

98/0120.19-17

**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM**

**TO:** City Council

**THROUGH:** Geoff Dolan, City Manager *GD*

**FROM:** Richard Thompson, Director of Community Development *RT*

**BY:** Rosemary Lackow, Senior Planner *RL*

**DATE:** September 1, 1998

**SUBJECT:** Proposed Amendment to Title 5, Chapter 48 of the Manhattan Beach Municipal Code Prohibiting Leaf Blowers

**RECOMMENDATION:**

It is recommended that the City Council:

Conduct the public hearing and introduce Ordinance 1986, prohibiting the operation of portable leaf blowers in the city.

**BACKGROUND**

On June 16, 1998 the City Council discussed and accepted public input regarding leaf blowers. The Council directed staff to schedule this public hearing for consideration of a change to the city's Noise Ordinance that would prohibit leaf blowers in the city. A written citizen petition and several speakers prompted the council's action at the June council meeting (see minutes Exhibit 2). Generally the petitioners requested the City Council to ban leaf blowers due to their high noise levels and effect on the environment. Another common complaint is that operators often use them inappropriately to blow dirt onto adjoining properties and the street.

**DISCUSSION**

The purpose of the Noise Ordinance is to implement the goals of the City's General Plan and specifically the Noise Element. The Noise Element states that "The most effective method to control community noise impacts from non-transportation noise sources is through application of the Community Noise Ordinance." The Council enacted limitations for use of leaf blowers in February 1990 and these were carried forth in the City's comprehensive revision of the Noise Ordinance in 1993.

In 1995 the Council amended the Noise Ordinance to include a provision (MBMC 5.48.275), authorizing "Landscape Maintenance Plans" (LMP) for sites five acres or larger. Under an

administratively approved LMP, large area sites can establish maintenance schedules to meet their unique needs and the authorized activities are exempted from other provisions of the Noise Ordinance. Currently the Manhattan Village Shopping Center operates under an approved LMP issued in November 1995, with approval of a nearby homeowner association. The plan recognizes that the mall is a busy and relatively large retail center with lushly landscaped parking areas, and permits the maintenance crews to operate portable leaf blowers and non portable steam cleaners at certain times that otherwise would be prohibited.

In its June 16<sup>th</sup> report on this matter, staff noted that there are approximately 20 cities in California that have adopted total bans on certain types of leaf blowers. Of these, four including Del Mar, Hermosa Beach, Santa Monica, and Laguna Beach prohibit gasoline and electric models. Three cities, including Santa Barbara, Lomita and Claremont, prohibit gasoline models but have other restrictions such as maximum noise level or permitted hours for electric models. The majority of the city bans are applicable to all properties. Two cities (Los Angeles and Santa Barbara) prohibit leaf blower operation at certain distances from residential development.

#### Current Regulations: Lawn and Garden Tools

Under current noise regulations gasoline powered leaf blowers are specifically prohibited except between 9:00 am and 5:00 pm on weekdays (MBMC 5.48.100.B). All other power operated lawn maintenance tools including mowers, edgers, string trimmers etc. are also permitted throughout the city during limited hours (between 8:00 am and 8:00 pm Monday through Friday and between 9:00 am and 8:00 pm on weekends and holidays).

#### Proposed Ordinance/Enforcement

The proposed ordinance makes findings that the use of leaf blowers results in excessive noise and pollution, that there are viable quiet and environmentally sensitive alternatives available such as a rake and broom. A new section of the Noise Ordinance, 5.48.330, entitled "Mechanical Blowers" is proposed which defines the type of tool being regulated, establishes an outright prohibition and specifies punishment for enforcement purposes. As drafted, violation would constitute an infraction issued to the operator (similar to a traffic ticket) and carries a fine set by the state. The ordinance provides that the offense will turn into a misdemeanor if the defendant is convicted of three or more of the same violation in a 12-month period. While an infraction is not considered a serious offense and court time is not required, a misdemeanor is more serious, involves the court and could potentially lead to a jail term.

The other substantive change to the Noise Ordinance is a provision added to 5.48.275 relating to Landscaping Maintenance Plans. Staff believes that because many of the large commercial sites, including the Manhattan Village Shopping Center are close to residential neighborhoods, enactment of a leaf blower ban should also apply to commercial sites. Therefore reference to proposed section 5.48.330 Mechanical Blowers is included in 5.48.275 Landscaping Maintenance Plans. To keep the entire chapter internally consistent, Sections 5.48.100 Domestic Power Tools and 5.48.240

Residential Lawn Maintenance Activities also provide reference to the new prohibition.

The proposed ban would be enforced upon complaint by the Community Service Officers (CSOs). The CSOs provide parking enforcement and other code enforcement duties as required. The ordinance if adopted would be in effect 30 days after date of adoption, but it is expected that citations will not be given for a period of at least three months and that warnings will be issued prior to a citation.

Gas vs. Electric

At the June meeting, the council requested additional information regarding the relative noise levels of electric versus gasoline powered leaf blowers. Staff found it difficult to acquire data showing the difference in decibel level between comparable electric and gasoline powered lawn tools. Generally electric blowers are thought to be quieter than gas models. The City of Menlo Park conducted noise tests and reported those results in April 1998. The results of those tests actually indicated that electric models could produce similar noise levels as gasoline models (77 dBA for a newer model gas blower, compared to 78 dBA for two types of electric blowers, measured 25 feet away).

Echo, a major gasoline blower manufacture claims that it has produced a model that measures 65 dBA at 50 feet away. Consumer Reports however, in the September 1997 edition of its monthly magazine reports that the tool tested somewhat noisier, at 69.5 dBA 50 feet away.

The City's Noise Ordinance utilizes what is known as an "A-weighting" (dBA) network to measure noise. Table N-2 from the General Plan (Exhibit 3) illustrates various indoor and outdoor noise decibel ratings, based on this method of measurement. For example, a jet flyover at 1000 feet is rated at 103 dBA, a passenger car is rated 77 dBA 25 feet away and an air conditioning unit is rated 60 dBA 100 feet away.

Public Input

Two large display notices were placed in the Beach Reporter advertising this hearing. The notice was also mailed to approximately 10 local gardening firms licensed with the City and several managers or owners of non-residential properties. The Manhattan School District and Civic Center Library were notified, as well as the Manhattan Village Homeowner Association, Manhattan Village Shopping Center and other large commercial or industrial sites in the city.

Several new letters and/or e-mail messages have been received from city residents requesting that the Council move forward in adopting a leaf blower ban (Exhibit 4, letters). A packet of material has been provided by a local landscaper, on behalf of the CLCA (California Landscape Contractors Association) and is attached for reference (Exhibit 5).

Staff has consulted with the Public Works Department and Police Department in preparing the proposed ordinance. The Police Department has reported that it will enforce the proposed ban and

the Public Works Department has stated that no City maintenance operations will be affected because the city or its landscape maintenance contractor does not utilize leaf blowers.

Senate Bill 14

A law concerning leaf blowers known as SB 14 was introduced this summer in the state Senate. SB 14 has two main components that would establish limitations on local government authority to regulate leaf blowers. As currently structured it would prohibit cities from establishing noise limits on leaf blowers emitting a noise level of 65 dBA or less, measured at 50 feet away in accordance with standards established by ANSI (American National Standards Institute). The bill would also provide that cities could not prohibit the use of leaf blowers except between the hours of 6:00 pm and 8:00 am on weekdays and 5:00 pm and 9:00 am on weekends. Several local governments as well as the League of California Cities have lobbied against the passage of this bill on the grounds that it would restrict local control of these matters. This bill, if successful, would partially preempt Manhattan Beach's current regulations (the portion that relates to permitted hours of operation) and would nullify the proposed Ordinance if it is adopted.

On August 26, 1998 the State Assembly approved SB 14. The bill subsequently returns to the Senate, the house of origin, for concurrence. Concurrence must happen before the end of the legislative session (August 31) and if it does not, the bill is dead. With Senate concurrence, the bill would go to the Governor who has 30 days to either approve or veto it. A copy of the bill text and analysis is attached for reference (Exhibit 6).

**ALTERNATIVES**

Upon conduct of the public hearing on this matter, the Council may:

1. Introduce Ordinance No. 1986 as submitted, or with minor text changes.
2. Continue the public hearing to a date certain and provide direction to staff.
3. Receive and file this report with no further action.

**Attachments:**

- Exhibit 1: Proposed Ordinance 1986
- Exhibit 2: CC minutes, 6/16/98
- Exhibit 3: Table N-2, MB General Plan
- Exhibit 4: Letters in favor of a leaf blower ban
- Exhibit 5: Packet of material submitted by CLCA
- Exhibit 6: SB 14 Analysis

c: Jeff Graham  
Mike Garcia, CLCA representative

rl H leaf blowers cc 9/01/98

ORDINANCE NO. 1986

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADDING A NEW SECTION 5.48.330 AND AMENDING SECTIONS 5.48.100, 5.48.240 AND 5.48.275 OF CHAPTER 48, TITLE 4 OF THE MANHATTAN BEACH MUNICIPAL CODE RELATING TO PROHIBITION OF CERTAIN LEAF BLOWERS

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Manhattan Beach hereby finds as follows:

- A. The use of portable leaf blowers creates excessive noise and pollution;
- B. Viable alternatives to such devices are rakes and brooms which produce no noise and pollution;
- C. In order to protect the environment and the quality of life of residents of the City this is an area which the City can and should regulate by prohibiting all portable leaf blower devices.

SECTION 2. A new section 5.48.330 is hereby added to Chapter 48 of Title 5 of the Manhattan Beach Municipal Code to read as follows:

**"5.48.330 Mechanical Blowers**

A. Defined. Whenever used in this Code, the words "mechanical blower" shall refer to a portable device which is used, designed or operated to produce a current of air by mechanical, electrical or other means to push, propel or blow dirt, dust, leaves, grass clippings, trimmings, cuttings, refuse or debris.

B. Prohibited. Use of mechanical blowers for any purpose shall be prohibited.

C. Enforcement. Violation of this section shall constitute an infraction and shall be punishable as described in Section 1.04.010B of this Code. Any offense which would otherwise constitute an infraction shall be deemed a misdemeanor if a defendant has been convicted of three or more violations of this chapter within the twelve (12) month period immediately preceding the commission of the offense. For this purpose, a bail forfeiture shall be deemed to be a conviction of the offense charged."

SECTION 3. Sections 5.48.100, 5.48.240 and 5.48.275 of Chapter 48 of Title 5 of the Manhattan Beach Municipal Code shall be amended in their entirety to read as follows:

**"5.48.100 Domestic Power Tools**

- A. It is prohibited for any person to operate or permit the operation of any power saw, sander, drill, grinder, or similar tool, or pneumatic or other air-

cc 9/1/98



powered tool except between 7:30 a.m. and 10:00 p.m. so as to be audible at or beyond the property line where the tool is located.

- B. It is prohibited for any person to operate, or permit the operation of any internal combustion powered lawn mower or other power operated lawn maintenance tool within the City except during the hours of 8:00 a.m. to 8:00 p.m. Monday through Friday, and except during the hours of 9:00 a.m. to 8:00 p.m. on Saturday, Sunday, and City specified holidays) or as provided by section 5.48.275 and 5.48.330 below.”

**“5.48.240 Residential Lawn Maintenance Activities**

Residential lawn and garden maintenance activities are exempted from the provisions of this Ordinance except as prohibited in Sections 5.48.100 and 5.48.330.”

**“5.48.275 Landscaping Maintenance Plans**

All landscape maintenance activities (including steam-cleaning) for a site over five acres which are expressly permitted by a landscaping maintenance plan which has been approved by the Director of Community Development are exempted from the provisions of this ordinance except for the provisions of Section 5.48.330 of this Chapter.”

SECTION 4. All other provisions of the Manhattan Beach Municipal Code shall remain unchanged and continue in full force and effect.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 6. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other ordinances of the City, to the extent that they are inconsistent with this ordinance, and no further, are hereby repealed.

SECTION 7. This notice shall be published by one insertion in *The Beach Reporter*, the official newspaper of the City, and this ordinance shall take effect and be in full force and operation thirty (30) days after its final passage and adoption.

SECTION 8. The City Clerk shall certify to the adoption of this ordinance; shall cause the same to be entered in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the meeting at which the same is passed and adopted; and shall within fifteen (15) days after the passage and adoption thereof cause the same to be published by one insertion in *The Beach Reporter*, the official newspaper of the City and a weekly newspaper of general circulation, published and circulated within the City of Manhattan Beach hereby designated for that purpose.

PASSED, APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_, 1998.

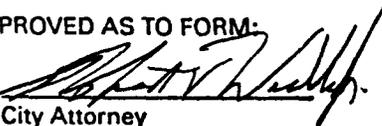
Ayes:  
Noes:  
Absent:  
Abstain:

\_\_\_\_\_  
Mayor, City of Manhattan Beach, California

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

By   
City Attorney

98/0616.19 Mr. Yury Gurvich Re Concerns Relative to City Council

Mr. Yury Gurvich, 1430 - 11th Street, voiced his concern that his character was assassinated at a previous Council meeting; that the Councilmembers never respond to comments he makes at the meetings; and that the Councilmembers are not concerned about Manhattan Beach. He questioned why the Council apparently feels more parking is needed in the Downtown area and said that he will continue his actions until the Council stops their anti-residential activity, or until they are thrown out of government.

98/0616.20 Ms. Judy Scott Re Garden Tour

On behalf of VOICE, Ms. Judy Scott announced the upcoming garden tour to benefit the botanical gardens at Polliwog Park on Sunday, June 28, 1998.

**PUBLIC HEARINGS**

None.

**GENERAL BUSINESS**

98/0120.19-13 Discussion of Leaf Blower Regulations



Senior Planner Rosemary Lackow presented the staff report. She clarified that this was not a public hearing, but an opportunity for interested parties to address the City Council and for the Council to discuss the idea of setting a public hearing to amend the City's Noise Ordinance to further restrict leaf blowers.

In answer to questions from the Council, Senior Planner Lackow provided input with regard to other cities' ordinances which regulate leaf blowers.

Referring to written material of record distributed at the meeting and a petition signed by residents opposed to leaf blowers, Mr. Jeff Graham, 2204 Laurel Avenue, discussed the negative aspects of leaf blowers, including pollution, noise and the blowing of garbage from one property to the next. Mr. Graham emphasized that leaf blowers are hazardous to our health; related his understanding that leaf blower bans have been successful in other cities; and asked the Council to ban leaf blowers in Manhattan Beach as soon as possible. Following inquiries from the Council, Mr. Graham indicated that gas powered leaf blowers are more polluting; that he would prefer banning all types of leaf blowers; and that, should leaf blowers be allowed in Manhattan Beach, he would favor electrical ones.

Having signed the petition opposing leaf blowers out of friendship, Mr. Bill Triplett, 228 - 18th Street, contended that there are bigger issues which the Council should be addressing. As an attorney who has spent much time in environmental law, Mr. Triplett affirmed that leaf blowers pollute the air; however he said that the main problem appears to be noise pollution, which is also caused by car alarms and helicopters near the beach (especially on weekends). Should leaf blowers be banned, he suggested that they be replaced with electrical vacuums.

Councilmember Jones stated her intent to examine what can be done to regulate helicopters flying over Manhattan Beach.

cc 9/01/98

**EXHIBIT**  
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1 Referring to written material of record distributed at the meeting, **Mr. Harry Ford, Jr., 54**  
2 **Village Circle**, strongly urged the Council to ban leaf blowers throughout the City. He voiced  
3 his hope that any ban imposed will be enforceable and suggested that the idea of imposing  
4 citations/fees on violators be considered. He highlighted the need to address the use of leaf  
5 blowers on commercial properties near residential areas.

6 **Mr. Jerry Schwartz, 1550 - 21st Street**, expressed his opinion that this issue has been  
7 overstated. Should leaf blowers be banned, he suggested that chippers and gasoline powered  
8 lawn mowers also be banned; mentioned that leaf blowers are manufactured because there is a  
9 market for them; and explained that he tolerates noisy things such as leaf blowers because they  
10 are necessary to his way of life.

11 As the parent of two asthmatic children, **Mr. Mike Dunitz, 1440 - 10th Street**, voiced his  
12 opposition to leaf blowers.

13 A speaker whose name was inaudible read aloud a letter from a Manhattan Beach  
14 teacher/resident opposing gasoline powered leaf blowers.

15 **Ms. Margaret Jose** supported banning all leaf blowers. She noted an Air Quality Management  
16 District/Environmental Protection Agency study on the relationship of air quality and respiratory  
17 problems. Ms. Jose advised that dust from school construction has negatively affected her  
18 granddaughter.

19 **Ms. Helen Chrisman, P.O. Box 1945**, questioned what would happen if people would spend as  
20 much time talking about more important issues as they have spent talking about leaf blowers.

