



## **MENLO PARK MUNICIPAL CODE**

### **A Codification of the General Ordinances of the City of Menlo Park, California**

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#### **Chapter 8.07 LEAF BLOWERS**

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#### **8.07.010 Purpose.**

It has been found that internal fuel combustion engine leaf blowers cause considerable noise and air pollution and have been the source of numerous complaints by persons working and residing in the city. This chapter is intended to regulate the use of internal fuel combustion engine leaf blowers to minimize noise and air pollution in the city. This chapter does not apply to electrically powered leaf blowers. (Ord. 895 § 3 (part), 1999)

#### **8.07.020 Definitions.**

For purposes of this chapter, the following definitions apply:

(1) "**Leaf blower**" means portable equipment powered by an internal fuel combustion engine, including but not limited to gasoline, methane and propane that is used in any landscape, maintenance, construction, property repair, or property maintenance for the purpose of blowing, dispersing, or redistributing dust, dirt, leaves, grass clippings, cuttings and trimmings from trees, shrubs or other debris.

(2) "**Certified leaf blower**" means only those leaf blowers measured at sixty-five (65) dB(a) or less at a distance of fifty feet (50') by an independent laboratory per

American National Standards Institute ("ANSI") standard B175.2-1996, as certified by the manufacturer. (Ord. 895 § 3 (part), 1999)

#### **8.07.030 Operation.**

Leaf blowers may only be used or operated in the city as follows:

(1) **Certified Leaf Blowers.** Certified leaf blowers may be operated in the city Mondays through Fridays between the hours of eight (8) a.m. and five (5) p.m. Certified leaf blowers may be operated by residents of the city on Saturdays between the hours of eleven (11) a.m. and three (3) p.m. to maintain their property. Operation of certified leaf blowers in the city is prohibited on Sundays, observed federal holidays as defined by the city and on "Spare the Air" days as declared by the Bay Area Air Quality Management District.

(2) **Non-Certified Leaf Blowers.** The use of any leaf blower other than a certified leaf blower as defined by this chapter, is prohibited.

(3) **Electric Blowers.** The provisions of this Chapter 8.07 do not apply to electrically powered blowers. (Ord. 895 § 3 (part), 1999)

#### **8.07.040 Limitations on use.**

Any person who uses or operates a leaf blower in the city shall at all times comply with the following:

(1) **Full Blower Nozzle Extension.** The full blower nozzle extension and diffuser as provided by the manufacturer or supplied by the distributor shall be used at all times.

(2) **Earplugs.** Earplugs or ear protectors shall be worn or inserted at all times by persons operating a leaf blower. (Ord. 895 § 3 (part), 1999)

#### **8.07.050 Violations.**

It is unlawful for any person or entity to violate the provisions of this Chapter 8.07. Any person or entity in violation of the provisions of this chapter shall be deemed guilty of an infraction, whereby, a written citation shall be issued and written notice shall be delivered or mailed to the property owner on which the violation occurred. (Ord. 895 § 3 (part), 1999)

#### **8.07.060 Construction.**

No section in this chapter shall impose a mandatory duty on the city, or any officer, official, agent, employee, board, council, or commission of the city. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall be deemed to invest the city, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section or not to enforce the section. (Ord. 895 § 3 (part), 1999)