

***DRAFT PROPOSAL
Pound Ridge Leaf Blower Ordinance***

Purpose: The Town of Pound Ridge finds and declares that internal combustion leaf blowers represent a significant source of environmental pollution in the form of high and low-frequency noise, carbon and noncarbon emissions, and dust particulate, which represent a present and increasing threat to the public peace and to the health, safety, and welfare of the residents of the Town and its visitors. Additionally, leaf blowers displace significant amounts of particulate matter, spreading pollen, mold, chemical pesticides, and other fine particulates. Internal combustion leaf blowers are also recognized as hyper-polluters, emitting significant carbon and noncarbon emissions in greater magnitudes than automobiles over similar operating periods. Accordingly, it is the policy of the Town to phase out the use of internal combustion leaf blowers to minimize and mitigate the harmful impacts of their use.

Operation of LEAF BLOWERS within Pound Ridge.

A. No landscaper, homeowner, business owner or municipal employee shall operate any internal combustion leaf blower:

- (1) from May 1 to October 15 and December 1 to March 31 of any year;
- (2) from April 1 to April 30 and October 16 to November 30 of any year, before 9:00 a.m. or after 5:00 p.m. on any weekday and Saturday;
- (3) from April 1 to April 30 and October 16 to November 30 of any year on Sunday or on federal or New York State holidays.

B. For purposes of reducing noise, from May 1 to October 15 of any year, no leafblowers, regardless of the source of power (gas, diesel or electric) shall be operated on a Sunday.

C. Internal combustion leaf blower use shall be prohibited after November 30, 2023 and the operation of any internal combustion leaf blower for any amount of time after that date, with the exceptions set forth in Section "E", shall constitute a noise disturbance subject to penalty.

D. The restrictions and limitations set forth in Section "A" hereof shall apply to all properties located within the boundaries of the Town Pound Ridge, including but not limited to golf clubs, tennis clubs, restaurants, and shopping centers.

E. Exceptions:

The restrictions and limitations set forth in this Section shall not apply:

(1) During times of emergency as determined by executive order of the Town Supervisor, provided the use of such equipment which is non-compliant with this Chapter is deemed necessary by the Supervisor or other emergency response official to adequately and expeditiously address the emergency.

(2) The Supervisor or his or her designee, may, in his or her discretion and upon application, grant a temporary permit to allow the operation of one or more gas-powered leaf blowers to accommodate a special circumstance. By way of illustration, a "special circumstance" includes, among other things, the remediation of an abandoned or neglected property, the cleanup of streets and roadways following a severe storm or any emergency situation which presents an immediate danger to public health and safety.

Definitions:

INTERNAL COMBUSTION LEAF BLOWER

Any device powered by a gasoline, diesel or similar fuel engine which is used, designed, or operated to produce a current of air for the purpose of pushing, propelling or blowing leaves, dirt, gardening and grass clippings and cuttings, refuse or debris, whether portable and carried, or walked behind, or attached to a tractor or similar machine.

ELECTRIC POWERED LEAF BLOWER

Any device powered by electric, by battery or by corded electrical power, which is used, designed, or operated to produce a current of air for the purpose of pushing, propelling or blowing leaves, dirt, gardening and grass clippings and cuttings, refuse or debris, whether portable and carried, or walked behind, or attached to a tractor or similar machine.

Chapter 75 Noise

§ 75-5 Specific limits; responsibility of owner or lessee or possessor.

§ 75-1 Title

§ 75-2 Statement of policy.

§ 75-3 Definitions.

§ 75-4 Prohibited commercial activities.

§ 75-5 Specific limits; responsibility of owner or lessee or possessor.

§ 75-X Leaf Blowers

§ 75-6 Exemptions.

§ 75-7 Town Board authorized to suspend provisions.

§ 75-8 Enforcement official.

§ 75-9 Penalties for offenses.

§ 75-10 Related ordinances.

§ 75-1 Title

The title to the chapter shall be known as the "Town of Pound Ridge Noise Control Law."

§ 75-2 Statement of policy.

It is hereby declared to be the policy of the Town of Pound Ridge to safeguard the rights of its residents within the privacy of their homes to be free from intrusive and unwanted sounds. Problems concerning disturbance of peace and quiet by noise from various activities are best solved by thoughtful discussions and cooperative agreements between neighbors or other affected parties. However, to resolve remaining problems of noise, which is disturbing to others, it is the policy of the Town of Pound Ridge to establish standards, enforcement procedures and penalties.

§ 75-3 Definitions.

BUILDING DEPARTMENT

The Building Department of the Town of Pound Ridge.