21 Councilmember Jones indicated that she is in favor of further regulating leaf blowers, including  
22 banning gasoline powered ones. She related her desire of additional information on the  
23 difference in the noise level of gasoline and electrical powered leaf blowers and supported  
24 holding a public hearing on this matter. She said that she does not want to see a huge use of  
25 water as an alternative to leaf blowers, but noted that such things as rakes and brooms could be  
26 used; recommended that the idea of banning other items, such as chippers and gasoline powered  
27 lawn mowers, also be discussed; and requested that copies of other cities' ordinances banning  
28 leaf blowers be provided to the Councilmembers.

29 Mayor Pro Tem Napolitano related his continued concern over leaf blowers. He pointed out that,  
30 should cities ban gasoline powered leaf blowers, the market will address the need for electrical  
31 ones. Mayor Pro Tem Napolitano favored banning leaf blowers and he noted the need to discuss  
32 their use near residential areas.

Councilmember Wilson supported holding a public hearing to further discuss this topic. She  
questioned to what extent leaf blowers should be banned and related her feeling that this is a  
major issue in that the "quality of life" in Manhattan Beach is extremely important.

Councilmember Lilligren voiced his opposition to banning leaf blowers. He felt that the clean  
yards resulting from leaf blowers are worth related detriments.

Mayor Cunningham stated his preference for an ordinance which bans gasoline powered leaf  
blowers; but, he would like to leave the door open for electrical ones.

City Attorney Robert V. Wadden, Jr. advised that there is no legal requirement to hold a public  
hearing on leaf blowers.

The Council directed staff to set a public hearing on Tuesday, September 1, 1998, to discuss leaf blowers and asked that the consideration of this topic be noticed.

97/1007.30-14 Presentation of Plans and Specifications for Sepulveda Corridor Phase 1 and Authorize Advertisement of Bids

Public Works Director Neil Miller presented the staff report. He explained that the design of the improvements for Phase 1 of the Sepulveda Corridor has been completed and that the project is ready to put out to bid. He clarified that, contrary to information in the staff report, Phase II improvements do not include keystone corner bollards and related staff's anticipation that, should the Council approve the authorization to advertise bids at this time, the project should be completed before 1999. Responding to questions from the Council, Public Works Director Miller advised that the joint street widening project with the City of El Segundo and Caltrans is scheduled to begin in January 1999 and staff, therefore, recommends that the corridor work proposed for the segment of Sepulveda Boulevard between Rosecrans and Marine Avenues be rescheduled to follow the street widening work. He indicated that a double left-turn lane on northbound Sepulveda Boulevard at Manhattan Beach Boulevard is not in the scope of the project; that it could be done with Federal funds, should they be received; and that there would be some issue of right of way.

Community Development Director Richard Thompson advised that the Jiffy Lube proposal at the corner of Manhattan Beach and Sepulveda Boulevards might include a right of way issue.

Mayor Pro Tem Napolitano emphasized the need for timely improvements on Pacific Coast Highway between Marine Avenue and 18th Street.

Public Works Director Miller explained that the City cannot work on Caltrans highways (such as Sepulveda Boulevard) without a permit, which would be difficult to obtain in this case due to liability reasons. However, as an interim measure, Caltrans will put a maintenance overlay on Sepulveda Boulevard. Following a question from the Council, Mr. Miller clarified that the Council previously approved that the design for the improvements should proceed.

**MOTION:** Councilmember Jones moved to accept the presentation; approve the plans and specifications for the Sepulveda Corridor Phase I Project; and to authorize the advertisement of competitive bids. The motion was seconded by Councilmember Wilson and passed by unanimous roll call vote.

- Ayes: Jones, Napolitano, Wilson, Lilligren and Mayor Cunningham.
- Noes: None.
- Absent: None.
- Abstain: None.

98/0616.15 Consider Request from Downtown Business Owners to Assist in the Creation of a New Downtown Business Improvement District and Appropriate Necessary Funds (Not-to-Exceed \$35,000)

Assistant to the City Manager David Doyle provided the staff report. He advised that the creation of a new Downtown Business Improvement District was identified as desirable in the Downtown Strategic Action Plan.

Representing the Downtown Manhattan Business and Professional Association Board of Directors and the Business Improvement District (BID) Formation Committee, **Mr. David Levin, 300 Manhattan Beach Boulevard**, explained that this issue arose during discussions of the Downtown Strategic/Action Plan. He recommended that a consultant be hired to assist with

(A-Scale Weighted Sound Levels)

dB(A) <sup>2</sup>	OVER-ALL LEVEL (Sound Pressure Level Approx. 0.0002 Microbar)	COMMUNITY (Outdoor)	HOME OR INDUSTRY (Indoor)	LOUDNESS (Human Judgment of Different Sound Levels)
130	UNCOMFORTABLY LOUD	Military Jet Aircraft Take-Off With After-Burner From Aircraft Carrier @ 50 Ft. (130)	Oxygen Torch (121) <sup>3</sup>	120 dB(A) 32 Times As Loud
120		Turbo-Fan Aircraft @ Take-Off Power @ 200 Ft. (118) <sup>4</sup>	Riveting Machine (110) Rock-N-Roll Band (108-114)	110 dB(A) 16 Times As Loud
110	VERY LOUD	Jet Flyover @ 1000 Ft. (103) Boeing 707, DC-8 @ 6080 Ft. Before Landing (106) <sup>3</sup> Bell J-2A Helicopter @ 100 Ft. (100) <sup>4</sup>		100 dB(A) 8 Times As Loud
100		Power Mower (96) Boeing 737, DC-9 @ 6080 Ft. Before Landing (97) <sup>4</sup> Motorcycle @ 25 Ft. (90)	Newspaper Press (97)	90 dB(A) 4 Times As Loud
90	MODERATELY LOUD	Car Wash @ 20 Ft. (89) <sup>1</sup> Prop. Plane Flyover @ 1000 Ft. (88) Diesel Truck, 40 MPH @ 50 Ft. (84) Diesel Train, 45 MPH @ 100 Ft. (83)	Food Blender (88) Milling Machine (85) Garbage Disposal (80)	80 dB(A) 2 Times As Loud
80		High Urban Ambient Sound (80) Passenger Car, 65 MPH @ 25 Ft. (77) Freeway @ 50 Ft. from Pavement Edge, 10 A.M. (76±6) <sup>1</sup>	Living Room Music (76) TV-Audio, Vacuum Cleaner (70)	70 dB(A)
70	QUIET	Air Conditioning Unit @ 100 Ft. (60)	Cash Register @ 10 Ft. (65-70) <sup>1</sup> Electric Typewriter @ 10 Ft. (64) <sup>1</sup> Dishwasher (Rinse) @ 10 Ft. (60) <sup>1</sup> Conversation (60)	60 dB(A) 1/2 As Loud
60		Large Transformers @ 100 Ft. (50)		50 dB(A) 1/4 As Loud
50	JUST AUDIBLE	Bird Calls (44) <sup>1</sup> Lower Limit: Urban Ambient Sound (40)		40 dB(A) 1/8 As Loud
40		[dB(A) Scale Interrupted]		
10	THRESHOLD OF HEARING			

SOURCE: Reproduced from Melville C. Branch and R. Dale Beland, "Outdoor Noise in the Metropolitan Environment", Published by the City of Los Angeles, 1970, p.2.

MANHATTAN  
BEACH  
GENERAL  
PLAN



TABLE N-2  
Interior and Exterior  
Noise Standards

**Rosie Lackow**

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To: Jefferson Graham  
Subject: RE: My Statement

-----Original Message-----

From: Jefferson Graham [mailto:jeffersongraham@prodigy.net]  
Sent: Saturday, August 22, 1998 7:36 AM  
To: Rosie Lackow  
Subject: My Statement

*← e-mail from*

I did hear from the Sacramento contact that SB 14 wasn't heard on Friday. Also, Harry Ford sent me his statement for your report which made me realize I hadn't written anything for it! So, if it's not too late, here goes...

Statement from Jefferson Graham, 2209 Laurel Avenue

The City Council has a very clear-cut and easy decision to make. They can take a stand to better the quality of life for its residents, or side with out of town lawn maintenance workers by continuing to allow the unrestricted Monday through Friday 9 a.m. to 5 p.m. use of gasoline and methanol powered leaf blowers in our city.

To recap:

- According to CAL OSHA, exposure to more than 20 minutes a day of the average gas leaf blower will result in hearing loss.
- According to the SCAQMD, one hour of leaf blower exhaust fumes is equivalent to six hours from an automobile.
- Leaf blowers are major polluters that contribute nothing to society.

Have you ever heard an average citizen stand up and say, "Hey, I like leaf blowers." Probably not. Of the 22 letters written this year to our local paper, The Beach Reporter, in response to the Leaf Blower issue, some 93% were in total support of a ban in Manhattan Beach—only two writers disagreed.

It was citizen outrage about the noise and pollution produced by leaf blowers that caused city councils in some 20 major California cities to institute bans. (They include Beverly Hills, Santa Monica, Laguna Beach, Hermosa Beach, Malibu, Los Angeles, South Pasadena, Lawndale, Lomita and West Hollywood.)

Despite claims that rates will go up, gardeners will lose work and lawns will be a mess, I have forwarded information to the city that none of these things did indeed happen in other cities with leaf blower bans. Rates are still where they were, most gardeners are learning how to do their jobs the way they did before blowers—with rakes and brooms, and citizens still have clean lawns.

Yet still, gardeners loudly cry that they can't live without their blowers—despite the health risks of a machine that seriously harms their hearing and breathing.

While I am in support of a total ban—like Hermosa Beach—I am willing to compromise. If these people feel blowers are so important to their work, fine, let them blow—with an electric blower, which has been shown to be



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better for the environment. There have also been reports about a new battery powered blower that could work.

Finally, let me ask you a hypothetical question. What if I was a house painter who serviced homes in Manhattan Beach, and I came to the city and said that with an old-fashioned brush and roller, I couldn't paint enough homes in a day to make it worth my while?

So now, I've come up with a way to BLOW the paint onto the homes instead. The only downside, of course, is that the process is incredibly noisy, and really, really stinky. But who cares? No one's home anyway.

Oh yeah. There's also one more thing. After I leave the house, this new kind of paint leaves behind particulates in the air which are kind of harmful to breathe. They remain in the air for hours, and inhaling them into your lungs is kind of like smoking cigarettes.

But who cares? No one's home. And besides, I have to paint more houses and this is the only way I can do it.

Well, honorable Mayor and City Council members, I would hope that you would say to this house painter that his way of work was unacceptable in your city. That it was a nuisance and serious health risk for your citizens.

I would hope you would say the same thing about gasoline and methanol powered leaf blower use in Manhattan Beach. With our beaches, small town atmosphere, great parks and community programs, Manhattan Beach is the California dream that is envied all over the globe. We just have this one asterisk that could easily be taken care of, by doing something that supports our citizens, as opposed to the people who work for them.

Please vote to better the quality of life in Manhattan Beach, by returning breathable air and peace to our neighborhoods by banning gasoline powered and methanol powered leaf blowers!

**EXHIBIT**  
e 4

16 July 1998

17  
Pek to RC  
york to RC  
Pek  
RECEIVED  
JUL 17 1998  
AASB

Manhattan Beach City Council  
City of Manhattan Beach  
1400 Highland Ave.  
Manhattan Beach, CA 90266

Subject: Noise Ordinance and Health issues by Leaf Blowers

Dear Mr. Steve Napolitano, Mayor Pro Tem

I would like to provide my input regarding the noise and health issues created by leaf blowers. I understand there will be a future hearing on this subject.

On 9 July 98 at 1:30PM two leaf blowers were blowing up a fury of dust clouds at 1203 N. Sepulveda Blvd. They were cleaning the parking lot of the Creative Preschool located at the rear of the building. The noise from the equipments was loud. They were blowing dirt and leaves toward the street which they later gathered up. The other leaf blower used his equipment and blew between the plants in the enclosed planter area thereby stirring up dirt, tossing up cat feces and other waste particles into the air. He then blew them into the neighboring vacant lot. The workers were approached by the Oak Ave residents. They were asked to rake the leaves and other waste materials in lieu of blowing them around. It appeared they did not want to listen or ignoring what we were asking them.

I recommend the ban of all leaf blowing equipment in the City of Manhattan Beach. Lets keep our environment free of polluters who have no regard for other peoples' health and property. Our neighboring cities have enforced a ban on leaf blowing equipment. Why can't we?

Very Respectively,



cc: Ms Rosemary Lackow, Planner  
Community Development Dept.

**EXHIBIT**  
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*17*  
Rose

*Handwritten initials*

**Harry A. Ford, Jr.**  
54 Village Circle  
Manhattan Beach, California 90266-7222  
Phone & Fax: ( 310-546-5117 )  
E-mail: Sealmage9@aol.com

Harry A. Ford Jr - Fax

To: Board of MVEHA, and Tony Navarro of Avalon Management Company via fax at 545-7459

To: Manhattan Village Mall General Manager via fax at 545-9894

To: Richard Thompson, Rosemary Lackow, Julie Cliff, City of Manhattan Beach via fax at 545-8322

Fax: ( 310-545-7459 ) Board of MVEHA Pages: ONE, including this page

Phone: ( 310-546-1737 ) Date: August 5, 1998; 12:39 PM

Re: RE: continuing violations of Noise Ordinance & Manhattan Village Mall sweeping plan

Urgent  For Review  Please Comment  Please Reply  Please Recycle

Since the leaf blower Ordinance is coming up before Council I thought I would let you know that the Manhattan Village Mall continues not to follow the Noise Ordinance and the sweeping plan they had agreed to. This morning around 8:00 a.m. the leaf blower was in the area by the homes near Ralph's market and the mall car gate (pink area) (report # 293). Per the Plan they are not supposed to be in this area until after 8:30 a.m. during the week (9:00 a.m. in the rest of City, and no Saturday or Sunday). Reported numerous violations since 1985. When is the Mall going to start following the Noise Ordinance ? Please revoke their special interest Ordinance MBMC 5.48.275 at the Council meeting where the leaf blower Ordinance is reviewed as the Mall hasn't been able to consistently follow the rules since 1985. Also, ban the leaf blowers on commercial property like other cities, and within 500 feet of residential like the City of Los Angeles, and ban methanol or other fuels that are run in the same noisy blowers, and noisy electric blowers. Also I reported blowers out at improper times a number of times this year (at least four), and to new Mall management at a meeting with Homeowner's Association, and Julie Cliff.

Last report that I bothered to make was 3/29/98 when awoken by leaf blower, and street sweeper, around 8:00 a.m. on SUNDAY MORNING out behind Ralph's market

Ralph's market is still occasionally leaving trash carts out at night.

Thanks for your assistance in advance. Any questions?

Hopefully some time before the millennium is over we will be able to experience the peaceful and quiet beach city environment outlined in the Noise Ordinance Policy?

**EXHIBIT**  
*3 4*

RECEIVED  
AUG 5 1998  
A/S/D.....

Harry A. Ford, Jr.  
54 Village Circle  
Manhattan Beach, California 90266-7222  
Phone & Fax : 310-546-5117  
-mail: Seaimage9@aol.com

Thursday, August 20, 1998 - Hand Deliver to Rosemary Lackow's office at City Hall for 98/0901.xx (9/1/98)

Honorable Mayor Cunningham, and City Council Members Jones, Lilligren, Napolitano, and Wilson, and Rosemary Lackow, Senior Planner,  
City of Manhattan Beach, 1400 Highland Avenue, Manhattan Beach, California 90266-4795

Dear Honorable Mayor, City Council Members, and City Staff:

**Re: 98/0901.xx Written comments, questions, and suggestions for the 9/1/98 agenda item; Amendment of the Noise Ordinance for Leaf Blowers, etc.**

I would strongly urge the City Council to BAN noisy leaf blowers, and regulate hours of other noisy equipment that is not specifically regulated by the Noise Ordinance, throughout the City of Manhattan Beach.

The proposed ordinance should also eliminate the special interest exemption for properties over 5 acres; MBMC 5.48.275. In the year since this new ordinance was adopted I have continued to be disturbed by the Manhattan Village Mall's leaf blower and street sweeper (with an attached leaf blower the driver uses should also be banned) which have operated in violation of their agreed upon hours. Despite notification to the Mall and City the violations have continued, including being awoken at 8:00 a.m. on Sunday morning by the Mall's leaf blower and street sweeper. There is no difference if the noise and pollution is coming from a commercial property on the other side of the fence, versus your neighbors yard. Other cities commercial properties, by residential, have been able to get along without leaf blowers, why can't those in Manhattan Beach?

