




OFFICE OF THE CITY MANAGER

MEMORANDUM

October 18, 2021

TO: City Council

FROM: Steve Mermell 
City Manager

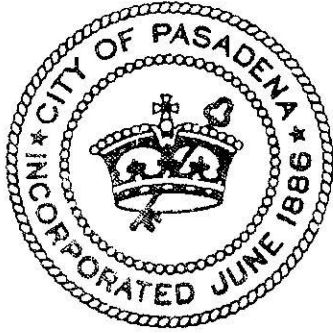
SUBJECT: CONSIDERATION OF DIRECTION RELATED TO GAS-
POWERED LEAF BLOWING MACHINES - ADDITIONAL
INFORMATION

The subject report was agendized for City Council consideration at its last meeting, October 4, 2021; however, given a heavy agenda the item was put off until this evening.

Since the time of preparing the report the Governor has approved AB 1346 (Air pollution: small off-road engines). The law establishes 2024 as a target date to ban the sale of new gas-powered landscaping equipment, including but not limited to leaf blowers. The actual timing of the ban will be based on feasibility as determined by the Air Resources Board.

The bill will also apply to generators and emergency response equipment and other assorted categories, but with a longer lead-time, up to 2028.

Importantly, this legislation does not ban the use of any equipment, it only regulates the sale of gas-power equipment.



Agenda Report

October 4, 2021

TO: Honorable Mayor and City Council

FROM: City Manager

**SUBJECT: CONSIDERATION OF DIRECTION RELATED TO GAS-POWERED
LEAF BLOWING MACHINES**

RECOMMENDATION:

It is recommended, that following a staff presentation and City Council discussion, the City Council either:

1. Direct the City Attorney to prepare an ordinance to amend Title 9 (Public Peace, Morals and Welfare) of the Pasadena Municipal Code to prohibit the use of gas-powered leaf blowing machines within Pasadena;
2. Refer the matter to the Public Safety Committee for further consideration;
3. Provide City staff with direction on the matter; or
4. Take no action.

BACKGROUND:

The issue of gas-powered landscaping equipment, specifically gas-powered leaf blowing machines (i.e. 'leaf blowers'), has been raised on a number of occasions over the years. Concerns about the use of this equipment has predominantly focused on air and noise pollution. In past discussions concerning the possibility of prohibiting leaf blowers, there was interest in a complete prohibition of them. However, due to advances in technology in recent years, electric leaf blowers (corded and battery-powered) have become more viable alternatives, which has shifted the discussion to the possibility of prohibiting gas-powered leaf blowers only.

Current Local Regulations

Currently, all gas and electric leaf blowers are regulated in Chapter 9.37 – Leaf-Blowing Machines (Attachment A) of the Pasadena Municipal Code. Chapter 9.37 includes prohibitions on when a leaf blower can be used in a residential area or within 500 feet of one (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), as well as limiting how many leaf blowers can be used on a parcel (one) and for how long they can be used (no more than 15 minutes per hour on a parcel less than 1/2 acre, and 30 minutes per hour on a parcel greater than 1/2 acre). Chapter 9.37 also requires the annual certification of all leaf blowers by the City's Public Health Department. The Code Compliance Division of the Planning & Community Development Department enforces these regulations.

Community Complaints

The table below shows the number of complaints received by the Code Compliance Division since Fiscal Year 2015-2016, divided into four categories: using a leaf blower outside the allowed hours, using a leaf blower for longer than allowed, a leaf blower that exceeds the allowed noise level, and blowing debris across a property line. [Note: these are the complaints received and do not reflect whether a violation was valid. For example, a complaint for use outside the allowed hours does not necessarily mean a leaf blower was indeed used during prohibited hours.]

Of the 359 total complaints in the last six years, the majority (275, or 77 percent) concerned the use of a leaf blower outside the allowed hours. The remaining categories, exceeding the allowed length of use, noise level, and blowing debris over a property line, received 52 (14 percent), 23 (six percent), and 9 (three percent) complaints, respectively.