COMMERCIAL ACTIVITY

Any work or activity associated with the normal exterior maintenance or repair of a property, performed by a third-party contractor, that is not regulated by the Town of Pound Ridge Building Department.

COMMERCIAL OPERATOR

Anyone engaged in a commercial activity.

HOLIDAYS

New Year's Day, Dr. Martin Luther King Birthday, Presidents Day, Columbus Day, Veterans Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Yom Kippur, Thanksgiving Day and Christmas Day.

NONCOMMERCIAL ACTIVITY

Any work or activity associated with the normal exterior maintenance or repair of a property, performed by an individual homeowner and family, that is not regulated by the Pound Ridge Building Department.

PERSON

Any individual, corporation, company, association, society, firm partnership or joint stock company

POLICE OFFICIAL

Any sworn member of the Town of Pound Ridge Police Department, any member of the New York State Police, or any other official who possesses the powers of a police officer, as defined in the Criminal Procedure Law, whose geographic area of employment includes the Town of Pound Ridge, Westchester County, New York.

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§ 75-4 Prohibited commercial activities.

During the hours of 6:00 p.m. to 8:00 a.m., Monday through Saturday; from 6:00 p.m. on Saturday until 8:00 a.m. on Monday; and on all holidays (as defined herein), it shall be unlawful for a commercial operator to:

A.

Operate, cause to be operated, or permit the operation of a leaf blower, chain saw, lawnmower or other gardening or landscaping equipment which is powered by electricity, rechargeable battery or combustion engine.

B.

Operate, cause to be operated or permit the operation of any equipment, machinery, tool or any other device used in construction, building, grading, blasting, excavation, or tree removal that makes a noise or sound which is audible beyond the property line on which it is located.

§ 75-5 Specific limits; responsibility of owner or lessee or possessor.

It shall additionally be unlawful for the owner, lessee or person having possession and control of any property to:

A.

Permit such noise activities as defined in § 75-4 thereon.

B.

Engage in or to conduct themselves in such a manner so as to disturb the peace of the neighborhood. A specific prohibition is continuous noise in excess of 45 dBa at the property line for 30 minutes or more between the hours of 11:00 p.m. to 7:00 a.m.

C.

Engage in a continuous course of conduct that makes, causes to be made or permits the making of any unnecessary or unreasonable noise or sound which annoys, injures or endangers the comfort, repose, health, safety or welfare of a reasonable person of normal sensitivities.

§75-X. Internal Combustion Leaf Blowers Leafblowers

A.

No person shall operate an internal combustion leaf blower after December 15, 2024.

B.

Prior their absolute prohibition after December 15, 2024, the operation of internal combustion leaf blowers may only be used during the periods March 15 through May 14 and October 15 through December 15.

C.

Operating Hours: No person shall operate any leaf blower between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, and between the hours of 6:00 p.m. and 10:00 a.m. on Saturday, Sundays and holidays.

§ 75-6 Exemptions.

A.

The use of snowblowers, chain saws, generators, and other domestic tools and equipment is exempted from the limits of this chapter when they are being used to clear driveways, streets or walkways during and within 24 hours after the cessation of a power outage, weather event or similar emergencies.

B.

Nothing in this chapter shall be construed to prevent the production of music in connection with any military or civic parade, funeral procession, or religious service.

C.

This chapter shall not be construed to prohibit the use of any organ, bell, chimes, or any other similar instrument or device by any church, synagogue or school on or within its own premises in connection with religious rites or ceremonies of such church or synagogue or in connection with a school education program.

D.

Sounds created by any governmental agency by the use of public warning devices are exempted from the limitations of this chapter.

E.

Sounds created by public utilities in carrying out the operations of their franchise are exempted from the limitations of this chapter.

F.

Sounds connected with activities and equipment of the Town of Pound Ridge are exempt from the limitations of this chapter with the exception of internal combustion leaf blowers as stipulated in Section 75-X

G.

Sounds created by contractors in the performance of public duties and operating under government direction are exempt from the limitations of this chapter.

H. The restrictions and limitations set forth in Section 75-X shall not apply:

- i. To any operating eighteen-hole golf courses in the Town of Pound Ridge
- ii. During times of emergency as determined by executive order of the Town Supervisor, provided the use of such equipment which is non-compliant with this Chapter is deemed necessary by the Supervisor or other emergency response official to address the emergency adequately and expeditiously.
- iii. Additionally, the Supervisor or his or her designee, may, in his or her discretion and upon application, grant a temporary permit to allow the operation of one or more gas-powered leaf blowers to accommodate a special circumstance. By way of illustration, a "special circumstance" includes, among other things, the remediation of an abandoned or neglected property, the cleanup of streets and roadways following a severe storm or any emergency situation which presents an immediate danger to public health and safety.