One of the major problems with this, and other, noisy equipment on commercial property is the difficulty in enforcing the ordinance. Other city ordinances ban various types of equipment within 500 feet of residential properties. As long as there is no penalty for those who use leaf blowers, they will continue to be abused. How many citations for leaf blowers, and other noisy equipment, have been issued in Manhattan Beach over the last three years? Please also refer to the General Plan sections I have quoted on the attached page. Table 3 of the City's Noise Ordinance (MBMC 5.58.010) provides Exterior Noise Standards which may not be exceeded for a cumulative period of more than 5 minutes in any hour; for residential the limit from 7 a.m. to 10 p.m. is 60 decibels, and 55 decibels for more than 15 minutes in any hour. If one was foolish enough to leave your window open the Interior Noise Standard in MBMC 5.68.020 provide for no more than 45 decibels for more than 5 minutes in any hour from 7 a.m. to 10 p.m. Even a 65 decibel blower would violate the City Ordinance.

I would also urge the City Council to pass a motion to send a letter to California State Senator Richard Polanco (Senator.Polanca@SEN.CA.GOV - e-mail ) to continue to make this a LOCAL quality of life issue.

The only way residents will be able to enjoy a peaceful and quiet neighborhood is if leaf blowers, and other noisy equipment used early in the morning or late at night and on weekends and City specified holidays, are banned throughout the City, and effective enforcement occurs. Why doesn't the Cities landscape maintenance contractor use leaf blowers, and for how long? The following Cities banned leaf blowers long ago; Carmel in 1975, Beverly Hills in 1976, and Laguna Beach in 1993, etc.

Please return Manhattan Beach to a peaceful and quiet small town atmosphere !

Sincerely, Harry A. Ford, Jr. *Harry Ford*

**EXHIBIT**  
84

Attachment: 5 pages - materials for the City Council for the June 16, 1998 Council meeting.

8/17- cc: Council <sup>17</sup>  
Geoff  
Richard T.  
Rosie

**Rick and Susan Boettner  
1605 Magnolia Avenue  
Manhattan Beach, CA 90266**

August 13, 1998

City Council  
C/O  
Department of Community Development  
1400 Highland  
Manhattan Beach, CA 90266

RE: noise ordinance and ban on use of leafblowers

Dear Sirs,

I have lived in Manhattan Beach since 1968 and have never been incited enough to write a formal letter to you regarding an issue affecting our community. No longer. Leaf blowers are not only a noise nuisance in my area, but a polluting nuisance as well. Since I moved to east Manhattan a year ago, I have found the problem particularly bothersome. Every week we have at least four separately contracted gardeners blowing debris from one house to the other, usually on separate days. Since I work from home and have an infant, it makes me nuts and keeps my son from having any peace and quiet. Also, noise, smell from the gasoline, and the dust always end up on my porch.

My husband does the gardening the old fashioned way..with a broom and a lawn mower... so he knows firsthand how much effort it takes to do a lawn and minor landscaping in a house such as ours. You can't convince either him or myself that the leafblowers are 1) more effective or 2) more efficient than regular gardening. I personally would love to see them banned immediately.

Sincerely yours,



Susan Lundin-Boettner  
1605 Magnolia Avenue

RECEIVED

AUG 18 1998

ANS. ....

**RECEIVED**

**AUG 17 1998**

**MANAGER'S OFFICE**

8/13 - cc: Council  
Geoff  
Richard Thompson.

Posie ✓  
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AUG 13 1998

MANAGER'S OFFICE

August 11, 1998

Manhattan Beach City Council  
1400 Highland  
Manhattan Beach, CA 90266

City Council:

Attached is a letter I have sent to the Beach Reporter stating my position on the ban of leaf blowers in Manhattan Beach. The letter explains my reasons for supporting a ban on leaf blowers in our community.

Sincerely,

*Madonna Newburg*

Madonna Newburg  
2008 John St.  
Manhattan Beach, CA 90266-2610  
310-546-1876

RECEIVED  
AUG 13 1998  
ANSWER

EXHIBIT  
B 4

copy

17

August 11, 1998

Beach Reporter  
500 S. Sepulveda #215  
Manhattan Beach, CA 90266

Dear Letters-to-the-Editor:

The Manhattan Beach City Council has scheduled a community meeting on Tuesday, September 1 to discuss a proposed ban on leaf blowers. I hope homeowners will be there to make their voices heard about this issue.

I am taking a stand against the use of leaf blowers in our community. Twenty major cities in California have made them illegal with good reason. The blowers are hazardous to our health for their air and noise pollution.

I understand the gardeners's fear of losing time and money on their jobs. We know that the gardeners using the leaf blowers suffer from the air and noise pollution from these machines. It seems to me that spending a little more time with rakes and brooms is a small price to pay for better health for the gardeners.

Save the date of September 1 and make your voice heard.

Madonna Newburg  
2008 John St.  
Manhattan Beach, CA 90266-2610  
310-546-1876

PASIC

17

cc: Council

Geoff

Bob

Rich T.

Ted

JILL WEISBORD \* 609, 36th. STREET, MANHATTAN BEACH, CALIF. 90266.  
TEL. (310) 545-1935

RECEIVED  
CITY CLERK'S OFFICE

'98 JUN 17 AM 11:46

Manhattan Beach City Council  
1400 Highland Ave

June 16, 1998

Dear Mayor and City Council,

Regarding leaf blower regulations within the city, I would like to see a complete ban on their use. These contraptions are more often than not extremely loud and are used by professional gardeners at all hours, every day of the week (on Sunday 14th. June at 3 p.m. when I was relaxing in my yard the peace was shattered by the gardener arriving next door with his loud machines - he often comes between 6 p.m. to 7 p.m. on weekends, disturbing any entertaining we might want to do). The quality of life in Manhattan Beach has certainly declined since the advent of these noisy, air polluting machines; we are bombarded with noise, the dust level created by particles airborne by these blowers is incredible, and the release of gasoline pollutants decreases the air quality. When we add these to the noise from the Chevron refinery, LAX, and helicopters flying over, the air pollutants from those sources and Allied Chemical, the cumulative impacts become considerable. It is not very easy to compel large corporations like Chevron and Allied Chemical, or Public facilities like LAX, to reduce their noise and air pollution. However, leaf blowers we can control!

Other cities have banned the use of leaf blowers out of concern for the adverse effects of noise and air pollution on their citizens and I would like to see Manhattan Beach follow suite.

yours sincerely,

Jill Weisbord

**EXHIBIT**  
B 4

Resic

17

Dear city council members,

Please ban leaf blowers. They don't just blow leafs they blow dirt and dust. We live on the top of 15th street and the home owners to our west have gardeners that use them. There is usually a breeze coming from the ocean and along with the blowers every bit of street and yard debre and dust blows into our air, yard and house. I have talked to the gardeners and asked them to please sweep but I was told that they to not carry a broom on their truck and my offer to loan them one was turned down. If you live anywhere where there is a breeze the blowers make for a small dust storm. I have on several occasions, when they did not know I was looking, seen the gardners not even bother to rake the grass and leafs but just to blow it all into the bushes and our yard and the street. We mow our lawn and we use a broom and a little water ..... what do you know ----- no dust.

Thank you for concedering this matter.

Ralph and Dolorine Mann  
613 15th St.  
M.B.

cc: couna'L  
Geoff  
BOB  
RICH T.  
TED

RECEIVED  
CITY CLERK'S OFFICE  
98 JUN 19 8:19

EXHIBIT  
B 4

FAX COVER SHEET

17

Wednesday, August 19, 1998 02:52:44 PM

RECEIVED  
CITY CLERK'S OFFICE

'98 AUG 19 P5:25

To: City Council  
Fax #: 545-9927

CC: Council  
Geoff  
Bob  
Rich T.  
Ted.  
Dave

From:  
Fax: 2 pages and a cover page.



Note:

Good afternoon,

Please include our Memo re leaf blowers in the Staff Report for the September 1 hearing on leaf blowers.

Could you please provide copies of the Memo re Oppose SB-14 to members of the City Council? Please let me know if this is not possible.

Thank you very much.

Cathy Bergeron

**EXHIBIT**  
8 4

To: Manhattan Beach City Council  
c/o Department of Community Development

17

From: Cathy Bergeron  
1909 Harkness Street,  
Manhattan Beach, California 90266  
310-379-0972

Date: August 14, 1998

Re: Leaf Blowers

What is a leaf blower? It is a machine that blows lawn maintenance debris from one property to another property or to the street and sidewalk areas. This debris often includes pesticides, trash and dog droppings. It is disgusting. A leaf blower does not clean up anything. It blows the debris somewhere else. Notably, it is blown off the property of the person paying for the service. This family is among the many in this community who no longer care to tolerate the use leaf blowers.

There has been discussion of some need to balance noise pollution with economic issues. There is nothing to balance. Using a leaf blower saves time and probably reduces the cost of the service. This certainly does not mean that money will be lost by not using them. The lawn maintenance company can and should charge a price that compensates them for the work they do. If my neighbor wants to professionally maintain his lawn, I am sure he can also afford to have cleanup to be done in an appropriate manner.

My family and I are entitled to the peaceful enjoyment of our home. We have a seven-year old son, and I run a transcription business from our home. As a result of the noise, fumes and debris blowing around from leaf blowers, we frequently are forced to come in from playing outside. We routinely have to shut the doors and windows to reduce the noise level to a point where we can hear ourselves. I have had to terminate telephone calls because I cannot hear or be heard over these machines.

The situation is simply not acceptable to us. We ask you to keep in mind the fact that not just one lawn is being cared for on a given day or even at a given time. There have been many occasions on our street where two or more lawns are being worked on at the same time or on the same day.

This family supports a ban on gas powered leaf blowers. Actually, we support an absolute ban on all leaf blowers in Manhattan Beach. We urge you to vote in favor of such a ban for Manhattan Beach.

**EXHIBIT**  
3 4

To: Manhattan Beach City Council  
c/o Department of Community Development

17

From: Cathy & Phil Bergeron  
1909 Harkness Street  
Manhattan Beach, California 90266  
310-379-0972

Date: August 15, 1998

Re: Oppose SB-14 - Protect Manhattan Beach's  
Right To Make A Choice On Leaf Blowers  
and Other Similar Equipment

As you may know, SB-14 is now awaiting action by the Assembly having been passed by the Senate. The passage of this bill will severely limit communities in the State of California in terms of restricting or banning the use of gas powered leaf blowers and other similar lawn maintenance equipment. It reads in part:

"This bill would prohibit a city, county, or city and county from prohibiting the use of leaf blowers meeting the established noise level standard, EXCEPT BETWEEN THE HOURS OF 6:00 P.M. AND 8:00 A.M. ON WEEKDAYS AND BETWEEN THE HOURS OF 5:00 P.M. AND 9:00 A.M. ON WEEKENDS. (Emphasis added.)

We believe that the "noise level standard," which uses decibels, is a joke. It would be difficult, if not impossible to enforce.

We urge you as a City Council and as individuals to express opposition to this bill. As you can see, it will do much more than take the decision making process out of our hands as a community. This bill will INCREASE by more than 60 percent the possible number of hours a week that this equipment could be used in Manhattan Beach. It does this by adding the hours of 8:00 a.m. to 9:00 a.m. and 5:00 p.m. to 6:00 p.m. weekdays AND the hours of 9:00 a.m. to 5:00 p.m. on SATURDAY and SUNDAY.

The situation is intolerable now. In spite of the fact that Manhattan Beach currently prohibits the use of gas powered leaf blowers on weekends, as I write this at 9:15 a.m. on Saturday I am listening to round two of a gas powered leaf blower being used by a neighbor's lawn maintenance company.

Please help protect our right to make this decision for our community. Express opposition to Senate Bill 14 and urge Governor Wilson to veto it should it pass. Thank you.

**Rosie Lackow**

---

**From:** Andrews, James, M.D. [jandrews@SURGERY.MEDSCH.ucla.edu]  
**Sent:** Monday, July 13, 1998 12:55 PM  
**To:** Rosie Lackow  
**Subject:** RE: Banning Leaf Blowers

My address is 118 S. Dianthus St., Manhattan Beach, CA 90266. In general the idea of leaf blowers is bad because they just scatter the debris everywhere else than the area of clean up. In addition the noise of the gas powered blowers is excessive. The best ecological way to clean up is the broom.

-----  
**From:** Rosie Lackow  
**To:** 'James C. Andrews, M.D.'  
**Subject:** RE: Banning Leaf Blowers  
**Date:** Friday, July 10, 1998 1:53PM

Thank you for your message; it would be helpful to the Council if you provided your address; and further why you think they should be banned. Are you against all types of blowers or just the gas powered?

-----Original Message-----  
**From:** James C. Andrews, M.D. [mailto:jandrews@surgery.medsch.ucla.edu]  
**Sent:** Friday, July 10, 1998 1:52 PM  
**To:** rlackow@ci.manhattan-beach.ca.us  
**Subject:** Banning Leaf Blowers

I as a resident of Manhattan Beach would like to see leaf blowers banned from use in this city.

**EXHIBIT**  
*B 4*



International  
Marketing  
Exchange,  
Inc.

MIKE GARCIA  
(310) 374-1199

(310) 370-3847 FAX

17

2/4/98  
ANS

October 8, 1997

**ADDENDUM #13 - BACKGROUND PACKAGE**

- Article - CALIFORNIA LANDSCAPING, June/July 1997, "And The Ban Plays On For Leaf Blowers"
- Article - HOME LAWN & LEISURE, July/August 1997, "A Quieter Blow-Hard"
- Article - Los Angeles, CA, Times, July 4, 1997, "Leaf Blowers, A City By City Overview"
- Editorial - GROUNDS MAINTENANCE, July 1997, "Gasoline-Powered Blowers; "How Do You Feel About Bans On Power Blowers?"
- Article - LAWN & LANDSCAPE, July 1997, "Winds Of Change"
- La Palma, California Leaf Blower Ordinance, April 1, 1997
- Article - Long Beach, CA, Press-Telegram, July 20, 1997, "Leaf Blowers: There Are Health Concerns, Too"
- Article - Telluride, CO, Times-Journal, July 17, 1997, "Leaf Blowers Huff And Puff A Bunch Of Mechanical Racket"
- Article - Long Island, NY, Newsday, August 6, 1997, "Making Some Noise; Residents vs. Landscapers On Leaf Blowers"
- Editorial - PRO, September/October 1997, "Still Making Noise About Blowers"
- Council Agenda Report, City Of San Luis Obispo, Power Blower Committee Report And Proposed Noise Ordinance Amendments
- Labor Efficiency Comparison

cc 9/1/98  
**EXHIBIT**  
# 5

# California LANDSCAPING

A CLCA Publication • Representing the Professional Landscape Industry

June/July 1997 <http://www.californialandscaping.com>



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LEAF BLOW  
BAN UPD

# And the Ban Plays On <sup>17</sup> for Leaf Blowers

By Barbara Augsdorfer



CLCA Coachella Valley Chapter President Bill Wolfs testifies before the Palm Desert City Council to dissuade the council from banning leaf blowers within the city. (Photo by Barbara Augsdorfer.)

All's not quiet on the Western front. And for that landscape professionals can be thankful. Outright bans, restrictions and proposed legislation singling out leaf blowers are making the rounds in several Southern California cities. The thinking seems to be, "If Los Angeles can do it, why can't we?" Palm Desert, La Quinta and Indian Wells (near Palm Springs) are oases for annual flocks of snowbirds. Residents can't do anything about the wind that blows and blows, but just try to pull the starter rope on a leaf blower.

It all started with the passage of the latest leaf-blower legislation last summer by the Los Angeles City Council. This ordinance prohibits the use of gas-powered leaf blowers within 500 feet of a residence. During the fight to save leaf blowers in Los Angeles, Robin Pendergrast, a partner with International Marketing Exchange in McHenry, Illinois, commented that it was important that the industry not lose in a city the size of Los Angeles. It would be too easy for smaller cities to follow suit. How right he was. The story was reported in the *Los Angeles Times*, which is widely circulated throughout Southern California.

Reacting to letters supporting a ban on leaf blowers, the Palm Desert City Council took cautious action. It voted in March to ban leaf blowers within its city limits; however, the measure was put on hold by the city council pending meetings with the Coachella Valley Chapter of the California Landscape Contractors Association (CLCA), the Desert Gardeners Association, homeowners' associations and manufacturers.

CLCA released a six-page position paper stating its opposition to across-the-board bans on gasoline-powered leaf blowers.

"CLCA believes these bans are unnecessary, bad public policy and extremely harmful to the landscape industry," states the position paper.

"CLCA believes many clients can't afford or are not willing

to pay for the additional costs of performing landscape maintenance without the leaf blower," the position paper continues. "They would either allow their landscapes to deteriorate, do the work themselves, or flaunt the law by using leaf blowers or hiring gardeners willing to do so. The last option is a possibility because leaf-blower bans have been difficult to enforce in municipalities that have passed an ordinance to date."

