



Town of Atherton

Introduction of Amendments to
Atherton Municipal Code (AMC)
Chapter 8.16 "Noise", Pertaining to
Leaf Blowers

City Council Public Hearing
November 18, 2020

Existing Regulations

- Atherton Municipal Code regulates leaf blowers through the Noise Ordinance - allowable hours of operation, with no restriction on the type of leaf blower (i.e. gas, electric, or otherwise powered).
 - ❖ *Chapter 8.16.050 (B): “B. Power Garden Equipment. 1. Power garden equipment including but not limited to, leaf-blowers, vacuums, power mowers, rototillers, and other similar equipment are exempt from the basic noise regulation between the hours of eight a.m. and six p.m. Monday through Friday, ten a.m. and five p.m. on Saturday and ten a.m. and three p.m. on Sunday.”*

Background

- February 2019 – Council received summary on leaf blower use, recent actions by other cities, and directed EPC to further evaluate the topic.
- May 2019 – EPC evaluated and recommended a phased restriction and possibility of rebates and/or incentives to support such restrictions.
- September 2019 – Council received report on more detail, associated issue to consider, more on other cities, directed staff to further evaluate so that decision could be made whether or not move forward in further evaluation.
- November 2018 – Council received draft workplan and estimated budget.
- February 2020 – Council adopted budget amendment to account for a Leaf Blower Ordinance.
- November 2020 – EPC reviewed, and recommended Council adopt a Leaf Blower Ordinance with a series of revisions.

Gas Powered Leaf Blowers

- Powered by either two (2)-stroke or four (4)-stroke engines.
 - ❖ 2-stroke engines power the majority of gas blowers, noted to have especially higher and more harmful emissions (most mix fuel with oil to operate).
 - ❖ 4-stroke engines (i.e., the same type of engine used in cars), achieve complete combustion of fuel and therefore emit less air pollution than 2-stroke engines (estimated 30% fewer emissions and 20-40% quieter than 4-stroke).
- The California Air Resources Board (CARB) released a report in 2000.
 - ❖ Health and environmental impacts of leaf blowers
 - ❖ Best selling (two-stroke) commercial gas leaf blower for one hour emits pollution comparable to driving a 2016 Toyota Camry about 1,100 miles.
- ***In summary two-stroke gas leaf blower tend to cost less, weigh less and produce more raw power for the size of the engine. They are simpler, tend to last longer, but they are also noisier, and more polluting.***

Electric Powered Leaf Blowers

- Powered by either an electrical cord or battery. Can be back-pack or handheld.
- Battery Powered:
 - ❖ Consider a typical battery lasting 20-30 minutes.
 - ❖ Cost of a blower, plus of additional batteries that may be necessary to complete a landscape maintenance job.
 - ❖ The higher the power used on an electric blower and the longer the timeframe, the quicker a battery will go out.
- Cord Powered:
 - ❖ Consider distance that such cord would allow the blower to extend to from its source point of electricity.
 - ❖ Alternative is to run it from a generator, which could be contradictory as generators are typically ran on gasoline and emit an additional source of noise.

Comparison of Gas vs. Electric Powered Leaf Blowers

	Gas	Electric
MPH	180 – 233 mph	120 – 145 mph
Noise	74 – 104 dBa	59-64 dBa
Cost	~\$340 - \$593	~\$219 - \$400*

- Electric blowers typically have less power and less noise. Increased labor hours, ability/efficiency in larger properties.
- Gas blowers typically have more power and more noise. Most commonly used by residential landscapers.
- Relatively similar costs for units.

**Doesn't account for purchase of extra batteries that may be necessary.*

Residential, Schools & Circus Club

- 89% of Town is residential
 - ❖ Minimum, average residential parcel is 1 acre; with smaller lots down to 10,000 sq.ft. and upwards of 2+ acres.
- 4 public schools, 3 private schools and Circus Club
 - ❖ Public Elementary Schools: 5.36 – 10.20 acres; M.A.H.S: 37.6 acres
 - ❖ Private Schools: 43.75 – 60.58 acres
 - ❖ Cartan Field: 14.76 acres
 - ❖ Menlo Circus Club: 27.7 acres
 - ❖ Bear Gulch Reservoir: 104.02 acres
 - ❖ All schools and Circus Club use gas blowers for maintenance; ability and efficiency for electric blowers to satisfy large site landscaping requirements.

