

ORDINANCE NO. 2017-_____

ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA,
AMENDING SECTIONS 9.04.015.I (PROHIBITED PUBLIC
NUISANCE CONDITIONS ON REAL PROPERTY) AND
9.07.050.B (DOMESTIC POWER TOOLS) OF THE CULVER
CITY MUNICIPAL CODE RELATING TO LEAF BLOWER
REGULATIONS.

WHEREAS, the City Council has received numerous complaints from City residents regarding the operation of leaf blowers in the City and their resulting impacts, such as emissions, dust, and noise; and

WHEREAS, the City Council, after receiving input from the City Council Sustainability Subcommittee, City staff and members of the community, and thoroughly discussing the matter, has determined to prohibit the sale and operation of leaf blowers with noise levels exceeding 65 decibels, with an effective date delayed by five years to provide time for existing equipment to deplete its useful life.

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

SECTION 1. Section 9.04.015.I of the Culver City Municipal Code is hereby amended to read as follows (deletions indicated by ~~strikethrough text~~; additions indicated by underlined text):

I. *Use of leaf blowers.* The commercial use or operation of any leaf blower or other portable machine powered with an internal combustion engine used to blow leaves, dirt, and other debris off sidewalks, driveways, lawns and other surfaces, without first having obtained a leaf blower operator's permit ~~pursuant to this Section~~ issued by

1 the City Fire Marshal pursuant to this Section. A leaf blower operator's
2 permit shall not be required for an individual operating a leaf blower for
3 private use and not as part of a commercial business.

4 1. Each applicant for a leaf blower operator's permit shall
5 be required to demonstrate conformance with the City's guidelines for leaf
6 blower usage as set forth in the permit application and provide evidence
7 of a current business tax certificate. ~~Such guidelines shall be adopted by~~
8 ~~resolution.~~

9 2. ~~Notwithstanding the provisions of § 9.07.050.B of this~~
10 ~~Code, it~~ It shall be unlawful for any person to operate a leaf blower or
11 other machine described in this Section within the City of Culver City,
12 except between the hours of 8:00 a.m. and 6:00 p.m. Mondays through
13 Fridays and between the hours of 10:00 a.m. and 5:00 p.m. on Saturdays
14 and Sundays.

15 3. It shall be unlawful for any person to operate, within the
16 City of Culver City, a leaf blower with a sound level exceeding 65 decibels.

17 4. It shall be unlawful for any business to sell, within the
18 City of Culver City, a leaf blower with a sound level exceeding 65 decibels.

19 5. Upon request by the City, any person operating a leaf
20 blower must allow the City's inspection of the leaf blower to verify
21 compliance with this Section, and must present to the City, upon request,
22 documentation from the manufacturer evidencing the leaf blower's decibel
23 level.

24 36. The City may revoke a permit issued pursuant to this
25 Section as a result of any violation of Subsections J1.2, I.3 or I.5.

26 47. An applicant for a leaf blower operator's permit who
27 has had a permit revoked, or been convicted of or pled guilty or no contest
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1 to a criminal charge alleging a violation of this Section, within the prior six
2 (6) months shall not be issued a permit.

3 8. Subsections 1.3, 1.4 and 1.5 shall become effective on
4 November 9, 2022.

5 **SECTION 2.** Section 9.07.050.B of the Culver City Municipal Code is hereby
6 amended to read as follows (deletions indicated by ~~strikethrough text~~; additions indicated
7 by underlined text):

8 B. It is prohibited for any person to operate, or permit the operation of
9 any gasoline-powered lawn mower, leaf blowers, or similar equipment within
10 the City except during between the hours of 8:00 a.m. ~~to~~ and 8:00 6:00 p.m.
11 ~~Mondays through Fridays~~, and ~~except during~~ between the hours of 9:00
12 10:00 a.m. ~~to~~ and 8:00 5:00 p.m. on Saturdays and, Sundays, ~~and City-~~
13 ~~specified holidays.~~ Additional restrictions apply to the operation of leaf
14 blowers, as set forth in Section 9.04.015.I of this Code.

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16 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance
17 shall take effect 30 days after the date of its adoption. Pursuant to Sections 616 and 621
18 of the City Charter, prior to the expiration of 15 days after the adoption, the City Clerk shall
19 cause this Ordinance, or a summary thereof, to be published in the Culver City News and
20 shall post this Ordinance or a summary thereof in at least three places within the City.

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SECTION 4. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

APPROVED AND ADOPTED this _____ day of _____, 2017.

JEFFREY COOPER, Mayor
City of Culver City, California

ATTEST:

~~APPROVED AS TO FORM:~~

JEREMY GREEN, City Clerk

A17-00609

CAROL A. SCHWAB, City Attorney