Between the March 27 and April 24 meetings of the Palm Desert City Council, battle lines were drawn. Both sides of the leaf-blower issue sent letters and made phone calls to city hall voicing their opinions. Petitions pro and con were circulated and signed.

"Those for the ban are in for a rude awakening," said Christine Coleman, a landscaper in Palm Desert in a phone interview prior to the meeting. "We've started a petition drive to stop the ban because these ordinances are just outrageous," she continued. "We want to see that everyone using this equipment is educated to their proper use. If condominiums and gated communities want to set restrictions, more power to them; but don't impose those restrictions on everyone else," she said. "If a ban passes in Palm Desert, next will be Cathedral City, then Rancho Mirage and Palm Springs."

## Forward Edge of the Battle Area

Forward Edge of the Battle Area is a military term. It can apply to the line drawn between those for and against leaf blowers. People on both sides try the minds and good intentions of their elected officials who seem to be caught in the ultimate Catch-22.

"We demonstrated the [Echo] PB-46LN and it made a big impact," said Pendergrast. "And I've met with [Los Angeles] Mayor Richard Riordan several times. New technology has had a tremendous impact. The newer blowers are quieter and meet California Air Resources Board standards. It's going to be a continuing process in Los Angeles. July 1 will not pass without a lot of action."

The "lot of action" was a proactive campaign and numerous demonstrations that resulted last month in the Los Angeles City Council revising the ordinance to eliminate the 45 dBA limitation from vacuums and allowing the use of vacuum attachments on leaf blowers.

"The bottom line is that this is a major development for landscape contractors," Pendergrast said. "A vacuum attachment costs as little as \$20-\$30 and it's very easy to convert a blower to a vacuum."

But one by one, Palm Desert residents against leaf blowers voiced their opposition to the council. "Leaf blowers are killers," one woman said in her attack at the April 24 meeting of the Palm Desert City Council.

"These noisy dirt blowers have forced me to stop my morn-

ing walks." charged another resident.

Similar attacks continued for more than two hours during the public comment segment of the meeting.

"Put yourself in the place of the little guy," Coleman said in her testimony before the city council. "We can go back to using brooms. It would be the same as taking away your computers and fax machines and replacing them with typewriters. We can also go back to the days of using outhouses, but should we?"

Time and efficiency are the points addressed in the CLCA position paper: "Most landscape industry estimates suggest that it takes at least five times as long to clean a typical landscape site with a broom and rake than it does with a power leaf blower. A similar estimate was provided in 1994 by the city of San Luis Obispo for its parks and public buildings; the city's maintenance supervisors estimated that their crew would take 50 hours to do work that took 10 hours with leaf blowers, and that much of the work would require the use of water.

"Some estimates substantially exceed the five-times-one rule of thumb: In a 1992 labor efficiency comparison report, the city of Whittier concluded that a job that took 2.25 hours with a backpack leaf blower took 76 labor hours with a hose and 282 hours with a broom! The bottom line is that without leaf blowers, public agencies and private owners would have to spend more time on outdoor work or accept a lower level of upkeep."

### The Noise Issue

April 30 also coincidentally happened to be the second annual "International Noise Awareness Day." In publicizing this event, the League for the Hard of Hearing, based in New York City, released a poster showing decibel levels of various noises. During the April 24 meeting, Palm Desert City Councilman Robert Spiegel held up the poster and read from it. "It says here that leaf blowers are 140 decibels and a rock concert is 120 decibels." An audible groan of disbelief rose from the landscapers in the council chambers. (According to *The World Almanac* a jet plane at takeoff is measured at 100 decibels.)

"We measured them [the leaf blowers] ourselves," says Nancy Nadler, Director of the Noise Center for the League for the Hard of Hearing. "Some are 110 decibels on up to 130. It



Palm Desert City Councilman Robert Spiegel holds up a poster from the League for the Hard of Hearing promoting "Noise Awareness Day." (Photo by Barbara Augsdorfer.)

depends on the model and the distance the user is from it." She was not aware of newer models with lower decibel ratings.

The CLCA position paper addresses the noise issue. "CLCA strongly encourages leaf-blower manufacturers to place a high priority on noise reduction improvements. Today's leaf blowers are significantly more quiet than their predecessors of 10 years ago. Manufacturers have steadily reduced noise levels, and in recent years one manufacturer has voluntarily adhered to a maximum of 70 decibels at full throttle at 50 feet from the source.

"The dBa rating of the PB-46LN for the user is about 93," Pendergrast said. "We recommend that hearing protection be used with *all* power equipment." (Equipment rated at 93 decibels can be used between four and six hours per day before hearing damage occurs, according to a brochure published by the League for the Hard of Hearing.)

"CLCA believes the vast majority of commercial operators use their leaf blowers responsibly," the position paper continues. "We acknowledge that improper use is a problem. It is caused chiefly by lack of knowledge, but it is sometimes a result of lack of courtesy for others." CLCA advocates using leaf blowers at half-throttle, which is sufficient to do an effective job and well below dangerous noise levels.

### Safe Sound Levels

To avoid noise-induced hearing loss, OSHA recommends that hearing protection be worn when loudness levels and exposure times exceed allowable standards. Hearing protection will allow you to hear and understand everything, including voices and warning signals, but at a reduced level.

Safe Sound Level	Time Allowed per Day
90 dBa	8 hours
92 dBa	6 hours
95 dBa	4 hours
97 dBa	3 hours
100 dBa	2 hours
102 dBa	90 minutes
105 dBa	60 minutes
110 dBa	30 minutes
115 dBa	15 minutes



The PB-46LN generates 65 dBa at full throttle at 50 feet per ANSI B175.2-1990. It's powered by a 44-cc, two-stroke commercial-grade engine. (Photo courtesy: Echo Inc.)

## Protect Your Hearing

17

Noise-induced hearing loss may be the most widespread potential health hazard. Anyone whose occupation requires exposure to extended periods of noise must wear some sort of hearing protection.

Nationally, more than 5 million workers are exposed to hazardous noise and more than 1 million have suffered significant hearing loss as a result of noise exposure. Hazardous noise is any continuous sound that exceeds 84 decibels or any brief (impact) sound that exceeds 140 decibels.

The decibel is an arbitrary unit of loudness. It doesn't matter whether you're hearing a chain saw or amplified music, at levels above 84 decibels, you are at risk of developing a noise-induced hearing loss. A noise-induced hearing loss is typically painless and so gradual that it goes unnoticed in the early stages. Later, victims may complain that speech is hard to understand and often resort to asking others to repeat themselves.

With proper precautions, hearing loss due to noise is preventable. The use of properly fitted hearing protective devices (HPDs), provides excellent hearing protection and comfort. If you wear your HPDs and receive monitoring audiograms on schedule, you could avoid a permanent hearing disorder. Ears don't get toughened or "used to" noise; deafness takes place.

Everyone gradually loses some hearing as they get older. But, if you add noise-induced hearing loss during your career, what's it going to be like when you retire? If you protect your precious gift of hearing today, a hearing aid might not be needed tomorrow.

*Adapted from the Naval Medical Information Management Center Web site at: <http://www-nmimc.med.navy.mil>.*

### Not Gone With the Wind

Bill Wolfs, president of the Coachella Valley Chapter and also a resident of Palm Desert, told the council that CLCA is in the midst of an educational program for its members. "We advocate that blowers be used only during normal business hours," Wolfs told the council.

"We also advocate using leaf blowers at half-power, which is enough for most jobs," Wolfs continued. "And there are no known links to upper-respiratory ailments and leaf blowers," he

continued, contradicting a charge from an earlier opponent.

Finally, a compromise issue was presented. The Palm Desert City Council voted unanimously to:

- allow leaf blowers to be used between 8 a.m. and 3 p.m. weekdays and 10 a.m. and 2 p.m. on Saturdays. They are prohibited on Sundays and holidays.
- require commercial operators to register their equipment
- forbid leaf blowers louder than 70dB and within 10 feet of windows, doors and air ducts.

These restrictions mirror those found in many area country clubs, which are governed by autonomous homeowners' associations.

Ordinance 842 is scheduled to take effect on June 8. "By the time the ordinance is on the books, we will have guidelines in place for the registration and licensing of leaf blower equipment," says M. Evelyn Bridges, Senior Code Compliance Officer for Palm Desert. "And only commercial leaf blowers will have to be registered."

The city council is also looking into the possibility of a buy-back program for older equipment, which will help smaller landscape companies buy equipment that conforms with the new restrictions.

CLCA Executive Board Vice President David Norred, owner of Nor-Land Landscaping in Laguna Niguel, is a liaison to the Coachella Valley Chapter. Norred was instrumental in helping to change the minds of the Palm Desert City Council.

"The [Palm Desert] city council was adamant against the blowers before the demonstration in early March." The demonstration was arranged to compare various pieces of landscaping equipment and their noise factors. Test items included an electric leaf blower, the Echo PB-46LN, a string trimmer and a lawn mower.

"The electric blower was the first one we fired up," Norred said. "It was pretty quiet ... like a vacuum cleaner. Then the Echo model was *quieter* than the electric model. The city council saw that blowers are just as valuable as lawn mowers and they understood the importance of the machinery. Then

when we raised the issue of equipment registration, one of the council members said, 'Now we're getting somewhere.' We saw a complete change of opinion."

"It's certainly much better than having a leaf-blower ban. CLCA worked very hard to get a compromise," says Wolfs. "[The ordinance] was a combination of the demonstration and the concerns of the homeowners' associations of the country clubs," he continues. "An average of a 20-percent increase in homeowners' dues is quite significant when you consider that our economy is driven by tourism and that increase would have a dramatic impact on our economy."

Meanwhile, in next-door La Quinta and Indian Wells, leaf-blower users face more battles. Indian Wells has a law on its books that prohibits all gas-powered leaf blowers at all times, but allows electric-powered leaf blowers for use by homeowners only.

According to Wally Nesbit, associate planner for the city of La Quinta, the planning department is collecting information regarding other cities in the Coachella Valley to report back to the city council. It may take up a leaf-blower ordinance later this summer.

While the Palm Desert ordinance can be considered a victory, the Forward Edge of the Battle Area still exists. "I heard that Evelyn [Bridges] received calls from officials in Cathedral City, Rancho Mirage, La Quinta and Palm Springs regarding her findings," Wolfs commented. "But based on what Palm Desert has done, I feel these other cities will follow suit." ♦

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July/August 1997 Issue No. 2

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### A Quieter Blow-Hard

Echo has been developing quieter, two-stroke engines for its blowers since its first one was introduced to the United States more than two decades ago. Each year since, thanks to new technology and new materials, incremental improvements in both noise output by the engine source and overall noise output by the blower itself have been realized.

The technological breakthrough, however, comes with the introduction of Echo's PB-46LN. This power blower operates at least five dBa (decibels) below the 70 dBa rating of model PB-4600. Not only does it reduce the noise associated with blower use by 50 percent, it addresses the concerns of the environment. At full throttle, the PB-46LN performs well below most noise standards.

Two years ago, Echo vice president of engineering, Larry Will, and other members of Echo's U.S.-based marketing and engineering team were given the responsibility of not only breaking the 70 dBa level, but to go well below it to provide users with a benchmark for power blower noise levels. Their assigned task was two-fold: develop a quieter blower and do so without compromising overall performance and cost effectiveness for users. The fruit of their labor is the newly introduced PB-46LN.

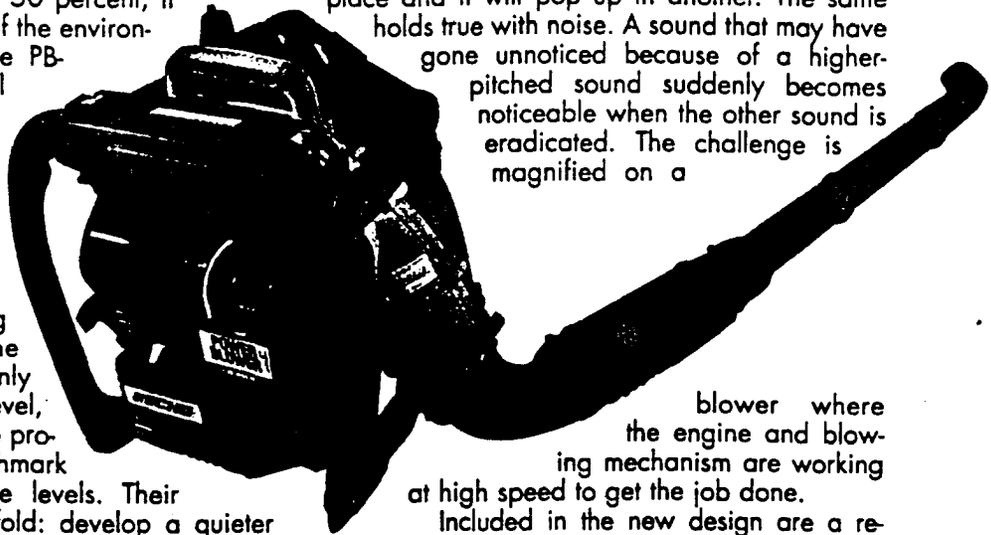
According to Will, "There's a reason blower manufacturers have taken two decades to dip well below the 70 dBa barrier. Applying the principles of sound attenuation becomes progressively more difficult as the engine gets smaller.

"Unlike larger engines, they can produce a more disturbing sound, and there's little opportunity

to cover them with sound-deadening material. Not only is space limited but anything that adds weight to the engine takes away from the inherent application of portability.

"Through the use of frequency analysis, we looked at all noise sources on the current PB-4600," continues Will. "We started with the part of the unit that generated the most noise and marched our way through the blower, stamping out the highest level of noise and going on to the next noise generator."

Will associates noise attenuation procedures to fighting a forest fire. Stamp out the fire in one place and it will pop up in another. The same holds true with noise. A sound that may have gone unnoticed because of a higher-pitched sound suddenly becomes noticeable when the other sound is eradicated. The challenge is magnified on a



blower where the engine and blowing mechanism are working at high speed to get the job done.

Included in the new design are a redesigned muffler, an enclosure around the engine comprised of materials that absorb and block out sound, a modified air intake and the addition of sound-attenuating materials around the blower itself.

"The new design in no way detracts from the performance of the blower," adds Will. "The new PB46LN not only produces less noise than its predecessors, it does so at an equal performance level."

Circle 206 on the reader service card.



### Two New, Too Nice

Two new models have joined the line of Regent Lawn Tractors from Simplicity Manufacturing, Inc. The Model 16H44 has a Briggs & Stratton 16 hp OHV Vanguard engine and hydrostatic transmission. The new model 16G44 has a 5-speed gear transmission and is powered by a 15.5 horsepower Briggs & Stratton Diamond OHV engine. Both of the models have 44-inch mowing decks.

Regent Lawn Tractors will retail through Simplicity servicing dealers with suggested retail prices ranging from \$2350 to \$3195.

Circle 226 on the reader service card.

