



City of Culver City

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Staff Report

File #: 18-0338, **Version:** 1

Item #: C-3.

CC - Adoption of an Ordinance Amending Culver City Municipal Code Sections 9.04.015 (Prohibited Public Nuisance Conditions on Real Property) and 9.07.050.B (Domestic Power Tools), Relating to Leaf Blower Regulations (Including the Prohibition of the Sale and Use of Leaf Blowers with Noise Levels Exceeding 65 Decibels, Effective November 2022)

Meeting Date: October 23, 2017

Contact Person/Dept: Joe Susca/Public Works-Administration

Phone Number: 310-253-5636

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☐ **Action Item:** ☐ **Attachments:** ☒

Commission Action Required: Yes ☐ No ☒ **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (10/18/17); (E-Mail); Robert Hirschhorn (10/18/17); Matthew Prater (10/18/17); William & Tarra Kardaras (10/18/17); The Culver City Chamber of Commerce (10/18/17); the Downtown Business Association (10/18/17); Members of the public who pulled speaker cards or submitted written comments on this topic during the City Council meetings of August 14, 2017 and September 25, 2017 (10/18/17); Next Door post (10/18/17); News article on City webpage (10/18/17); the Following E-Mail Distribution List Subscribers: Sustainability / Environmental Issues and Public Notifications (10/18/17).

Department Approval: Charles D. Herbertson (09/28/17)

RECOMMENDATION

Staff recommends the City Council adopt an ordinance amending Culver City Municipal Code (CCMC) Sections 9.04.015 (Prohibited Public Nuisance Conditions on Real Property) and 9.07.050.B (Domestic Power Tools), relating to leaf blower regulations (including the prohibition of the sale and use of leaf blowers with noise levels exceeding 65 decibels, effective November 2022) ("Proposed Ordinance").

BACKGROUND

At its meeting of September 25, 2017, the City Council introduced an Ordinance that:

1. Amends CCMC Section 9.04.015.I to prohibit the sale and use of leaf blowers with noise levels exceeding 65 decibels. Additional amendments to this Section include:
 - Removal of the requirement that non-commercial owners of leaf blowers be required to maintain an active business license and obtain a leaf blower operator's permit (however, individuals would still be required to adhere to the regulations established for their use).
 - Reservation of the City's right to inspect any leaf blower to ensure its noise rating is 65 decibels or less.
2. Amends CCMC Section 9.07.050.B to modify the leaf blower hours of operation to be consistent with CCMC Section 9.04.015.I. In addition, it would reference Section 9.04.015.I, so the public is aware that additional restrictions exist with regard to the operation of a leaf blower.

On September 25, 2017 the City Council also adopted a categorical exemption related to the Proposed Ordinance pursuant to the California Environmental Quality Act.

The Proposed Ordinance is now presented for adoption. (See Attachment No. 1 - Proposed Ordinance) If adopted, the effective date of the Ordinance will be delayed by five years (until November, 2022) to provide time for existing leaf blower equipment to deplete their useful life.

FISCAL ANALYSIS

Adoption of the Proposed Ordinance does not create a fiscal impact.

ATTACHMENTS

1. Proposed Ordinance

MOTIONS

That the City Council:

Adopt an ordinance amending Section 9.04.015 (Prohibited Public Nuisance Conditions on Real Property) and Section 9.07.050.B (Domestic Power Tools), relating to leaf blower regulations (including the prohibition of the sale and use of leaf blowers with noise levels exceeding 65 decibels, effective November 2022).