

ORDINANCE NO. 2017- 015

ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING SECTIONS 9.04.015.1 (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 9.04.015.1 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 <u>commercial</u> 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 <u>leaf blower operator's permit pursuant to this Section</u> issued by

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

- 1. Each applicant for a leaf blower operator's permit shall be required to demonstrate conformance with the City's guidelines for leaf blower usage as set forth in the permit application and provide evidence of a current business tax certificate. Such guidelines shall be adopted by resolution.
- 2. Netwithstanding the provisions of § 9.07.050.B of this Code, it It shall be unlawful for any person to operate a leaf blower or other machine described in this Section within the City of Culver City, except between the hours of 8:00 a.m. and 6:00 p.m. Mondays through Fridays and between the hours of 10:00 a.m. and 5:00 p.m. on Saturdays and Sundays.
- 3. It shall be unlawful for any person to operate, within the City of Culver City, a leaf blower with a sound level exceeding 65 decibels.
- 4. It shall be unlawful for any business to sell, within the City of Culver City, a leaf blower with a sound level exceeding 65 decibels.
- 5. Upon request by the City, any person operating a leaf blower must allow the City's inspection of the leaf blower to verify compliance with this Section, and must present to the City, upon request, documentation from the manufacturer evidencing the leaf blower's decibel level.
- 36. The City may revoke a permit issued pursuant to this Section as a result of any violation of Subsections JI.2, I.3 or I.5.
- 47. An applicant for a <u>leaf blower operator's</u> permit who has had a permit revoked, or been convicted of or pled guilty or no contest

to a criminal charge alleging a violation of this Section, within the prior six (6) months shall not be issued a permit.

8. Subsections I.3, I.4 and I.5 shall become effective on November 23, 2022.

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

B. It is prohibited for any person to operate, or permit the operation of any gasoline-powered lawn mower, leaf blowers, or similar equipment within the City except during between the hours of 8:00 a.m. to and 8:00 6:00 p.m. Mondays through Fridays, and except during between the hours of 9:00 10:00 a.m. to and 8:00-5:00 p.m. on Saturdays and, Sundays, and City-specified holidays. Additional restrictions apply to the operation of leaf blowers, as set forth in Section 9.04.015.1 of this Code.

SECTION 3. Pursuant to Section 619 of the City Charter, this Ordinance shall take effect 30 days after the date of its adoption. Pursuant to Sections 616 and 621 of the City Charter, prior to the expiration of 15 days after the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City News and 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	23	day_of	odtober	, 2017
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JEFFREY COOPER, Mayor City of Culver City, California

ATTEST: APPROVED AS TO FORM:

JEREMY GREEN, City Clerk

A17-00609

CAROL A. SCHWAB, City Attorney



Culver

(310) 253-5600 FAX (310) 253-5626

PUBLIC WORKS DEPARTMENT

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507 ORIGINAL FILED

NOTICE OF EXEMPTION

OCT 25 2017

DATE: October 24, 2017 Los Angeles County Clerk Attention: Environmental Filing/Registration 12400 Imperial Highway, Suite 2001 Norwalk, CA 90650		LOS ANGELES, COUNTY CLER		
		Governor's Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814		
PROJECT:				
Title and Case No.:	(Prohibited Public Nu and 9.07.050.B (Dome	nance Amending Sections 9.04.015.I disance Conditions on Real Property) estic Power Tools) of the Culver City ting to Leaf Blower Regulations		
Address/Location:	Citywide	Citywide		
Project Description:		ban on the sale and use of leaf blowers with 55 decibels, to become effective November		
APPLICANT:	The City of Culver City			
CULVER CITY APPRO	OVAL ACTION:			
1. The City Council of t	the City of Culver City on Septem	per 25, 2017		
The decision makir regulations are exer	ng body, in approving the regunpt from further environmental imp	elations described above, determined that the pact assessment per the CEQA guidelines:		
Type of Exemption: CEQA Section: Class:	<u>Categorical</u> <u>15308</u> <u>8</u>	•		
Reason why regulation with noise levels ex	tions are Exempt (brief): <u>The er</u> ceeding <u>65 decibels will reduce t</u>	nacted ban on the sale and use of leaf blowers he amount of ambient noise resulting from their		

operation. Therefore, the ban will enhance and protect Culver City's environment.

Charles D. Herbertson Title: Public Works Director / City Engineer