# Leaf Blowers, a City by City Overview

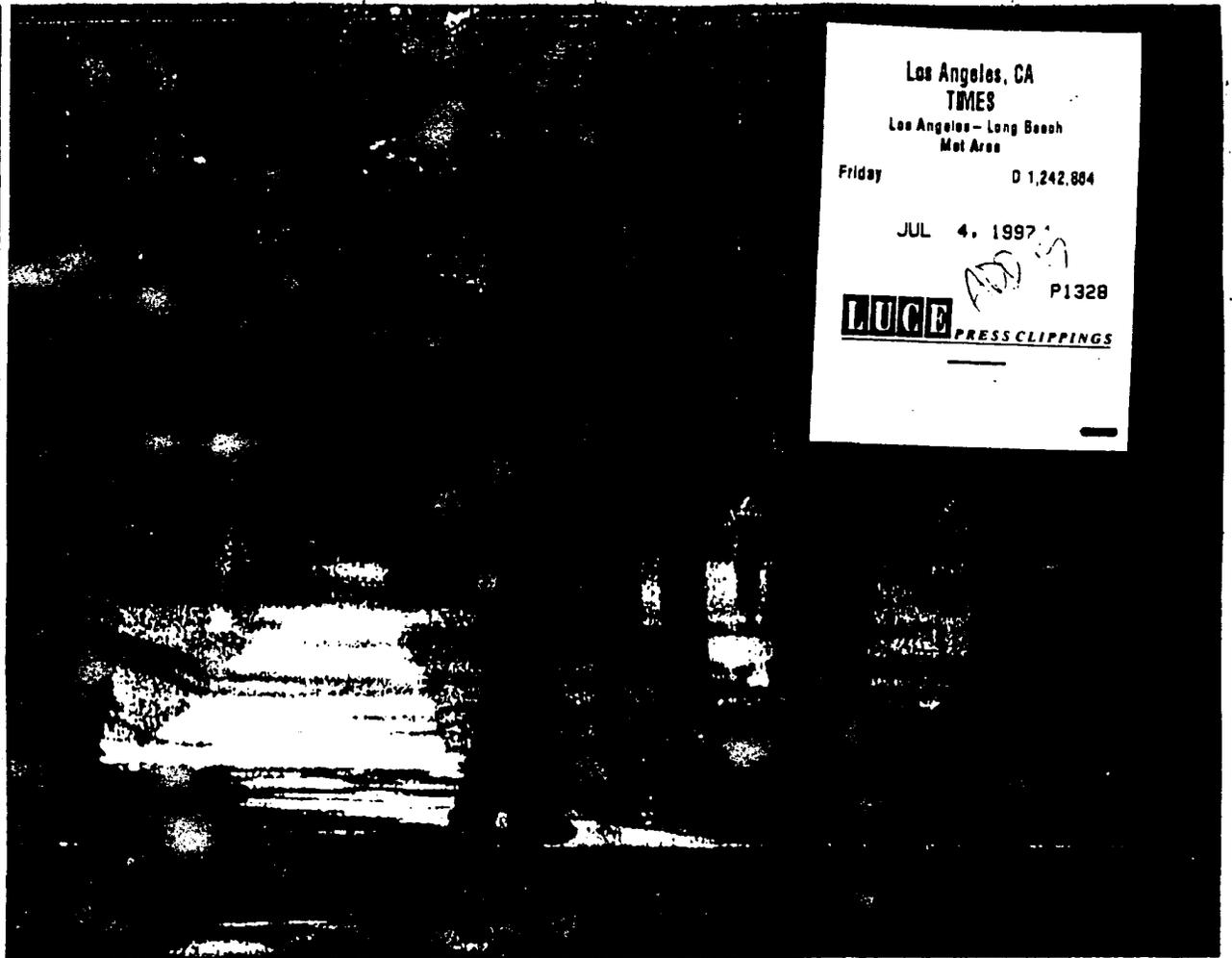
Concerned about noise and air pollution, Los Angeles this week joined more than 40 California cities in restricting gas-powered leaf blowers. In one of the most aggressive local laws, Los Angeles enacted an outright ban on the blowers within 500 feet of any residence. Offenders—gardeners and homeowners—can be fined up to \$1,000 or sent to jail for as long as six months. Elsewhere in Los Angeles County, many cities have no specific laws regarding the gardening machines but instead limit their use to between 7 a.m. and dusk because of general noise ordinances. Electric and battery-operated blowers are also exempt in most cities, including Los Angeles. Here is a look at how cities across Los Angeles County stand on gas-powered leaf blowers:

- Agoura Hills:** Restricted by noise ordinance.
- Alhambra:** Restricted by noise ordinance.
- Arcadia:** Restricted by noise ordinance.
- Artesia:** Restricted by noise ordinance.
- Avalon:** No ban.
- Azusa:** No ban.
- Baldwin Park:** No ban.
- Bell:** No ban.
- Bellflower:** No ban.
- Bell Gardens:** No ban.
- Beverly Hills:** Banned.
- Bradbury:** No ban.
- Burbank:** Restricted by noise ordinance.
- Calabasas:** No ban.
- Carson:** Restricted by noise ordinance.
- Cerritos:** Restricted primarily in residential areas.
- Claremont:** Banned.
- Commerce:** No ban.
- Compton:** No ban.
- Covina:** No ban.
- Cudahy:** No ban.
- Culver City:** No ban.
- Diamond Bar:** No ban.
- Downey:** Restricted by noise ordinance.
- Duarte:** No ban.
- El Monte:** No ban.
- El Segundo:** Restricted by noise ordinance and other limitations.
- Gardena:** Restricted by noise ordinance.
- Glendale:** Restricted by noise ordinance.
- Glendora:** No ban.
- Hawthorn Gardens:** Restricted by noise ordinance.



AL SEIB / L.A. Times

Jose Casas, above, holds leaf blower at City Hall protest Tuesday against L.A.'s ban. At right, a gardener puts a gas-powered machine to use before the ban took effect Wednesday.



CLARENCE WILLIAMS / Los Angeles Times

- Hawthorne:** No ban.
- Hermosa Beach:** Banned.
- Hidden Hills:** No ban.
- Huntington Park:** No ban.
- Industry:** No ban.
- Inglewood:** No ban.
- Irwindale:** No ban.
- La Canada Flintridge:** Restricted by noise ordinance.
- La Habra Heights:** No ban.
- La Mirada:** No ban.
- La Puente:** No ban.
- La Verne:** No ban.
- Lakewood:** No ban.
- Lancaster:** Restricted by noise ordinance.
- Lawndale:** Banned.

- Lomita:** Restricted by noise ordinance and other limitations.
- Long Beach:** Restricted by noise ordinance and other limitations.
- Los Angeles:** Banned.
- Lynwood:** No ban.
- Malibu:** Banned.
- Manhattan Beach:** Banned on weekends only.
- Maywood:** Restricted by noise ordinance.
- Monrovia:** Restricted by noise ordinance and other limitations.
- Montebello:** Restricted by noise ordinance.
- Monterey Park:** Restricted by noise ordinance.

- Norwalk:** Restricted by noise ordinance.
- Palmdale:** No ban.
- Palms Verdes Estates:** Banned on Sundays and legal holidays. Restricted by noise ordinance and other limitations.
- Paramount:** No ban.
- Pasadena:** Restricted by noise ordinance and other limitations.
- Pico Rivera:** No ban.
- Pomona:** No ban.
- Rancho Palms Verdes:** Banned on Sundays and legal holidays. Restricted by noise ordinance.
- Redondo Beach:** Restricted by noise ordinance.

- Rolling Hills:** No ban.
- Rolling Hills Estates:** Banned on Sundays and legal holidays. Restricted by noise ordinance and other limitations.
- Rosemead:** No ban.
- San Dimas:** Restricted by noise ordinance.
- San Fernando:** Restricted by noise ordinance.
- San Gabriel:** Restricted by noise ordinance.
- San Marino:** Restricted by noise ordinance.
- Santa Clara:** Restricted by noise ordinance.
- Santa Fe Springs:** Restricted by noise ordinance.

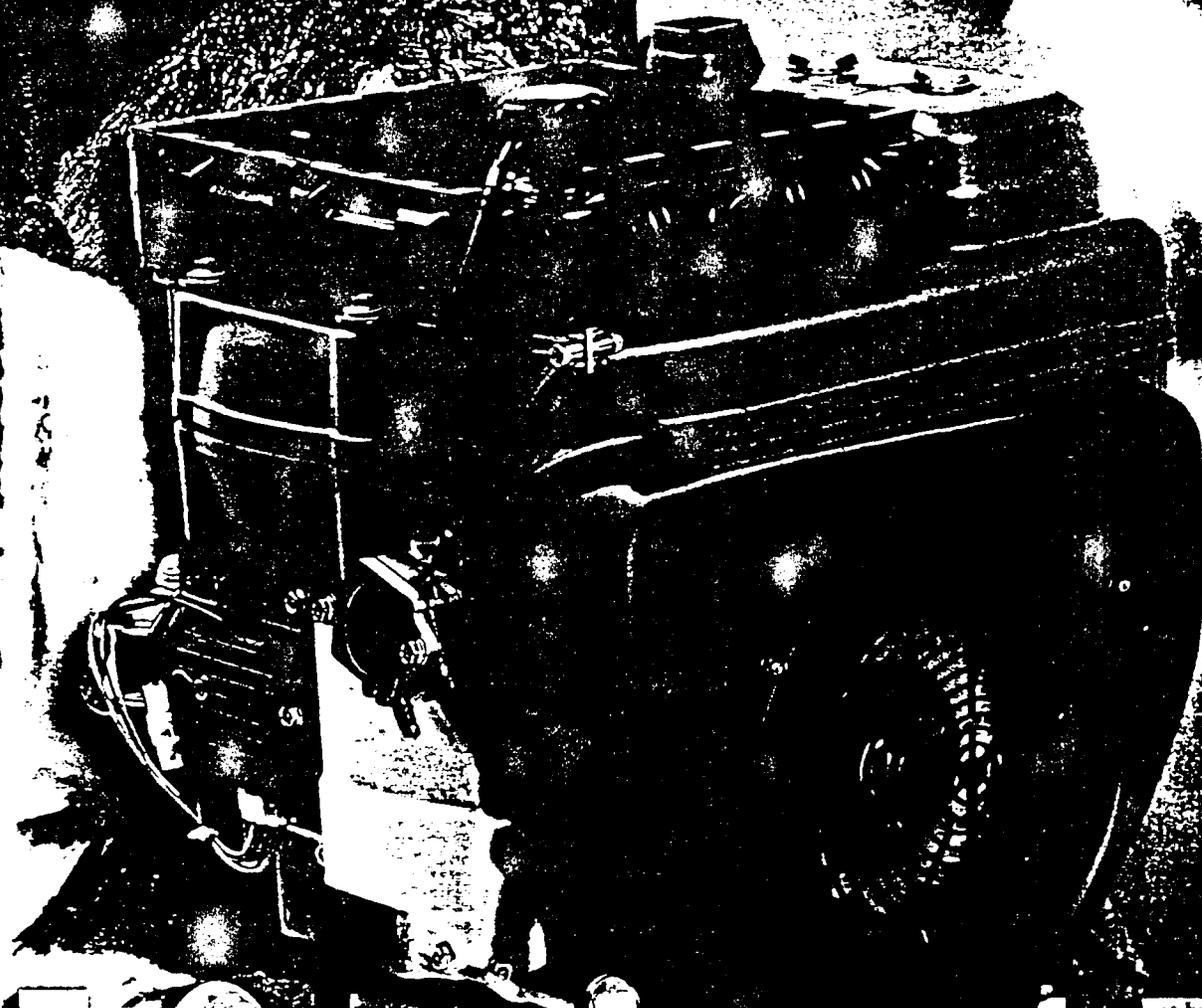
- Sierra Madre:** Banned.
- Sierra Madre:** Restricted by noise ordinance.
- Signal Hill:** No ban.
- South El Monte:** No ban.
- South Gate:** No ban.
- South Pasadena:** Banned.
- Temple City:** No ban.
- Torrance:** No ban.
- Vernon:** No ban.
- Walnut:** No ban.
- West Covina:** No ban.
- West Hollywood:** Banned.
- West Lake Village:** No ban.
- Whittier:** No ban.

Compiled by staff writers Cecile Resmussen, Doug Shutt and Jodi Wigoren and correspondents John Cox, Michael Kurlorian, Susan McAllister and Richard Winton.

# Grounds

July 1997

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vs  
air-cooled engines

Equipment

# Gasoline-powered blowers

17

Q: How do you feel about bans on power blowers?



**Robin Pendergrast,**  
marketing/public relations consultant,  
Echo Inc.

The noise issue with power blowers has been a conundrum since its appearance more than a decade ago. At the time, a few cities, including Los Angeles, challenged manufacturers to create technology more pleasing to the ear.

And manufacturers responded, coming up with quieter and cleaner blowers. Echo has taken a pro-active stand to encourage and educate end-users on proper blower use.

Over the years, education and new technology combined with self-regulation has proven to be effective at controlling blower noise and misuse. Unfortunately, some cities have ignored technological advances and self-regulation in favor of restricting these pragmatic and powerful cleaning tools.

Other types of equipment, including gasoline-powered equipment, make more noise than blowers. While cities like Los Angeles can't seem to live with power blowers, others have gone out of their way to ensure that power blowers and their operators co-exist peacefully with residents.

Ironically, the city that more than a decade ago challenged manufacturers to come up with cleaner and quieter blowers is now trying to ban their use. No, the manufacturers haven't failed. In fact, blowers are quieter and cleaner than ever. They meet stringent regulations, and Echo—for one—has developed a blower at least twice as quiet as its predecessors.

It's not a question of technology, self-regulation and education—the industry has excelled in these areas. It's a question of a few vocal people who don't like blowers because they can't see their value.

These people should be asked to ride a horse and buggy and read by candlelight. They can't turn back time, but they can make life miserable for an industry that bends over backward to ensure its products are safe, quiet and used properly.

**Marvin Braude,**  
councilman,  
City of Los Angeles



The unregulated use of gasoline-powered leaf blowers is incompatible with enjoying our neighborhoods. In our homes, we deserve peace and quiet, not daily assaults by loud, polluting machines.

Citizens complain about gardeners blowing debris onto neighbors' property or into the street, or using leaf blowers for the smallest cleanup jobs.

Air-quality experts say gasoline leaf blowers produce as much pollution hourly as a car traveling 100 miles. In Los Angeles, leaf blowers spew 1,800 tons of pollutants into the air annually.

Users' health is threatened by blowers' noise. California OSHA recommends only 20 minutes daily exposure before hearing damage occurs. Most gardeners use blowers far more.

Leaf blowers are incompatible with the new workplace. One-fourth of employed Americans work at home. This includes home-based businesses, whose operators cannot succeed without the quiet needed to think, have phone conversations and work productively.

Our new Los Angeles law takes effect July 1. It allows electric blowers. This compromise recognizes that they produce less objectionable noise than gasoline blowers and no emissions. Gardeners who fought our ordinance predicted their financial ruin if the law passed. Yet, not even their professional association produced any instances of alleged hardship from the several California cities already banning leaf blowers.

Just because a labor-saving device is widely used, it is not necessarily good for society. The easing of gardeners' work, useful as that is to them, is not sufficient reason to subject urban residents to the weekly assault of leaf blowers.

## Reader Views



A ban such as this will have a catastrophic impact on everyone in the green industry. A sticker should

be placed on the unit to remind the user to use discretion when operating machinery. People are using blowers at unreasonable hours, [causing] discontentment. However, this is a much-needed piece of equipment. Without the use of my blower, [I] will be out of business.—*Micheaux Brandau, president, Timely Lawn and Landscape Inc., (Baltimore, Md.)*



A lot of restrictions could be avoided if operators used more common sense about how they used

blowers. However, you occasionally have no choice but to use blowers during odd hours, so there needs to be some flexibility on the part of residents as well. If people were more willing to talk and compromise, we could come up with good solutions instead of knee-jerk government regulations.—*Steven Schwartz, president, S & R Lawn Care (Pomona, N.Y.)*



Blowers are certainly a necessary piece of equipment for our industry. Customers insist on a well-

manicured lawn along with debris-free planting areas, sidewalks and driveways. However, we should use some discretion in regards to the time of day, closeness to doors and windows and the rpm of the unit. There are always people waiting to take up the flag.—*Orley Betcher, president, Betcher Landscaping & Lawn Care Inc. (Justice, Ill.)*



I am not in favor of banning blowers. Power blowers are economical and efficient to use. Without

them, project quality might be affected due to the higher labor cost required to accomplish the same task. Hopefully, the manufacturers will address some of the public objections to these tools through design modifications.—*Ron Fowler, superintendent, Raytown Parks and Recreation Dept. (Raytown, Mo.)* **GM**



Credit: Shindaiwa

*Los Angeles' year-round ban is the latest and most extreme result of the public backlash against the gas-powered backpack blower, which continues to hamper landscape professionals nationwide.*

*By Susan Gibson*



WIT

**T**

hey've been called "obnoxious," "whiny" and "annoying." They've been the subject of complaint in communities across the United States during the last 11 or 12 years. And contractors love them.

Gas-powered blowers have been at the center of a controversy for years, but it's a conflict that keeps returning like gag birthday candles that refuse to go out. According to Robin Pendergrast of International Marketing Exchange in McHenry, Ill., who has been tracking blower initiatives across the country and helping landscapers fight back, there are more than 400 hundred communities with noise control initiatives in the United States aimed at limiting or banning use of gas-powered blowers.

The issue runs deeper, though, and in some places, it has spilled over into talk of limiting the use of other landscape maintenance products such as gas-powered hedge clippers and even mowers.

These waves of initiatives have been building in recent years, but the waters of regulation may hit flood stage soon as highly visible cities such as Los Angeles pass extreme noise ordinances.

"With all the negative coverage being given to blowers in consumer magazines and newspapers that contain tremendous amounts of misinformation, I estimate that we could see a tripling in the number of communities restricting blower use by this time next year," said Pendergrast.

**LA. STORY.** Los Angeles' ban on any gas-powered hand-held blower operating above 65 dba within 500 feet of a resi-

dence was slated to go into effect July 1. At this writing, the ordinance looks as though it may be challenged in court. Even if it is not, the ordinance holds several potential repercussions for the green industry:

Area contractors will have to restructure their operations in terms of manpower, machines and customer prices, if they can. If contractors can't raise their prices, they will have to settle for lower profits due to increased labor costs.

• Customers will have to get used to paying more, having less done on their landscapes, accepting possibly lower standards for their landscapes' appearance or maintaining their landscapes themselves.

• Dealers and distributors have already lost business through plummeting sales of gas-powered blowers to both consumers and commercial users, in expectation of this ordinance.

