

Branford RTM Rules & Ordinances Committee

Regular Meeting

May 16, 2023

Half Past Seven o'clock p.m.

The RTM Rules & Ordinances Committee will meet Tuesday May 16, 2023 at 7:30 pm at the Branford Community House, 46 Church St., Branford, CT. This is a Regular Meeting.

1. To review a proposed ordinance on gasoline-powered leaf blowers, and to make a recommendation to the full Representative Town Meeting on adoption. Draft attached.
2. To review an ordinance establishing a state-mandated Fair Rent Commission to implement case-by-case rent control in Branford, and make a recommendation to the full RTM. Draft to be provided by the Town Attorney.
3. To consider creation, by ordinance, of a Harbor Management Commission.

Respectfully submitted,

Peter Black, Chair

M. S. Steppin
BRANFORD TOWN CLERK

2023 MAY -9 P 1:04

RECEIVED

Leaf Blowing Ordinance
Town of Branford CT

LEAF BLOWERS

ARTICLE __

__-1. Purpose.

Consistent with the municipal powers granted under sections 7-148(c)(7) and (10) of the Connecticut General Statutes, including the protection of the health and safety of residents and abatement of nuisances, it is the intent of this ordinance to set specific controls on the use of Leaf Blowers, in particular Gas-Powered Leaf Blowers.

__-2. Definitions.

For the purpose of this Article, the following terms shall have the meanings indicated:

“Leaf Blower” shall mean any device that is used or designed to move leaves, grass clippings, dust, dirt, or other matter by blowing them with air emitted by such device.

“Gas-Powered Leaf Blower” shall mean any backpack or handheld Leaf Blower that is powered by an internal combustion engine utilizing gasoline, diesel, or any other similar fuel.

“Electric-Powered Leaf Blower” shall mean any Leaf Blower that is powered by electricity utilizing a plug-in cord or battery power.

“Summer” shall mean the days beginning on May 1st and ending on October 15th of each year.

“Approved Hours” shall mean Monday through Friday 8:00 am to 6:00 pm; and Saturdays, Sundays and holidays 9:00 am to 5:00 pm.

__-3. Regulation of Leaf Blower Activity.

(a) Electric-Powered Leaf Blowers may be used during the Approved Hours on all properties within the Town.

(b) Beginning on May 1, 2024, Gas-Powered Leaf Blowers may not be used on any state or federal holiday.

(c) Beginning on May 1, 2024, and ending on October 15, 2024:

(1) Gas-Powered Leaf Blowers may be used between 9:00 am and 6:00 pm on Mondays through Fridays, and between 9:00 am and 3:00 pm on Saturdays. Gas-Powered Leaf Blowers may not be used on Sundays.

(2) Only one (1) Gas-Powered Leaf Blower may be used on a property of one-quarter (1/4) acre or less.

Leaf Blowing Ordinance
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- (d) Beginning on October 15, 2024, Gas-Powered Leaf Blowers may only be used between 9:00 am and 5:00 pm.
- (e) Beginning on May 1, 2025, Gas-Powered Leaf Blowers may not be used during Summer.
- (f) Notwithstanding the provisions of Sections __-3 (a) through (e):
 - (1) Individual residents maintaining their own property shall be permitted to use Gas-Powered Leaf Blowers during the Approved Hours. Effective May 1, 2025, individual residents shall comply with Section __-3(e) regarding the use of Gas-Powered Leaf Blowers during Summer.
 - (2) The use of Gas-Powered Leaf Blowers and Electric-Powered Leaf Blowers shall be permitted for storm condition clean-up, emergency situations affecting the health or safety of residents, and snow removal operations.
 - (3) The provisions of this Article shall not apply to the use of Leaf Blowers on State- or Town-owned property, or on any property in excess of 20 acres except residential communities, or the use of Leaf Blowers by public utilities.

__-4. Education.

The Sustainability and Compliance Office shall broadly communicate the terms of this Article and encourage property owners to comply. Upon receipt of a written complaint (via email or hard copy) of a potential violation of this Article, the Sustainability and Compliance Officer or their designee shall provide written information and educational materials about the terms of this Article to the property owner.

__-5. Severability.

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

__-6. Effective Date.

The provisions of this Article shall become effective on May 1, 2024.

Town of Branford CT
Leaf Blowing Ordinance
Proposed Timeline

May 1, 2024	Oct 15, 2024	May 1, 2025
<ul style="list-style-type: none"> • Ordinance goes into effect • Gas-Powered Leaf Blowers may not be used on any state or federal holiday. • Gas-Powered Leaf Blowers may be used between 9:00 am and 6:00 pm on Mondays through Fridays, and between 9:00 am and 3:00 pm on Saturdays. • Gas-Powered Leaf Blowers may not be used on Sundays. • Only one Gas-Powered Leaf Blower may be used on a property of ¼ acre or less 	<p>Gas-Powered Leaf Blowers may only be used between 9:00 am and 5:00 pm.</p>	<p>Gas-Powered Leaf Blowers may not be used during Summer.</p>

Why Does Branford Need Controls on Gas-Powered Leaf Blowers (GLBs)?

- GLBs produce toxic raw exhaust and blow 3 of the top 4 most carcinogenic particulates into the air that linger for hours and are inhaled by landscape workers, children, adults, and pets.
- GLBs emit excessive ozone and more greenhouse gases than a truck driving 3900 miles.
- GLBs destroy the natural leaf litter cover that protects and feeds plants, wildlife, insects, and pollinators. They desiccate and harden the top soil, increasing storm water runoff and flooding.

Branford Would Not Be the First Town to Control GLBs

- Over 200 municipalities around the country have placed controls on gas blowers.
- The state of California and the District of Columbia prohibit GLBs
- Branford's neighbors have GLB controls:
 - Westport, Stamford, and Greenwich CT
 - Over 20 municipalities in Westchester County NY
 - GLBs have been banned in Scarsdale NY for 20 years
 - Several towns in Massachusetts
 - Boston MA will prohibit GLBs for commercial use starting in 2025

What's The Alternative?

Option 1: Electric-Powered Leaf Blowers

- Electric leaf blowers represent a viable alternative to GLBs.
- The newer commercial models provide at least 80% of the power that GLBs produce, but are significantly quieter with lower maintenance and no toxic emissions.
- Sound waves from an electric blower are higher register, so they do not penetrate walls and windows or travel long distances as compared to GLB low register sound waves.
- Electric leaf blowers save landscapers significant costs through reduced maintenance and time spent refueling.

What's the Alternative?

Option 2: "Leave the Leaves"

- According to the University of Connecticut, mulching a 2" layer of fallen leaves into the lawn in the fall adds approximately 150 lbs. of nitrogen, 20 lbs. of phosphorus, and 65 lbs. of potassium per acre
- Fall fertilizer may be reduced or eliminated by annually incorporating finely chopped leaf litter into the lawn and garden.
- Preserving intact leaves, to which insects may have become attached, protects and allows beneficial insects to complete their life cycle within the garden

https://ipm.cahn.uconn.edu/leaf_disposal_mulch_mowing/