

PROPOSED LOCAL LAW S – 2023

A Proposed Local Law to amend Chapter 254 of the Code of the Village of Mamaroneck regarding the use of leaf blowers.

**BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK
AS FOLLOWS:**

*(Language in strike-through ~~abcedefghijk~~ to be deleted; language in **bold** is to be added)*

Section 1.

Section 254-3 subsection R of the Code of the Village of Mamaroneck is amended as follows:

§ 254-3. Specific Prohibitions.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but said enumeration shall not be deemed to be exclusive, namely:

~~R. Leaf blowers: The operation of leaf blowers is prohibited between May 15 and September 30. From October 1 through May 14, when the use of leaf blowers is permitted, use of leaf blowers is permitted only between the hours of 8:00 a.m. and 6:00 p.m. on weekdays and between the hours of 10:00 a.m. and 4:00 p.m. on Saturday. No such activity shall be permitted on Sunday or on any of the following holidays: New Year's Day, Martin Luther King's Birthday, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Yom Kippur, Rosh Hashanah, Thanksgiving and Christmas. No more than one leaf blower may be operated at any time on property with an area of 5,000 square feet or less. No more than three leaf blowers shall be operated at any time on any property. From May 15 to September 30 after significant storm events or during other emergency circumstances, the Supervisor of the Mamaroneck Department of Public Works will determine whether the use of leaf blowers by the general public shall be permitted; in that case, the period of time for such use shall not exceed seven days. The provisions hereof shall not be deemed to prevent the use of leaf blowers on municipal or public school district owned property by municipal or school district staff at any time. Any violation issued under this Subsection **R** shall be issued to the property owner or the owner of the business undertaking the leafblowing operations, at the discretion of the enforcement officer issuing the violation.~~

R. Leaf blowers.

- (1) The operation of leaf blowers is permitted from October 1 through May 14 of each year and prohibited from May 15 through September 30 of each year, on Sundays and on the following holidays: New Year's Day, Martin Luther King's Birthday, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Yom Kippur, Rosh Hashanah, Thanksgiving and Christmas. On those days when leaf blowers**

may be used, leaf blowers are permitted to be used only between the hours of 8:00 a.m. and 6:00 p.m. on weekdays and between the hours of 10:00 a.m. and 4:00 p.m. on Saturdays. Between May 15 and September 30 of each year, the Village Manager is authorized to permit the use of leaf blowers after significant storm events and other emergencies for periods of not more than seven consecutive days.

- (2) No more than one leaf blower may be operated at any time on property with an area of 5,000 square feet or less. No more than three leaf blowers are permitted to be operated at any time on any property.**
- (3) The use of leaf blowers is permitted on Village properties and public school district properties at any time.**
- (4) Commencing January 1, 2024, no person is permitted to operate a gasoline-powered leaf blower in the Village. This prohibition does not apply to electric or battery powered leaf blowers.**

Section 2.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 3.

This local law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3). It supersedes the provisions of the Village Law to the extent that they are inconsistent with this local law.

Section 4.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.