• Los Angeles' move has already encouraged other California communities to discuss or enact limitations or bans on power blower use. Some of these discussions have covered other types of landscape equipment.

• Communities throughout the U.S. are watching the situation, especially in active areas around Chicago and New York City, to see how the situation plays itself out.

The situation has been bubbling for years, spurred on in the last few years by City Councilman Marvin Braude, slated to retire July 1. Earlier this year, he got what he

*(continued on page 28)*

## LOS ANGELES

- **ORDINANCE:** No gas-powered blower use within 500 feet of a residence any time during the year.
- **PENALTY:** A \$1,000 fine to the contractor and the property owner.
- **STATUS:** Effective date was July 1.

# ands of Change

## eye on EQUIPMENT

(continued from page 25)

wanted — a much publicized debate on the issue — complete with testimony offered by movie stars.

"All the points of their arguments have been negated by new technological developments and the upcoming California Air Resources Board restrictions," Pendergrast pointed out. "The issue isn't as much leaf blowers as it is politics."

Larry Rolfes, director of governmental affairs for the California Landscape Contractors Association, agreed: "Most cities we work with are reasonable, but I can't say this

tors will follow the ordinance as it stands.

CLCA used an industry study to estimate that it takes approximately five hours of manual work to do the work of one hour with a blower. It also surveyed its members to determine that the cost to the contractor and the property owner is expected to rise approximately 20 percent to 40 percent when blowers are banned.

Whether the marketplace will pay higher prices, or whether contractors are content to live with lower margins, is yet to be determined. As more and more communities try to regulate operating hours or ban blowers outright, the industry will have to adjust its traditional practices.

It may mean explaining to homeowners why they will have to pay more for the same services. Rolfes noted that some homeowners may choose to maintain their own properties or let their standards for maintenance slide. "Landscapes may not look the same. You won't get the same manicured, perfect look with a blower," he noted.

Garris Chupa, owner of Garris Chupa Landscape, Santa Rosa, Calif., agreed: "Homeowners have become accustomed to a particular look for their landscapes. In

## GREAT NECK ESTATES, N.Y.

- **ORDINANCE:** No blower use, June 15 to Sep. 15.
- **PENALTY:** "First offenders" are fined a minimum of \$250.
- **STATUS:** This is the first season the ban has been in place. Officials labeled it a "trial ordinance," meaning it will be enforced for one season and reassessed in the fall. This approach rendered the industry's appeal process useless.
- The industry is also concerned about backlash against other equipment.

areas where blowers have been banned, we see pockets of leaves left on a landscape, the garden beds may look more rustic — it's a different look. When a community says, 'We're banning blowers,' it's really saying, 'We're changing the look of where we live,' or 'It's costing us more to keep the same look.'"

For the contractors who may have to accept lower levels of productivity while employees sweep, rake, gather up and cart off landscape debris they used to blow, the noise ordinances may mean a significant loss of dollars.

Most industry experts admit that blowers have been abused and there are many tasks done just as well and maybe more efficiently without a blower (such as moving a large pile of debris some distance).

## SCARSDALE, N.Y.

- **ORDINANCE:** Proposed ban on blowers June 1 to Sept. 30.
- **PENALTY:** First violation merits a warning. Violations thereafter earn a minimum fine of \$50.
- **STATUS:** After the New York State Turf & Landscape Association had the ban declared unconstitutional in court, the verdict was overturned on appeal. The industry has decided against further appeals.

one is. We think outright bans on leaf blowers is a mistake."

At a meeting in early May, the Portable Power Equipment Manufacturers Association and other groups asked the city to consider a one-year delay. Don Purcell, PPEMA's executive director, explained: "We asked for the delay because CARB is expected to take action within the year and that could make the noise question moot. They weren't listening. They turned it down and had no interest in delaying the ban."

At press time, the city and the industry were discussing a possible compromise which would allow use of power blowers using vacuum attachments that keep the noise level to 65 dBA or less. There was also discussion of taking the ordinance to court and a remote possibility that the city would repeal the ordinance after Braude retired.

Questions remain on whether commercial operators would accept a compromise such as this and even whether many contrac-

## You Have the Right to Remain Silent

In response to the many initiatives to limit the use of power blowers, the California Landscape Contractors Association wrote a position paper intended partially as an educational tool. According to Larry Rolfes, CLCA's director of governmental affairs, "It has caused several communities to rethink their plans."

CLCA recommends that anyone using a power blower anywhere in the country follow common courtesy rules listed below to foster good relations with the public:

- Run blowers at half throttle and not in the morning or late at night.
- Keep leaf blowers at least 10 feet from doors or windows.
- Crews should operate only one leaf blower at a time on a small residential site.
- Use rakes or brooms to loosen heavier debris.
- Use the full extension so the air stream can work close to the ground.
- Use attachments in dry conditions to suppress dust.

(continued from page 29)

**HEATING UP.** California has some 40 communities that have restricted or banned blowers, but they are not the only region in the country battling the tide of public opinion.

The village of Great Neck Estates, N.Y., banned blower use between June 1 and Sept. 15 after a three-month battle between a group of citizens and the Nassau-Suffolk Landscape Contractors Association.

According to NSLCA Executive Director Pat Voges, legal counsel has said that the ordinance would be difficult, if not impossible, to overturn because it is being termed a "trial ordinance" by the community. In other words, officials will reevaluate the bill in the fall to determine if it worked the way it was supposed to.

"The lawyers told us that if we appealed it, a judge would likely say, 'Well, this is trial law. Let's take a look at it after the season,'" said Voges. "They aren't very optimistic."

Although the rhetoric at the community meetings leading up to the ordinance was at times bizarre, Voges said the group was well-organized and was tapped into the activities of other citizen groups attacking blowers on the East Coast.

"We presented facts and figures showing the potential economic impact of a ban on blowers that included potential landscape service price hikes to customers," explained Voges. "But they came back with written testimonials from landscape customers in Scarsdale and Larchmont where bans are in place claiming that at no time did the price of their landscape service increase, in spite of the ban. This was definitely a well-organized effort."

(continued on page 90)

The growing sophistication of the anti-blower movement could give groups in communities across the country momentum to go forward.

But that's not to say blower critics have been given free reign to set up noise ordinances. The mayor and city council in Princeton, N.J., reversed their course in early June and decided against a blower ban they had already passed.

"They realized this ban was going to set a dangerous precedent," noted Pendergrast.

The ban originally passed despite testimony from the police chief who said it would be at the bottom of the list of laws to enforce, according to Hunt Stockwell, a local activist working to stop the ban. **□**

*The author is Editor of Lawn & Landscape magazine. Paul Schrimpf & Bob West contributed to this report.*

## **SANTA BARBARA, CALIF.**

- **ORDINANCE:** Proposed ban on all blowers, both gas and electric.
- **PENALTY:** Undetermined
- **STATUS:** After nearly a decade of appearing before city council, a citizen took matters into his own hands and generated 9,600 signatures on a petition to get the ban on the ballot. Voters decide in November.



# AGENDA ITEM

Item Number:

4

**TO: CITY COUNCIL**  
**FROM: CITY MANAGER**

Submitted By:

Tami K. Piscotty *TKP*  
Senior Management Assistant

Meeting Date:

April 1, 1997

Subject: Leaf Blower Regulation

1-714-523-2141

**RECOMMENDATION:**

It is recommended the City Council introduce Ordinance No. 97-01, by reading the title only, waiving further reading:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PALMA REGULATING THE OPERATION OF LEAF BLOWERS**

**BACKGROUND:**

At its January 21, 1997 meeting, the City Council requested staff prepare an ordinance which would regulate the operation of leaf blowers. The Council desired that the ordinance reduce the permitted operating hours, establish a maximum noise level, and prohibit the blowing of debris into gutters and stormdrains.

**SUMMARY:**

The La Palma City Code does not address leaf blowers directly. The proposed ordinance would add Section 18-26 to the City Code entitled "Limited Use of Leaf Blowers." The proposed Ordinance includes the following provisions:

- (a) The use of gasoline-driven leaf blowers will be prohibited except during the hours of 8:00 A.M. to 8:00 P.M. Monday through Saturday, and 10:00 A.M. to 5:00 P.M. on Sundays and legal holidays.
- (b) Leaf blowers will not be permitted to emit noise which exceeds seventy (70) decibels when measured at a distance of fifty (50) feet, and the noise level emitted by leaf blowers shall not exceed fifty-five (55) decibels for more than a total of fifteen (15) minutes on any particular lot or parcel on any day.

Post-it Fax Note	7571	Date	3/27	# of pages	7
To	Robin Henderson	From	Tami Piscotty		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	(661) 363-0983	Fax #			

Leaf Blowers  
April 1, 1997  
Page 2

**HOURS OF OPERATION:**

The City Code currently prohibits the operation of any tool, appliance or equipment sufficient to disturb an occupants' sleep between the hours of 10:00 P.M. and 7:00 A.M. Leaf blowers are regulated under this section if complaints are lodged.

The City Council expressed a desire to further limit the permitted operating hours of leaf blowers. The proposed Ordinance specifically addresses the hours leaf blowers are permitted to operate. It should be noted that other tools, appliances or equipment will be able to operate according to the existing code sections.

The proposed Ordinance would only allow the use of leaf blowers during the hours of 8:00 A.M. to 8:00 P.M. Monday through Saturday, and 10:00 A.M. to 5:00 P.M. on Sundays and legal holidays. Table A, Survey of Cities Which Regulate Leaf Blowers, summarizes the leaf blower operating hours permitted by Orange County cities. La Palma's proposed Ordinance is consistent with other cities regulation of this equipment.

**NOISE CONCERNS:**

Leaf blowers are often a source of complaints due to the amount of noise they produce. The Council directed the Ordinance establish a maximum leaf blower decibel level. Leaf blowers operate at a variety of decibel levels. Older leaf blowers and those not properly muffled can exceed ninety (90) decibels. Properly muffled models produce less noise. Table B provides a listing of several leaf blowers used in the industry which operate at seventy (70) dB or less. Seventy dB is believed to be a noise level which is safe to the ear and allows two people to hold a conversation while standing near a leaf blower operating at this level.

Sound equipment (i.e., a decibel reader) will be used to enforce a noise restriction in the field. The proposed Ordinance would restrict the noise level to 70 dB measured at a distance of (50) feet away from the leaf blower in operation.

**POLLUTION CONCERNS:**

The Council expressed concern about the blowing of leaves and debris in gutters, catch basins and storm drains. The Council directed that the ordinance address this problem. Upon further examination, staff has determined the City Code adequately addresses this problem. The Federal Clean Water Act's National Pollution Discharge Elimination System (NPDES) requires jurisdiction to implement measures to prevent pollution from entering the storm drain system. The NPDES requirements have been incorporated into the City Code to prohibit this activity.

Section 25-75(c) entitled Control of Urban Runoff; Litter Control, states that no person shall discard any waste material, including but not limited to common household rubbish or garbage of any kind (whether

**Leaf Blowers**  
**April 1, 1997**  
**Page 3**

generated or accumulated at a residence, business or other location), upon any public or private property, whether occupied, open or vacant, including but not limited to any street, sidewalk, alley, right-of-way, or open area point of entry to the stormwater drainage system. Leaf blower operators who blow leaves and debris into the streets can be prosecuted under this existing City Code section.

The preferred operation of a leaf blower is to blow leaves into a pile for collection. Many Orange County cities have enacted ordinances which permit use of the equipment, but prohibit the blowing of leaves or debris into gutters. La Palma's City Code appears to meet the Council's desire to regulate this activity.

**CITY USE OF LEAF BLOWERS:**

The proposed Ordinance will apply to City activities which use leaf blowers. The City uses leaf blowers in its gardening and landscaping activities. Currently, City crews blow leaves and associated debris into a pile. The pile is vacuumed or picked-up by hand. Public Works crews will abide by the new hours of operation. City-owned leaf blowers will not be allowed to exceed the proposed noise level of seventy (70) dB.

**OUTREACH EFFORTS TO LEAF BLOWER OPERATORS:**

The City sought to inform potentially affected parties of the consideration of that Ordinance. The impact of such a regulation would affect not only leaf blower operators (gardeners and landscapers), but also residents whose monthly water bills may be affected by a change in usage.

A press release was issued to the local newspapers informing them of the April 1st date this item was scheduled for consideration. Gardeners and landscapers holding City business licenses, as well as local area nurseries, were contacted. Other organizations contacted include the Southern California Gardeners Federation and California Landscapers Contracting Association.

**CONCLUSION:**

It is recommended the City Council adopt the Ordinance regulating the operation of leaf blowers. The proposed Ordinance will:

1. Limit the hours of operation from 8:00 A.M. to 8:00 P.M. from Monday through Saturday, and 10:00 A.M. to 5:00 P.M. on Sundays and legal holidays; and,
2. Limit the maximum noise level to seventy (70) dB measured at a distance of fifty (50) feet from the leaf blower in operation.

As Council directed at the January 21, 1997 meeting, the new Ordinance will be enforced on a complaint basis only. The City will not use active efforts to cite offending operators. It should be noted, however, that the NPDES provisions in City Code Section 25-75(c) will continue to be actively enforced.

**TABLE A**

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**SUMMARY OF CITIES WHICH REGULATE LEAF BLOWERS**

CITY	HOURS OF OPERATION	DECIBEL LEVEL
Anaheim		Loud noises in general
Costa Mesa	M-F 7 a.m. to 5 p.m. Sat 9 a.m. to 5 p.m. Sun and Legal Holidays 12 p.m. to 5 p.m.	65 decibels
Cypress	M-F 8 a.m. to 6 p.m. Sat 9 a.m. to 6 p.m.	55 decibels
Dana Point	M-Sat 9 a.m. to 5 p.m. Prohibited on Legal Holidays	70 decibels
Fountain Valley	M-F 8 a.m. to 6 p.m. Sat 9 a.m. to 6 p.m. Prohibited on Sunday	70 decibels
Fullerton	M-Sat 8 a.m. to 7 p.m. Prohibited Sun and Federal Holidays	55 decibels
Huntington Beach	M-Sat 8 a.m. to 8 p.m. Sun and Legal Holidays 9 a.m. to 6 p.m.	55 decibels
Laguna Beach	Ban on leaf blowers	
Los Alamitos	M-Sat 7 a.m. to 5 p.m. Prohibited on Sunday	55 decibels
Newport Beach	M-Sat 7 a.m. to 6:30 p.m.	70 decibels
Orange	M-Sat 8 a.m. to 7 p.m. Sun 9 a.m. to 5 p.m.	
San Clemente	Equipment must be muffled	65 decibels
Seal Beach	M-Sat 7 a.m. to 8 p.m. Prohibited on Sun and Legal holidays	
Tustin	M-F 7 a.m. to 6 p.m. Sat 9 a.m. to 5 p.m.	
Westminster	M-Sat 8 a.m. to 5 p.m. Sun 9 a.m. to 5 p.m.	70 decibels

TABLE B

Decibel Level of Common Leaf Blower Models

MANUFACTURER	MODEL	AVG dB
Echo	PB-210E	69
Echo	PB-2400	69
Echo	PB-1000	69
Echo	ES-1000	70
Echo	PB-4600	70
Homelite	HB-180	67
Red Max	HG-260	68
Snapper	2100-HHB	66
Stihl	BG-61E	69
Stihl	BG-72	69

Ordinance No. 97-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PALMA REGULATING THE OPERATION OF LEAF BLOWERS

WHEREAS, leaf blowers are a concern of La Palma residents due to the often high level of noise emanating from these pieces of equipment, and the disturbances they cause during the early morning and evening hours; and

WHEREAS, the City Council desires to limit the hours of operation and noise levels of leaf blowers specifically.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF LA PALMA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Section 18-26 is hereby added to of the La Palma City Code to read as follows:

Limited Use of Leaf Blowers:

- (1) The use of gasoline-driven leaf blowers is prohibited except during the hours of 8 A.M. to 8 P.M. Monday through Saturday, and 10 A.M. to 5:00 P.M. on Sundays and legal holidays.
- (2) Leaf blowers shall not emit noise which exceeds seventy (70) decibels when measured at a distance of fifty (50) feet and the noise level emitted by leaf blowers shall not exceed fifty-five (55) decibels for more than a total of fifteen (15) minutes on any particular lot or parcel on any day.

Section 2: Should any section, paragraph, sentence, phrase, term, or word of this Ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other provisions of the Ordinance independent to the elimination herefrom of any such portion as may be declared invalid.

Section 3: The City Clerk is hereby authorized and directed to certify as to the passage of this ordinance and to give notice thereof by causing copies of the Ordinance to be published as required by law.

