely gathering information. We've done the background research and we're gathering input from the public, and our mission, our goal, our intent is to assemble everything and provide the Public Safety Committee not with a recommendation one way or another, we're providing the information to the decision-makers, that they can use to make educated decisions. We are not a decision-making body, so that is the focus of our committee."
11. Jadie: "So-called gardeners who display a clear lack of education about the landscape must be regulated and supervised. Removal of organic debris adds to drought by preventing soil from holding moisture and beneficial organisms from building healthy soil structure. Shredding shrub branches is unnecessarily brutal to plants. Topping and over-pruning trees unnecessarily prevents urban canopy maturity. Blowers are loud, polluting and ecologically destructive. These machines and the maintenance outfits using them must be required to complete education and certification."
12. banaf.s.rahimi: "I'm a resident of Pasadena and I support any methods that the City can take to remove combustion engines from garden maintenance. However I think the underlying issue isn't just replacing gas with electric powered but it's the type of landscaping that we have in the first place. The City should be pushing for more lawn removal native plants and teaching the benefits of leaf litter. Even if we switch out gas for electric the water use is wasteful and bad for the environment. There should be more emphasis on changing what the ideal landscape of the region should be instead of repeating East Coast and European landscaping sensibilities in South California in a drought prone region."
 - a. Cobleigh: "I think all the commissioners agree that, in addition to expanding public outreach, the Public Safety Committee needs to also take education into consideration, and the role in which educating its residents on proper landscaping is something we all agree is very important."
13. Morey Wolfson: "As mentioned by another citizen earlier I also encourage the EAC to advocate Pasadena to join the American Green Zone Alliance. <https://agza.net/> South Pasadena is a great example of using environmentally responsible landscaping methods. Go to Garfield Park and see for yourself. The Public Safety Committee is composed of Chair John Kennedy, Mayor Terry Tornek, Councilmember Tyron Hampton and Councilmember Steve Madison."
14. Paul: "Thank you everyone! One final question I have: for pollution is it helpful to consider GHG pollution separate from particulate pollution? It seems to me that while GHG may not be significant other types of pollution may be more problematic."
 - a. Cobleigh: "GHG is more of a regional issue. GHG is formed when certain particulates, certain emissions combine with one another to create ozone basically, and so that's more a regional and global issue. Particulate matter is the dust...on your masks now, if you have the filter inserts inside, they say 'PM 2.5' and those are microscopic dust particles. And those are the primary factors and the primary particulates that we talk about that are getting disturbed directly from the movement of air and leaves and landscape debris. So they are two separate issues. The engines themselves are the types of equipment that would be producing the types of emissions that would contribute to greenhouse gas concerns."

- b. Glenn: "I would also say that it's something that's come up in our commission, and in particular in our ad hoc committee, is this idea of what's de minimis and what's actually going to solve problems. And I don't think we should consider any problem to be too de minimis if we can get a policy change out of it. For example, plastic straws is one of them that came up. It doesn't actually contribute a lot to waste per se, there are plenty of other ways that you can get plastic out of the environment. But that's one way to bring public attention to a bigger problem. So that's what I think is part of what's at stake here. As Commissioner Nay said, thinking about it in a bigger issue as well."
- 15. Steven Clark: "This was a great presentation. One important point that was expressed by many people was that we really do not need to remove every last twig from our properties. Perhaps the city could help educate residents about this point. We could all let our gardeners know this. They may feel like their jobs depend on total twig eradication. We may need to assure them otherwise."
 - a. Cobleigh: "That's a great comment. And those with gardeners or those who garden themselves should take that recommendation into consideration."
- 16. banaf.s.rahimi: "Can the city initiate CA native display gardens in our parkways under public trees as demonstrations to alternatives to grass and 'mow and blo' maintenance?"
 - a. Cobleigh: "That's a great suggestion. I'm not sure off-hand of any demonstration gardens that are in the city. Do any of my fellow commissioners know of any? ... That's a great suggestion. Kind of goes in the, 'Well, we're not making recommendations, but maybe we have a recommendation.'"
- 17. Jadie: "A maintenance crew coated my entire bathroom with a thick layer of dust last week. Working for pay without essential skills like basic awareness of the homeowner/home makes no sense to me."
- 18. Anonymous attendee: "Has anything like this been submitted to the city before? What kind of action can we expect or contribute to see change?"
 - a. Cobleigh: "My understanding is that has come before the city several times, dating most recently between 2013 and 2017. The City Council has received comments from community members and from people in the landscaping sector, so this has been something that's come before them before, but I don't believe a comprehensive package such as the one that we are preparing has been submitted before."