

Introductory Local Law No. 3 of 2022

VILLAGE BOARD OF TRUSTEES
VILLAGE OF PLEASANTVILLE LOCAL LAW TO AMEND CHAPTER 123, SECTION 123-3, CHAPTER 123, SECTION 5, SUBSECTION L AND TO CREATE CHAPTER 123, SECTION 5.1 OF THE CODE OF THE VILLAGE OF PLEASANTVILLE

A LOCAL LAW to amend Chapter 123, Section 3, Chapter 123, Section 5, Subsection L and to create Chapter 123, Section 5.1 of the Code of the Village of Pleasantville concerning seasonal limitations on fuel-powered motorized leaf blowers.

BE IT ENACTED by the Village Board of Trustees of the Village of Pleasantville as follows:

Section 1. Chapter 123, Section 3 of the Code of the Village of Pleasantville entitled “Definitions” is hereby amended to add the following definitions:

ELECTRIC-POWERED MOTORIZED LEAF BLOWER

Any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by electricity including battery-power which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

FUEL-POWERED MOTORIZED LEAF BLOWER

Any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by a gasoline, diesel or similar fuel engine which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

MOTORIZED LEAF BLOWER

Commonly referred to as a leaf, garden or landscaping blower, and includes any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by electricity or a gasoline, diesel or similar fuel engine which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

Section 2. Chapter 123, Section 5 of the Code of the Village of Pleasantville entitled “Unreasonably loud, disturbing or unnecessary noise,” Subsection L is hereby amended as follows:

§ 123-5 Unreasonably loud, disturbing or unnecessary noise.

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- L. The use and operation of lawn mowers, motorized leaf blowers and all similar machines deployed for outdoor property maintenance is prohibited between the hours of 7:00 p.m. and 8:00 a.m. Monday through Friday, and 7:00 p.m. through 9:00 a.m. on weekends and federally recognized holidays.

Section 3. Chapter 123, Section 5.1 of the Code of the Village of Pleasantville entitled “Seasonal limitations on motorized leaf blowers” is hereby created as follows:

§ 123-5.1 Seasonal limitations on motorized leaf blowers.

- A. The use of any fuel-powered motorized leaf blowers shall be unlawful in the Village during the period from May 15th through and including September 30th of each year.
- B. During the period of May 15th through and including September 30th of each year, the use of all electric-powered motorized leaf blowers shall be permitted during the hours set forth in § 123-5L.
- C. During the period of October 1st through and including May 14th of each year, the use of any motorized leaf blowers shall be permitted only during the hours set forth in § 123-5L.
- D. The use of fuel-powered motorized leaf blowers shall be permitted during the period May 15th through September 30th for a period of time not to exceed seven (7) days after significant storm events or during other emergency circumstances as determined by the Superintendent of Public Works. The Superintendent of Public Works may extend the seven-day time period by issuing an official notification, if, in his or her sole discretion, such additional time is deemed necessary.
- E. Until May 15, 2024, Subsection A above shall not apply to the use of fuel-powered motorized leaf blowers on the golf course maintained by the Pleasantville Country Club. Use of any fuel-powered motorized leaf blower shall be minimized to the maximum extent practicable and shall be permitted only during the hours set forth in § 123-5L.

Section 4. Numbering for Codification

It is the intention of the Village of Pleasantville and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Pleasantville; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “ Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective date.

This chapter shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.