APPROVED AND ADOPTED by the City Council of the City of La Palma at a regular meeting held on the 15<sup>th</sup> day of April 1997.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Tami K. Piscotty  
Deputy City Clerk

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF LA PALMA )

I, TAMI K. PISCOTTY, Deputy City Clerk of the City of La Palma, California,  
DO HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council  
of said City at a regular meeting of said city Council held on the 15<sup>th</sup> day of April 1997,  
and that it was so adopted by called vote as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Tami K. Piscotty, Deputy City Clerk

**MUCE** PRESS CLIPPINGS

# Leaf blowers: There are health concerns, too

By Jack Castiglione

**T**hat damn WHINING noise! I used to think that was the worst thing about leaf blowers. As I have learned more about the full range of their polluting effect, noise is only one of them. Airborne debris is the other.

Environmental scientists call this debris "fugitive dust." It can be deadly. Fugitive dust contains microscopic particles of pollutants spewn from diesel trucks, cars and chemical factories, as well as residues from pesticides, feces, decayed insect matter and a host of bacteria. It is dangerous enough to have these particulates in the first place, but to reintroduce them weekly into the air by using leaf blowers — all for the sake of a spotless sidewalk — is a gross misjudgment of neighborhood benefit and human well-being.

Last year, an air quality study of 239 metropolitan areas by the Natural Resources Defense Council ranked the Los Angeles/Long Beach area as the deadliest with its estimated 5,873 deaths per year due, in part, to breathing in microscopic particles of pollution.

Epidemiologist C. Arden Pope, of Brigham Young University, who co-authored several environmental studies with the Harvard School of Public Health and the American Cancer Society, reviewed the NRDC study and found the methodology "reasonable." Pope, in his own studies, found that breathing particulates causes premature death, and indicated that the most dramatic risks are to the elderly and people afflicted with asthma, angina, pneumonia or other lung and heart ailments.

In a technical, well documented research paper by E. G. Scott for the University of Southern California School of Environmental Engineering (on file at the Long Beach Health Department), Scott specifically studied the polluting effects of

leaf blowers and concluded, "It is apparent that the leaf blower is guilty of substantially increasing the particulate pollution of an already dirty atmosphere in the L.A. air dome." He added, "... particles (especially those comprising soluble compounds) are retained in the lungs and can cause subsequent acute and chronic reactions."

In addition to fugitive dust, there is the pollution caused by the gasoline engine of leaf blowers. Because these two-cycle engines burn a mixture of gas and oil, they pollute four times as much as a lawn mower engine, which burns only gasoline. According to the EPA, one hour use of a gas-powered leaf blower pollutes as much as a car driven 250 miles.

In addition to the harm in breathing fugitive dust, there is the added annoyance that this dust lands everywhere in our yards, dirtying our patio furniture, plants and newly washed cars. It also blows into our homes and deposits on everything.

We used to be satisfied with using rakes, brooms and dust pans. But technology told us we were doing it all wrong. Were brooms too quiet? Was the air too clean?

Our gardeners used to quickly hose down the walkways after picking up the debris. With the past water shortage, we learned to conserve water. Maybe that trade-off should be revisited. At least with minor water use, the particulates stay on the ground. However, I think the real issue is not using rakes and brooms and water. It is more the expeditious use of the gardener's time.

In our society we have learned (or should be learning) that when we excel at doing one thing better at the expense of harming something else, we end up paying to repair that harm later. Gardeners have told me that it would take longer to do a yard without a leaf blower, and therefore they would charge more.



**"WHEN LOS ANGELES BANNED LEAFBLOWERS AS AN ENVIRONMENTAL HAZARD, I WAS IRATE. WHEN THEY BANNED LAWNMOWERS, I WAS LIVID. BUT NOW THAT THEY'VE BANNED CARS, I DON'T CARE — I CAN'T GET OUT THE FRONT DOOR ANYWAY."**

There have been dozens of cities that have banned leaf blowers, and there have been complaints by some gardeners and leaf blower manufacturers. But, due to competition and the fact that there is a very strong and defensible argument to ban leaf blowers, we have not seen an actual reduction in service or an appreciable rise in costs.

Diana Mann and I have formed Residents For Less Pollution to help protect our neighborhoods against the air and noise pollution of leaf blowers. So many of us now work or study at home, or work

nights and need more quiet time. What about the retired, or the elderly? Aren't we all entitled to enjoy the fullness of each day without the disruptive intrusion of leaf blowers?

Residents for Less Pollution gives us a rallying point and a process to ban leaf blowers. Call (562) 984-8309 or write P.O. 30165, Long Beach, 90853 to ask how you can help.

Jack Castiglione is a Bixby Knolls resident and small business owner.

JUL 17, 1997

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**DUCE** PRESS CLIPPINGS

## Leaf blowers huff and puff a bunch of mechanical racket

I have a deep-seated hate for leaf-blowers. And not because I don't have plenty of autumn leaves blanketing my walks and my yard every fall. I view leaf-blowers as symptomatic of some deep psychological flaw in the American way of life.

Therefore, I am particularly happy to report that, according to National Public Radio News, California lawmakers have just passed landmark legislation that outlaws the use of these terrible machines.

I came to know about the evils of leaf-blowers on frequent visits during the last decade to that great coastal empire to our west.

In truth, my *ONLY* close personal encounters with these awful machines took place in Sacramento, the capital city of that golden state. Members of my family, Chicagoans for generations, have become latter-day Californians, so for the first time in my life, I have had a specific reason to travel there rather frequently.

In particular, I spent time visiting my wonderful, aging mother, who was living on the seventh floor in a pleasant, retirement apartment complex close to downtown Sacramento.

Sacramento, I quickly learned, prides itself on its trees. And rightly so. Even on its steamiest days, this city's broad, central avenues are deeply shaded by the majestic trees that line its corridors.

Still, as a longtime transplant to the quiet rural life in the San Juan Mountain region of Western Colorado, I've become out-of-tune with the incessant din-n-n-n of metropolitan life.

Even from the distance of that seventh-floor apartment, the roar of the week-day traffic was unrelenting — except for Sundays, which for me became a holy respite from the grating, screaming, pounding noise of the city.

That is, until one Sunday morning when I was awakened by the unholy roar of some strange, new machine, just outside my mother's seventh-floor balcony. Not a chain saw, not a stripped-down motorcycle, and not a

nize — but a nasty, new sound.

Furious, I marched out onto the little balcony. There, directly below in the parking lot, I saw a maintenance man, and cradled under his arm was a machine that looked like a bazooka. Maybe a little smaller than the real thing we see on television, shouldered by some crazed, third-world revolutionary, but it was definitely similar.

With the force of a well-focused tornado, the California machine was furiously blowing leaves — just plain ol' everyday leaves, mind you — across the parking lot. I further observed that when a leaf or two danced off in the wrong direction, the machine's operator revved up the thing and — with increased fury — chased down those errant leaves as if they were escaped murderers.

"Holy Sacramento. What's this world coming to?" I asked myself. "Have I lived in San Miguel County so long that I am centuries out-of-touch with what goes on in the real world, the world outside?"

The answer, unfortunately, turned out to be "yes."

During my next visit, which had to do with which relative would drive me where, I stayed overnight at the home of my niece, Edie, and her husband Tim. She is a school psychologist, and he is an attorney. They have two school-age girls.

I was to busy myself doing whatever, during the morning. Then Edie would pick me up at noon, and together we'd attend some no-longer-remembered school function.

It was spring. This was a safe, yuppie sort of subdivision with circular drives, formula landscaping, and, well, everything was just terribly *NEAT*.

Perfect for a morning walk. But I'd hardly gone a block (make that a semi-circle) before I saw that the whole place was being invaded by a small army of workers who were arriving in pickups trucks filled with mowers, chainsaws, clippers, trimmers, deep-root feeders and sprayers.



# Grace

continued from Page 4A

And, I soon learned, leaf-blowers.

By 10 a.m. the noise was deafening.

This was a war zone. It was nature being conquered by machines and, it appeared, an unhealthy dose of chemicals as well. Weed killers, bug killers, and fertilizers — stuff like that.

To my rural eyes, the scene seemed absolutely surreal. Worker bees, moving swiftly to complete their particular task. Power mowers growling across sloping lawns, maneuvering expertly to trim around sculptured greenery, and along the requisite curving entry walks and paved driveways, both of which were spotless.

Like some alien from another planet, I walked wide-eyed through this residential landscape. Here, a worker-bee with a screaming chainsaw, taking down a sickly tree. There, the bazooka-leaf blower thing, on the hip of another worker-bee, blasting twigs, grass cuttings and whatever along the curbs.

I saw virtually no one else. Just the teams of yard-and-garden technicians — and me, the walker. At this hour, all the homeowners are away, I said to myself, working at whatever it is they do.

And so they have no IDEA what massive, ear-splitting, brain-busting stuff goes on during summer mornings in their otherwise sublime California subdivision. Perhaps the residents here never actually deal with this deafening noise pollution.

By the time they wheel in, along the circular drives and crescent lanes, tranquillity prevails. Nature has been tamed, trimmed, and the scraps blasted away.

Now, perhaps four or five years later, my heart lifts as I listen to NPR, telling me that a lot of somebodies in California figured that leaf-blowers were simply the *LAST STRAW*. And that it's now illegal to run those idiot machines in that state.

The news story pointed out that California cops say, sourly, they have better things to do than hotly pursue law-breaking leaf-blower operators. So enforcement of this landmark new law is uncertain.

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But California has once again stepped forward, leading the way, first with air-quality legislation, and now noise pollution. Admittedly, outlawing leaf-blowers is a tiny step, but it *DOES* send a signal.

As we sit here, on the cusp of a new century, I find that heartening.

*A veteran regional reporter, Grace Herndon is Chicago reared, Colorado College educated, and seasoned by five decades of Norwood ranch life. Now, a curmudgeonly columnist, she treasures the West, worries about kids, forests and open space, and still thinks honesty is the best policy.*

# Newsday

THE LONG ISLAND NEWSPAPER

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WEDNESDAY, AUG. 6, 1997 • NASSAU

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# Making Some Noise

By Andrew Metz  
STAFF WRITER

At the end of a neatly groomed lane in Great Neck, Eric Pomerance is enjoying a peaceful summer afternoon. He settles into a chair as strains of a violin concerto thread through his living room.

Then comes the sonic assault. Pomerance cringes. He shuts the back door, barely dampening the din.

"You could lose your sanity. That's a medical fact. You could go crazy . . . You are being attacked," the retired animation cameraman said the other day, inveighing against the wall of a leaf blower down the street. "Why the law allows you to mount an internal combustion engine on a man's back is inhumane. It's nonsense."

Pomerance is not alone in his anti-blower invective. In a quintessentially suburban movement that veers from rational to rabid and along the way taps into environment and class, homeowners and lawmakers in lawn-and-garden communities across Long Island and the nation are turning against the machine that for three decades has harnessed 180 mph gusts to manicure their homesteads.

The tool that quickened the pace of garden grooming has become the latest suburban scourge, perceived by some as a threat to the aesthetic and quality of life it helped perfect.

This June, the Village of Great Neck Estates enacted a summer ban on gasoline-powered blowers, making it the first on Long Island to do so and following the lead of municipalities in Westchester County and California, including Los Angeles, which is struggling to implement a contentious year-round ban begun last month.

Two Long Island townships, a handful of villages and New York City have all recently restricted the hours when blowers can be used. And officials in several other local communities are considering stricter prohibitions.

"I get more complaints about leaf blowers than any other town issue," said Huntington Town Board member Steve Israel, who is proposing a townwide phaseout of blowers louder than 65 decibels, the touted output of the quietest model. (Older blowers can exceed 90 decibels, the volume at the epicenter of a dance club.)

## Residents vs. landscapers on leaf blowers

Armed with statistics on pollution emissions and deafening noise, ban proponents contend the devices are irritating and dangerous to users and to the public. If the noise doesn't drive you to depression or dementia, the smog-creating emissions and the airborne particulate matter will sicken, maybe kill you, some of the most impassioned opponents argue.

"You can't use your garden. People say they can't think, they can't study, they can't write," said Edith Mendel, chairwoman of the Great Neck Estates' Environmental Conservation Commission, which led the push for the village ban.

However, industry experts and professional gardeners assert that the blowers are being unfairly singled out from other loud power equipment in a battle between a vocal, affluent and influential minority and thousands of unorganized, working-class gardeners. And, according to commercial users, blowers are time-saving tools, without which business would sag and prices would soar.

"It is absolutely nuts. You can't believe the rhetoric we hear," said Joseph Tinelli, a Westchester landscaper and former president of the New York State Turf and Landscape Association. "The ones that are arguing for these bans are affluent, save-the-whale types. They are retired or they work at home."

By most accounts, power blowers first entered the American yard-care arsenal in the early 1970s, and like many phenomena first gained a foothold in California. During a drought in the mid-1970s, when water conservation was mandated, blowing replaced hosing to clean driveways and sidewalks. Thus, an

industry was born.

By 1976, Beverly Hills, perhaps the pinnacle of impeccable lawns, had banned blowers, decriing them as nuisances. Through the 1980s other California municipalities took up restrictions. And as home has increasingly become a workplace, and environmental awareness has heightened, the idea fanned out.

Meanwhile, the tool, whether backpack-style, handheld or mounted on wheels, has become standard in garages, equipment sheds and utility trucks. It is used in every aspect of yard cleanup and has even been adapted for blowing out fires.

By industry estimates, there are more than 8 million gas-powered blowers in the country today; and another 1.5 million are expected to be sold in 1997. Federal Environmental Protection Agency figures put the existing population at closer to 3 million.

Communities from coast to coast have considered regulating the devices. At least 40 communities in California have bans or restrictions. Three Chicago suburbs, several New Jersey towns, and seven communities in Westchester, including Scarsdale, which had its law briefly struck down as unconstitutional, have restrictions or seasonal bans.

On Long Island, the towns of Oyster Bay and Huntington as well as the City of Long Beach and the Villages of Atlantic Beach, Roslyn and Sea Cliff have restricted when blowers can be used. In New York City, Queens Councilman Sheldon Leffler is investigating the feasibility of a ban or a muffler requirement. And officials and residents in the Great Neck villages of Thomaston and Kensington are considering outright bans.

"It's vogue. It's the thing to do. The perception is that the city councils are doing something good. But they don't have any idea of the potential backlash," said Robin Pendergrast, who for the past 11 years has been battling proposed bans on behalf of Echo Inc., the nation's largest blower manufacturer.

Wherever there are bans, users and dealers contend they are losing money. In Westchester, commercial landscapers said they're not buying as many blowers

Please see LEAF on Page A34

# Making

LEAF from Page A7

because of the bans and dealers report that their sales have dropped. And in Los Angeles, one of the top power equipment dealers in the state said his blower sales have been reduced 40 percent this year.

"It's really not a leaf blower," said Bob Schupbach, president of the Nassau chapter of the Nassau-Suffolk Landscape Gardeners Association, a 1,300-member organization. "It's a power broom and it's able to make us work more efficiently."

Schupbach estimates that without his blowers, a typical property would take at least 40 percent more time to clean using rakes and brooms. "It has become an essential part of our business," he said.

Andrew Hanlon, a North Merrick landscaper, agreed: "I am a gardener for 44 years now. I did gardening before rotary mowers, before string trimmers and we had to sweep. The blower does it all very quickly. We would probably need two more men in a crew if we had to really sweep or rake.

"They are noisy," he acknowledged. "But we are making an effort to educate the gardeners" — so blowers are less of a nuisance.

As the noise complaints have mounted nationwide, Echo and a few other companies have devised quieter blowers and advocated limiting use to reasonable hours, running as few as possible, and when possible operating the machines at half throttle. And Echo, an Illinois-based company, this summer unveiled a \$425 backpack blower that it advertises is the quietest on the market — 65 decibels.

The company, however, is locked in a dispute with Consumer Reports, which published test results last month indicating the machine was considerably louder.

Pat Voges, a retired Bay Shore garden equipment dealer who also is a member of the gardeners' association, said that much of the backlash here is because of non-licensed gardeners, cavalier crews who pay no heed to the time of day or number of blowers in use. In an effort to educate gardeners, the association has started blower training sessions and is issuing certification to those who take the class.

The unmistakable, high-pitched whine — often played by a symphony of blowers on the same street — may be the annoyance that calls people to the cause, but the environmental issues are what really enrage many opponents.

"We didn't realize there were a lot of contaminants being blown into the streets. That was an eye-opener for us," said Great Neck Estates' Mendel. "There are many more reasons than noise to have this restriction."

Among the major environmental complaints about blowers are that they stir up and spread harmful particulate matter — feces, dirt, chemicals and bacteria. These airborne irritants agitate allergies and have been linked to respiratory and other serious health problems.

Opponents also decry the blower's smog-causing emissions — hydrocarbons, carbon monoxide and nitrogen oxides.

According to EPA studies, one leaf blower operated for an hour gives off the same amount of volatile organic compounds, or hydrocarbons, as a typical passenger car driven 100 miles. California air quality agencies put the number between 350 and 500 miles, depending on the blower.

