

TOWNSHIP OF MAPLEWOOD



ORDINANCE

#3057-22

**AN ORDINANCE
TO PROHIBIT THE USE
OF GAS- POWERED LEAF BLOWERS
WITHIN THE TOWNSHIP OF MAPLEWOOD**

"Interpretive Statement"

This Ordinance will prohibit the use of gas-powered leaf blowers within the Township of Maplewood.

WHEREAS, Ordinance 2854-17 was passed on April 4, 2017; and

WHEREAS, Ordinance 3016-21 was passed on February 2, 2021; and

WHEREAS, since that time, the Township of Maplewood ("Township") residents have supported these ordinances; and

WHEREAS, the science has shown that the noise, particulate matter, gas and oil being released unburned, and the fumes from burnt fuel are hazardous to the health of the workers, residents particularly the elderly and young causing hearing loss and potential cancers, hypertension, cardiac disease, and increased stress levels; and

WHEREAS, the same noise, fuels, particulate matter, and high velocity winds damage and destroy animal, bird and insect habitats disrupting nature and adversely impacting the health of our pets causing respiratory and other health issues; and

WHEREAS, the Township wishes to continue to strengthen its commitment to public health and wellness and environmental sustainability and believes that the proposed amendments will help achieve greater equity and public health; and

WHEREAS, commercial grade battery powered leaf blowers have become more readily available and accessible, since the adoption of these ordinances; and

WHEREAS, the Township believes that the passage of this ordinance will more clearly reflect the needs and values of the Maplewood community.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey that:

FIRST:

1. (a) A Gas-Powered Leaf Blower is defined as a piece of equipment powered by a two-stroke or four-stroke engine using gasoline or a mixture of gasoline and oil blend as fuel and used primarily for but not exclusively to blow grass clippings and debris, leaves, dirt, etc. often used in yard and lawn maintenance.

(b) Turbine Blower is also commonly referred to as a “Buffalo Blower” is a piece of equipment that is connected to a small tractor, golf cart or other vehicle and is intended to blow large volumes of air; it is much quieter than a conventional gas-powered leaf blower.

(c) The use of gas powered leaf blowers, except a turbo blower, is prohibited within the Township of Maplewood. This prohibition includes the use of gas-powered leaf blowers in the application of chemicals or products to treat for bug or insect infestation.

2. Electric and battery powered leaf blowers are permitted as follows:

Monday through Friday 7:00 a.m. to 6:00 p.m.
Saturdays 9:00 a.m. to 5:00 p.m.
Sunday use is prohibited.

3. A turbo blower is permitted between May 1 and September 30 of each year by any person or entity as follows:

Monday through Friday 7:00 a.m. to 6:00 p.m.
Saturdays 7:00 a.m. to 3:00 p.m.
Sundays 9:00 a.m. to 3:00 p.m.

4. Any person or entity violating the provisions of this section shall be fined as follows:

- (1) First Offense \$ 500.00
- (2) Second Offense \$ 1,000.00
- (3) For a third or subsequent offense \$ 1,500.00

and the violator will be subject to a loss of license to perform work within the Township of Maplewood.

5. No person or entity may deposit leaves into any street more than seven (7) days before a regularly scheduled Department of Public Works pick-up.

Anyone violating this Section shall be subject to a fine as follows:

- | | | |
|-----|-----------------------------------|-----------|
| (a) | First Offense | \$ 100.00 |
| (b) | Second Offense | \$ 200.00 |
| (c) | For a third or subsequent offense | \$ 500.00 |

6. In the event of a weather emergency or other emergent circumstances, the Township Emergency Management Coordinator shall be permitted to modify the restrictions of this Ordinance.

SECOND: Severability

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect on January 1, 2023 after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title at a meeting of the Township Committee of the Township of Maplewood, held on April 5, 2022, and that the Township Committee met again on April 19, 2022, at 7:00 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Township Committee held a hearing and proceeded to consider the said Ordinance on final reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk

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