Fiscal Year	Outside Allowed Hours	Exceed Maximum Time	Noise Level	Blown Over Property Line	TOTAL
2015-16	27	2	6	2	37
2016-17	17	4	2	1	24
2017-18	41	11	1	3	56
2018-19	79	12	5	0	96
2019-20	62	14	6	2	84
2020-21	49	9	3	1	62
TOTAL	275	52	23	9	359

Environmental Advisory Commission

In 2019, the Landscape Equipment Ad Hoc Committee of the Environmental Advisory Commission was formed in order to compile information about leaf blowers and other types of landscape equipment to determine whether to recommend to the City Council further restrictions on their use.

A February 9, 2021 the Ad Hoc Committee presented a memorandum (Attachment C) to the full Commission. The document consists of a one page summary of the Ad Hoc Committee's recommendations and a number of attachments with supporting documentation, including a historical summary of how Pasadena has regulated leaf blowers over time, a list identifying what cities in California prohibit or severely restrict

leaf blowers, and a presentation, correspondence, and transcript from a public forum on lawn equipment the Ad Hoc Committee held in October 2020.

The Ad Hoc Committee's recommended that City staff time to 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)

At the February 9 meeting the Commission voted to approve the memorandum and its recommendations. Following this, the complete memorandum was distributed to the members of the Public Safety Committee on March 3, 2021.

Prior Consideration of a Prohibition of Gas-Powered Leaf Blowers

The Public Safety Committee considered possible changes to the leaf blower regulations over several meetings between June 2013 and December 2014 (Attachment D). City staff recommended no changes to the regulations; however, enforcement was transferred from the Public Health Department to Code Compliance.

Proposed State Legislation

Assembly Bill 1346 (Air pollution: small off-road engines) was recently under consideration by the California State Assembly. This bill would require the California Air Resources Board (CARB) to develop and adopt regulations to prohibit the sale of small gas-powered engines, such as the ones frequently found in lawn and garden equipment. These new regulations would apply to engines produced on or after January 1, 2024. In effect, new gas-powered small off-road engines would be phased out by 2024.

AB 1346 has been approved by both the State Assembly and Senate, was presented to the Governor on September 20, 2021 and is awaiting his disposition.

Recent Local Legislation

On August 18, 2021, the City of South Pasadena voted to prohibit gas-powered leaf blowers, to go into effect on October 1, 2022. The prohibition applies citywide and includes the City's use of leaf blowers. According to the agenda report (Attachment E), the prohibition ordinance also includes financial enforcement penalties of up to \$500, makes violations the responsibility of the property owner or tenant who authorized the use, and adds new maximum sound standards for leaf blowers (65 decibels measured 50 feet away).

The City will also conduct an outreach effort that will include virtual workshops for homeowners and in-person demonstrations for gardeners and landscapers. Outreach would also include a number of methods, including an informational webpage, social media resources, City newsletters, door hangers, printed flyers to be distributed at City departments, and direct mailing information about the ban to business owners and property management companies.

NEXT STEPS:

Options available to the City Council are 1) Direct the City Attorney to prepare an ordinance to amend the Pasadena Municipal Code to prohibit the use of gas-powered leaf blowing machines within Pasadena; 2) Refer the matter to the Public Safety Committee for further consideration; 3) Provide City staff with direction on the matter; or 4) Take no action.

FISCAL IMPACT:

There is no fiscal impact associated with this report. Depending on what action(s), if any, the City Council directs, some direct costs may be incurred by the City, but they are likely to be negligible.

Respectfully submitted,



STEVE MERMELL
City Manager

Attachments: (4)

Attachment A – Pasadena Municipal Code: Chapter 9.37 Leaf-Blowing Machines

Attachment B – Memorandum: Landscape Equipment Ad Hoc Committee of the Environmental Advisory Commission (February 9, 2021)

Attachment C – Presentation to Public Safety Committee (December 15, 2014)

Attachment D – City of South Pasadena Agenda Report/Ordinance to Prohibit the Use of Gas-Powered Leaf Blowers