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POLICE OFFICIAL

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B.

Operate, cause to be operated or permit the operation of any equipment, machinery, tool or any other device used in construction, building, grading, blasting, excavation, or tree removal that makes a noise or sound which is audible beyond the property line on which it is located.

C.
Operate, cause to be operated, or permit the operation of a internal combustion leaf blower between May 15th and October 15th.

§ 75-5 Specific limits; responsibility of owner or lessee or possessor.

It shall additionally be unlawful for the owner, lessee or person having possession and control of any property to:

A.

Permit such noise activities as defined in § 75-4 thereon.

B.

Engage in or to conduct themselves in such a manner so as to disturb the peace of the neighborhood. A specific prohibition is continuous noise in excess of 45 dBa at the property line for 30 minutes or more between the hours of 11:00 p.m. to 7:00 a.m.

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Engage in a continuous course of conduct that makes, causes to be made or permits the making of any unnecessary or unreasonable noise or sound which annoys, injures or endangers the comfort, repose, health, safety or welfare of a reasonable person of normal sensitivities.

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E.

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F.

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G.

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- ii. During times of emergency as determined by executive order of the Town Supervisor, provided the use of such equipment which is non-compliant with this Chapter is deemed necessary by the Supervisor or other emergency response official to address the emergency adequately and expeditiously.
- iii. Additionally, the Supervisor or his or her designee, may, in his or her discretion and upon application, grant a temporary permit to allow the operation of one or more gas-powered leaf blowers to accommodate a special circumstance. By way of illustration, a "special circumstance" includes, among other things, the remediation of an abandoned or neglected property, the cleanup of streets and roadways following a severe storm or any emergency situation which presents an immediate danger to public health and safety.

Town of Pound Ridge

Diane Briganti, Assessor



Tel.: 914-764-5511
Fax: 914-764-0102

MEMORANDUM

**TO: KEVIN HANSAN, SUPERVISOR
TOWN BOARD MEMBERS**

FROM: DIANE BRIGANTI, ASSESSOR

DATE: MAY 2, 2022

**SUBJECT: AUTHORIZATION TO ATTEND ANNUAL NYSAA-CORNELL
UNIVERSITY EDUCATION CLASSES**

Authorization is requested for the Assessor, Diane Briganti, to attend the NYS Assessor's Association Education Classes at Cornell University, Ithaca, NY Sunday July 17 through Friday July 22, 2022. 12 Credits are required yearly to maintain Assessor Certification.

Expenses for lodging, tuition, registration, meals and travel are expected to be approximately \$1,400. This amount has already been budgeted for.

A portion of tuition/registration costs may be reimbursable through NYS.

**Thank you
Diane**



To: Supervisor Kevin Hansan,
and Town Board

From: Ellen Grogan, Conservation Board

Re: Seeking permission to plant a small "tree nursery" on Town property

Date: May 2, 2022

The Conservation Board is asking permission to plant a small tree nursery on Town property. The spot we have in mind is in the Lawther preserve, next to the dirt road connecting the Caroline Grove parking area and the PRES ball fields.

The nursery will have 50 seedling Oaks and Maple trees. It will be surrounded by a small enclosure (approx.. 10' x 12') of rebar and netting to protect the seedlings from deer browse. After 3-5 years of growth, the small trees can be given away to residents or used to replace trees on Town property. The Lawther site is in a clearing on the forest edge, well off the dirt road. It has perfect sun/shade conditions for the seedling trees. They will need little or no maintenance during their growth.

The project will involve volunteers, both adults and children, who will learn the basics of tree planting and care. As an added benefit, the site will be partially cleared of the invasive plants which are taking hold there now.

	Kevin	Les	Ali	Carla	Dan	Diane	Other
Boards & Commissions							
Audit Bills				X			
Board of Assessment Review							N/A
Board of Ethics							N/A
Conservation Board				X			
Drug Abuse Prevention Council		X					
Economic Development Committee						X	
Energy Action Committee				X			
Housing Board					X		
Human Rights Advisory Committee			X				
Landmarks & Historic District					X		
OEM	X						
Old Pound Road Committee				X			
Open Space					X		
Planning Board				X			
Police Department	X						
Recreation Commission						X	
Water Control Commission		X					
Zoning Board of Appeals					X		
Other							
BCSDNY	X						
East of Hudson Watershed		X					
Environmental Initiatives Advisors							Elyse/Bill Harding
Fire District	X						
Insurance							Harvey Dann
Library Board	X						
New Dawn					X		
Westchester County Shared Services	X						
Sustainable Westchester				X			
WEMS							Dave Ryan
Wireless Communication						X	
Water Wastewater Task Force			X				