

CITY COUNCIL ORDINANCE NO. 90-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE AMENDING SECTION VI.K-305 OF THE IRVINE CITY CODE REGARDING USE AND NOISE CONTROL REGULATION FOR LEAF BLOWERS IN THE CITY OF IRVINE

WHEREAS, the use of Leaf Blowers cause significant air pollution by their operation and nature of the equipment; and

WHEREAS, health and safety effects are experienced due to uncontrolled operation of leaf blowers; and

WHEREAS, the use of leaf blowers causes nuisances to adjacent properties and public ways due to blowing and distributing dust, dirt, leaves, grass clippings, cuttings and trimmings from trees shrubs or other debris; and

WHEREAS, considerable concern for control and abatement of this nuisance has been received from our community and citizens at large; and

WHEREAS, leaf blower gardeners and manufacturers are willing to work with logical controls.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY ORDAIN as follows:

SECTION 1. That Section VI.K-305(3) is amended to read as follows:

(3) The use of leaf blowers shall be regulated as follows:

(a) Definition of Leaf Blower: Leaf blowers are defined as portable power equipment that is powered by fuel or electricity and 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 and shrubs or other debris.

(b) Limitations on Use:

(i) All leaf blowers shall be equipped with a permanently installed limiter that restricts the individual equipment motor performance to half throttle speed or less, and will produce not more than 70 decibels DB(a) measured at the midpoint of a wall area 20 feet long and 10 feet high and at a horizontal distance 50 feet away from the midpoint of the wall, or not more than 76 decibels DB(a) at a horizontal distance of 25 feet using a sound level meter set at Level A.

(ii) Each individual leaf blower shall be tested and certified for use by the City of Irvine or its designated representative. Each individual leaf blower shall bear the label of required approval in a visible location on the equipment prior to use and at all times during use. A fee for the City to recover all costs

connected with equipment approvals shall be charged in an amount set by City resolution.

(iii) The use of leaf blowers is prohibited except between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday.

(iv) Leaf blower operations shall not cause dirt, dust, debris, leaves, grass clippings, cuttings or trimmings from trees or shrubs to be blown or deposited on any adjacent or other parcel of land, lot, or public right-of-way/property other than the parcel, land, or lot upon which the leaf blower is being operated. Deposits of dirt, dust, leaves, grass clippings, debris, cuttings or trimmings from trees or shrubs shall be removed and disposed of in a sanitary manner which will prevent dispersment by wind, vandalism or similar means within six (6) hours of deposit by the user or property occupant.

(v) Leaf blowers shall not be operated within a horizontal distance of ten (10) feet of any operable window, door, or mechanical air intake opening or duct.

(vi) No person using leaf blowers shall exceed noise limitations set by Section VI.K-304 of the City Code of Ordinances.

(c) Education:

(i) Each person operating an individual leaf blower is required to complete not less than one (1) training session of content and time approved by the City of Irvine Administrative Authority prior to operation of leaf blower equipment. Training and qualification shall be required for certification at least every two (2) years for each individual equipment user.

(ii) The equipment operator shall carry certification of the training and qualification at all times during equipment use and make it available upon demand. Failure to abide by the use requirements contained in this Code and/or the certification training provided will be cause for the City of Irvine to revoke such certification.

(iii) Exception: An individual residential property occupant operating a single leaf blower himself or herself in a manner confined to his or her own property shall be excepted from the education requirements set forth by this Ordinance.

(d) Fees: A fee for the City to recover all costs connected with training, testing, certification and enforcement shall be charged in an amount set by City Council resolution.

Section 2: The effective date of this ordinance shall be 6 months from the date of its enactment.

PASSED AND ADOPTED by the City Council of the City of Irvine at an adjourned regular meeting held on the 13th day of February, 1990.

Larry Agran
MAYOR OF THE CITY OF IRVINE

ATTEST:

Nancy C. Lacey
CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)

I, NANCY C. LACEY, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing Ordinance was duly adopted at an adjourned regular meeting of the City Council of the City of Irvine on the 13th day of February, 1990, by the following roll call vote:

AYES: 4 COUNCILMEMBERS: Cosgrove, Sheridan, Werner and Agran
NOES: 0 COUNCILMEMBERS: None
ABSENT: 1 COUNCILMEMBERS: Dornan

Nancy C. Lacey
CITY CLERK OF THE CITY OF IRVINE


AFFIDAVIT OF POSTING

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)

I, Nancy C. Lacey, City Clerk of the City of Irvine, HEREBY DO CERTIFY that on the 23rd day of February, 1990, I caused to have posted the foregoing true and correct copy of Ordinance No. 9002 of the City of Irvine in the following public places in the City:

1. Bulletin Board in Walnut Village Shopping Center, Culver and Walnut, Irvine
2. Bulletin Board in University Park Shopping Center, Culver at Michelson, Irvine
3. Bulletin Board in Northwood Shopping Center, Irvine Boulevard at Yale, Irvine

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City Council of the City of Irvine, California, the 23rd day of February, 1990.


CITY CLERK OF THE CITY OF IRVINE