Municipal Operations

- Holbrook-Palmer Park (25- 30 hours/month)
 - ❖ 22 Acres – 2-3 times per week
 - ❖ Tennis Courts - weekly
- Other (25-30 hours/month)
 - ❖ Streets, Medians, and drainage
 - ❖ Middlefield, El Camino Real, Elena, etc.
 - ❖ Drainage
 - ❖ Library, Pathway, and Police Department

Municipal Operations (Cont.)

- Currently average 50 – 60 hours/month.
- Increased during pollination and leaf drop seasons.
- PCT has requested a water-broom for the tennis courts and an increase in court blowing.
- Town Center will require regular blowing service when completed .

Municipal Operations (Cont.)

- Estimated that blowing time/level of effort will increase by 25-30% for routine activities due to reduced power.
- Battery powered blowers have limited run-time.
 - Multiple spare batteries will be required.
 - Additional service outlets may be required for chargers.
- Battery operated equipment may not be powerful enough to blow wet leaves and will require greater time and potentially manual sweeping/raking.
- Manual sweeping/raking in the streets may pose an additional safety risk, particularly on heavily traveled roadways.

Proposed Draft Ordinance

1. Prohibiting the use of any gas leaf blower in residential districts, unless for emergency situations.
2. Restricting the type of allowable gas leaf blowers and reducing the days/hours of their use for the schools, Circus Club and Town Facilities; specifically prohibiting the use of 2-stroke gas leaf blowers, but allowing 4-stroke gas leaf blowers.
3. Phasing in a ban on the restrictions for leaf blowers.
4. Allowing electric blowers throughout the Town per existing regulations on specified times/days.
5. Prohibiting the use of any type of leaf blower on holidays and “Spare the Air” days.

EPC Additional Recommendations

Council Direction Requested

1. Restriction of any type of gas-powered leaf blower be extended to also include all Schools, Circus Club and all Town maintained facilities with a longer timeline for compliance. (i.e. 4 years to make the complete transition).
2. That the use of any leaf blower (electric or gas) is further restricted in allowable hours to the same schedule as allowable construction hours (Monday-Friday 8-5pm, no holidays and no weekends in addition to spare the air days) unless in a defined, emergency situation.
3. Phasing for residential use is decreased to 1 year from 2 years.

No Council Direction Requested

4. Evaluate possibility to have any fine or penalty be cost of an electric leaf blower.
5. Language added encouraging, but not mandating, residents to not use leaf blowers at all/to consider alternative landscaping methods.

Alternatives

- A: Complete Phase Out/Ban on Any Gas Blower
- B: Implement More Stringent Use Restrictions
- C: Complete Phase Out/Ban on Any Type of Blower
- D: Other

Next Steps / Implementation

- Implemented over a phased period of time.
- Development of a public outreach and education program. Could be drafted by EPC for consideration and adoption by the City Council.
- Possible Examples:
 - ❖ Town wide outreach, educational workshops and/or resources.
 - ❖ Distribution to every property in Town and licensed landscaping contractors.
 - ❖ Multi-lingual handouts.
 - ❖ FAQ information and resource links (digital and hard copies) on the Town's website and Town offices, Park, etc.

Public Comment

■ Public Comment Received

- ❖ Comment in favor of restrictions: concerns related to noise, pollution, nuisance, negative impact on environment.
- ❖ Comments against restrictions: concern with cost and other labor impacts to landscapers, efficiency, aesthetics, actual noise impact reduction, actual emission reduction, enforcement. More direct input from residents.
- ❖ Concern from schools and Circus Club – cost impacts, impact on maintenance operations given significantly greater acreage + fields/landscaping/other land types to maintain.

Recommendation

- Introduce Ordinance and read by Title only, amendments to Chapter 8.16 “Noise” of the Atherton Municipal Code (AMC), pertaining to leaf blowers. This Ordinance has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) to CEQA Section 15308, Actions by Regulatory Agencies for protection of the Environment