"It's like having 12 diesel engines sitting on my front lawn running," said Maureen Cruise, a former public health nurse from the seaside Los Angeles community of Pacific Palisades. "This has been painted as an elitist issue. . . . The blower is an equal opportunity polluter, but it tends to affect the gardener with more ferocity."

Sitting at her kitchen table on a recent evening, Cruise said professional gardeners are the front-line victims, often uneducated or without access to public health data. And they are being exploited by blower manufacturers, who know the product's risks, she said. "These guys are being poisoned. We know these machines kill . . . and we are next in line," she said.

In 1994, the EPA called the pollution from lawn and garden tools a "significant source of ozone and

# Noise on Leaf Blower Issue

carbon monoxide emissions" and established standards for new, two-cycle engines, which power the blowers. The regulations go into effect at the end of the month and are expected to reduce hydrocarbon emissions by 32 percent, according to the agency. California has had similar standards since 1995.

Lawn and garden equipment contribute about 6.8 million tons of pollution a year, according to the EPA. And they account for about 50 percent of all summertime emissions from nonroad sources, according to the agency's figures. But that is less than 1 percent of all emissions nationwide, agency and industry data show.

Many ban supporters acknowledge that their efforts are not the answer to pollution, but part of an overall effort to clean up the environment and improve quality of life.

"It's for the public good," explained Larry Nadel, the mayor of the Village of Great Neck Estates. Residents "were looking for some relief. We can't get rid of lawn mowers because there is no other way, and we want to have grass. We can't get rid of airplanes. This was something we could do to move forward to a quieter, more peaceful summer."

Gardeners and industry officials call the environmental concerns undocumented and exaggerated.

"Feces and all that stuff, I'm sorry, I don't buy it," said Pendergrast, Echo's national spokesman. "If blowers caused bodily harm, if they were injurious, I'd be the first one to call them off the market. But it's not the case."

Pendergrast said the company is looking into tak-

### Suburban Scourge?

Gasoline-powered leaf blowers come in three styles: backpack, hand-held and mounted on wheels. The backpack style is the most popular type for commercial landscapers. Here are some facts about the backpack unit.

- Cost: \$246 to \$650.
- Size: Roughly 24 inches wide and 30 inches tall, with a 4-foot blower tube.
- Composition: Plastic and metal.
- Weight: 17.5 to 24.5 pounds.
- Engine Power: Run by two-cycle gasoline engine that burns a combination of oil and gasoline.
- Airflow: Air is pushed through the tube at 80 to 180 mph.
- Noise: Ranges from 85 to 88 decibels — louder if machine is older or in bad condition. The federal government requires hearing protection for workers subjected to 90 decibels or more.
- Exhaust: Opponents say the system's exhaust contributes to smog and air pollution. Users argue that the units comply with all federal and state emission standards.



Source: Echo Inc.; Golden Eagle Distributing Inc.  
Illustration by Irvingstock Ltd.

as trimmers or mowers. And because like most other similar bans, the village only barred blowers from residential areas, not expansive tracts like golf courses.

"You have got to act evenhandedly, not arbitrarily," said Knaplund, who is now retired and living on Cape Cod. "It banned a particular machine without banning others that may or may not be just as noisy... People in like circumstances were being treated differently."

Experts on both sides of the issue said they know of no other challenges. This summer in the Village of Great Neck Estates, officials said the reprieve from blowers has been a delight, except for the 11 gardeners who have been cited for illegal use.

"It is so much quieter," said Mendel. "It is hard to believe what we have been suffering through all these years."

Of course, come fall, she said, the village will gladly welcome back the machines — "we think they have a use during leaf season."

And, not lost on the landscapers, is this rub: a conflict between those who pay to have their lawns maintained, and those who do the work.

"The people that are complaining know nothing about our trade," Hanion said. "All they know is that they come home and the house is clean. If you gave them a rake and said 'here's that pile of leaves out there,' they'd be there all day."

"If you are cutting 12, 14 lawns a day and you have got to put the whole crew over there to start sweeping, that is less houses you can do a day. And there's your income or your profit out the window."

## Gardening Crimes in L.A.

### Use of blowers is illegal, but debate over their use continues

By Andrew Metz  
STAFF CORRESPONDENT

Los Angeles — It is just past noon on a hot, cloudless day in the sky-high Wonderland Park section of the city, and Raudell Salazar, a second-generation gardener, is engaging in a criminal act.

In a verdant yard of roses and orchids and lantanas, nestled into an ivy-covered precipice of the sun-baked Hollywood Hills, Salazar bends to the close-cropped grass, yanks an engine pullcord, then hoists the blaring contraption to his shoulders.

"We've been using this machine since the '70s when the first drought came around," said Salazar, 30, leading the leaf blower nozzle over the concrete patio and around a flower bed. "[It] cuts my work in half and it saves the homeowner a lot of money and water."

Its use is also illegal, carrying a potential \$1,000 fine, a court citation and untold other penalties.

After an 11-year fight that has cleaved this city along socio-economic lines, firing up the ubiquitous gas-powered leaf blower — the tool that has helped make Los Angeles one of the most manicured spots on earth — has been prohibited within

500 feet of homes.

Although dozens of cities in California and around the nation have prohibited or restricted blowers, nowhere in the country is the debate over blowers more pronounced, eye-catching or influential.

"I don't think we are simply looking at the effect in a city of 3.1 million people," said Glenn Barr, deputy to one of the law's main proponents, Councilwoman Cindy Miscikowski, and to its architect, former city councilman Marvin Braude. "There is a significant potential ripple effect in the state and the rest of the country."

Industry officials, gardeners and ban advocates are focused on the city as it tries to implement the law, which went into effect July 1. A week later, at the urging of the Los Angeles Police Department, enforcement was stalled for six months.

"There are some challenges to be overcome," said Cmdr. Art Lopez, who oversees the force's small noise enforcement team. "But we aren't saying it can't be done."

Among the pressing questions that came before the city council were: Would blowers be confiscated? Would employers and homeowners who sanctioned their use also be cited? Would warnings be issued?

And would beat cops do the policing?

The council is setting up a committee to resolve these and other outstanding issues, and according to Miscikowski, possibly to expand the law.

Many ban supporters in her district have urged a total prohibition. Currently, as with most of the bans, the tools can still be used in non-residential areas such as stadiums and urban streets.

"Can you imagine cleaning out Dodger Stadium with a broom? Or New York City after a ticker tape parade?" said Steve Tsujiuchi, manager of Yamada Company, one of the largest power-equipment dealers in California, which sells as many as 1,000 blowers a year, and has supplied the City of Los Angeles. "This is like in the construction industry taking away circular saws."

The argument doesn't sway passionate blower opponents in this city where air pollution is a top issue and cause celebre. First bothered by the blower's noise, the advocates of a ban now fear environmental and health hazards. And they say if the tool is so important, the ban will force manufacturers to create an environmentally friendly alternative.

"It really touched a nerve," said Miscikowski, a former Braude aide who last month replaced him in representing District No. 11, one of the city's most affluent areas. "The tranquility of our homes and our environment is really a health issue."

The result is a bitter deadlock that is dredging up divisions in a city wrinkled with class and race fault lines. "You are talking about people who are in the entertainment industry, people who can afford to stay home," said gardener Brian Yamasaki, characterizing the anti-blower contingent.

Pausing from grooming a meticulous garden of azaleas, impatiens, pittosporum and queen palm, Yamasaki, secretary of the Southern California Gardener's Federation, said he hopes the city will consider a compromise, such as restricting the noise level or when blowers can be used.

The whole dispute has left gardeners — who have mounted large-scale protests at city hall — feeling tarnished. "Before, we were seen as hard-working people," said Salazar, blower in hand, dirt glommed onto pants, boots, T-shirt and baseball cap. "Now we are seen as polluters."



Tom Hatlen  
Editor

## Company buyers beware

I talked to a contractor who bought companies and has made money on his deals *from the start* of each. I also talked to a contractor who bought companies and in some cases lost 50% of the new contracts in the first few months. Then I asked the contractors and a couple of industry consultants what happened. From this, I came up with 3 major categories of issues that came into play:

1. Knowing what you're getting into in buying a company, what to expect.
2. Following the acquisition rules to prevent bad things from happening.
3. Acquisition pricing.

### What you're getting into

When you talk about buying companies, you're talking about financial issues, right? So I contacted financial consultant Frank Ross to address the subject. What struck me the most, was that he didn't talk that much about financing. He was emphatic about relationships.

In buying accounts, you're trying to buy relationships, relationships with new customers, relationships with employees. This is nothing like buying a retail store with a good location where people will come to buy their milk and bread no matter who's behind the counter.

This is a relationship business and you really can't *buy* relationships. I think that's why this issue was planted so firmly in Frank's financial mind. Deal with quantifiable issues. Relationships are a wild card that can't be wrench into a perfectly calculated acquisition. Relationships end when the past owner or customer contact leaves. If you're unable to build a new one, you lose the account.

### Follow the acquisition rules

OK, there really aren't any hard and fast rules. That's one of the things that makes buying companies such a precarious business. There are, however, a number of things you can do to encourage accounts to stay on and to protect yourself if they don't:

- Avoid buying companies where relationships are too close — because you'll never be good enough.
- Keep people at the center of the relationships on for a transition period.
- Tie your payments to the accounts continuing to pay you.
- Use confidentiality and non-compete agreements.

The theme section articles on pages 8, 10 and 12 address these issues in detail. But this issue of protecting yourself needs further exploration.

The contractor who suffered heavy account attrition lost them for several reasons. Probably the most easily preventable losses were due to not having the proper agreements in place.

He lacked non-compete agreements. Right after he bought out a company, the seller went back into business. The seller's established relationships with the customers easily won back customers away from the buyer.

The account thief's argument was that he didn't go out looking for the accounts. They came to him due to poor work or bad service or whatever excuse he could come up with at the moment.

This guy would probably advise anyone to sell their company. He's probably sold his several times.

### Acquisition pricing

The going price and how you calculate it for buying a company's accounts varies a lot depending on who you ask, where you live and what you buy. Here are a few approaches:

Frank Ross suggests you pay for profits over an agreed-upon period of time — maybe 3 years. You don't pay on the sales price because you pay expenses and overhead as you go. You're really buying profits. If 3 years of profits were \$100,000, that would be your price.

- Contractor Gary Kart says the going rate to buy accounts in Atlanta is 3% to 8% of each billing over a set period of time, maybe 1 to 3 years. Since Gary's profit is higher than this, and since he

## Still making noise about blowers

Over the past 10 years, power blowers have been making headlines in major metropolitan papers on the East and West Coasts and in cities in between. Unfortunately, the stories with these headlines fail to convey how practical these machines are and how landscapers and lawn maintenance professionals depend on them to make a living. Instead, they dwell on the perceived negative environmental impact they have, more specifically on the noise they make.

Power blower manufacturers, distributors, dealers and end-users, especially lawn maintenance professionals, have too much at stake to allow restrictions to go unchallenged. Restrictions which put an end to what a few groups find to be an irritating noise, more succinctly threatens the very existence of lawn maintenance companies and an industry that serves them.

The noise issue as it relates to power blowers was not and is not a passing fancy. Several cities today have blower restrictions in place; some even have outright bans.

### How to be proactive

If you're in the lawn maintenance business and think the noise issue will never affect you or your business, think again. It can happen to you and the only way to ensure it won't is to take a proactive stance today:

- Make sure the people who operate your blowers do so with the public's best interest in mind. Operate the blowers at reasonable hours and at reasonable throttle rates. About 95% of the population isn't annoyed by blower use. But the 5% that find it troublesome need not be encouraged by less than thoughtful use.
- Keep your equipment maintained too. And when it comes time to purchase a new blower, shop around. There are quiet blowers on the market that have significantly reduced decibel output. Again, the key is to use blowers as unobtrusively as possible and still get your work done as efficiently as possible.
- Stay tuned in to complaints about blower noise in your communities. To be sure, if a customer has a noise complaint, then work quickly to rectify it. The same holds true for a neighbor. And if there is a public discussion about blower noise, don't ignore it. Get together with fellow users and present a united front to demonstrate how sensitive you are to the public's need and to show you will not allow a vocal minority to take away one of your most valuable tools.

### Handling debris the old-fashioned way

Strangely enough, the same people who argue against blower use don't have an argument over equipment that operates at a much higher decibel rate than blowers. This leads one to believe the issue is less an environmental one and more a philosophical one. Blower use detractors would rather see contractors do the job the old-fashioned way and use a broom instead of using power equipment to get the job done.

In today's competitive market, the old fashioned way is unacceptable. Just ask any of several hundred lawn maintenance operators around the country who have lost their right to use blowers. You may be tired of reading about the blower noise controversy. But you will be even more tired if restrictions find a place in your backyard. The moral is: Always work with the public's interest in mind — but don't let this same public take away tools that help you earn a living.

For more information, contact Echo Incorporated, 400 Oakwood Road, Lake Zurich, Illinois, 60047 or call (847) 540-8400.

Robin Pendergrast of International Marketing Exchange, Inc.,  
public relations consultant to Echo, Inc.

### LETTERS POLICY

PRO reserves the right to edit letters to the editor for length, clarity, grammar and fairness. PRO will try to print letters received, space permitting, but inclusion cannot be guaranteed. Letters should be limited to less than 300 words in length. Letters must be signed by the author, and include company name, city and phone number. Letters may be verified by phone.

Letters can be sent to PRO via mail: Editor, PRO magazine, 1233 Janesville Ave., Fort Atkinson, Wisconsin, 53538; fax: Attention PRO editor, (920) 563-1699; or by e-mail: thatlen@jhp.com.



# Council agenda report

CITY OF SAN LUIS OBISPO

**FROM:** Arnold Jonas, Community Development Director

**Prepared By:** Judith Lautner, Associate Planner

*AJ*

**SUBJECT:** Power blower committee report and proposed noise ordinance amendments

## CAO RECOMMENDATION

1. Review final report from the City's Power Blower Committee;
2. Adopt Negative declaration of environmental impact;
3. Adopt an ordinance modifying the noise regulations to prohibit use of blowers on Sundays and require a maximum noise output of 70 dBA at 50 feet from the blower, and
4. Review the draft education program. Make suggestions or requirements as appropriate.

## REPORT-IN-BRIEF

The City Council has discussed power blower use in this city on several occasions. In February 1997, the Council directed staff to draft amendments to the noise regulations, to prohibit blower use on Sundays and to limit noise levels from blowers to 70 decibels at 50 feet from the blower. The Council also directed staff to create a committee of volunteers to develop a more effective education program, to educate users and detractors of power blowers.

The amendments have been drafted and the committee formed. The committee has met four times and has developed an educational program. The primary element of that program is the creation of a flyer to be distributed widely and kept at shops where blowers are sold. The flyer would spell out the City's laws exactly, provide tips for proper use, and explain how the laws are enforced.

Other elements of the education program include enhancing police response, creating newspaper advertising, and re-writing the noise regulations. Not all of these elements will necessarily be implemented.

The Council should adopt the amendments and review the education program.

## DISCUSSION

### Background

On January 20, 1993, the City Council responded to complaints by a citizen (Alan Friedman) about problems associated with leafblowers. The Council directed staff to research the issue and return with information on these machines.

On January 25, 1994, the Council reviewed a report on these machines. After public testimony and discussion, the Council directed staff to work with the California Landscape Contractors' Association (CLCA) to 1) prepare amendments to City noise regulations to limit further the hours that power blowers may operate; and 2) develop an educational program to inform landscape workers of the proper ways to use these machines.

On April 19, 1994, the Council held a public hearing to review amendments to the noise ordinance and to review a draft educational program. The Council passed to print an ordinance limiting the use of power blowers to between the hours of 8 a.m. and 6 p.m., and accepted the educational program. Because of concerns raised by the Public Works Director, the Council delayed final action on the noise ordinance change until July 19, 1994. At that time the changes were finally passed as initiated.

In October 1994, the Council changed the regulations to allow blowers to be operated outside residential areas from 7 a.m. to 6 p.m., rather than from 8 a.m. to 6 p.m., and asked that staff return with an ordinance setting decibel limits for blowers, including a certification program to assure enforcement of the noise limits. Such an ordinance was presented to the Council on March 19, 1996 and rejected because it was difficult to implement.

On February 18, 1997, the Council once again discussed blowers. After taking testimony from several citizens, the Council directed staff to return with changes to the noise regulations prohibiting blower use on Sundays, and limiting noise levels to 70 dBA at fifty feet from the blower. The Council also directed the Police Department to start logging blower complaints and directed staff to establish a committee of volunteers to report to the Council on suggested ways to "educate users and detractors about the different types of equipment." Staff was to report on the makeup of the committee, its charge and specific procedures.

The draft amendments to the noise regulations are complete. A volunteer committee has met four times and developed a series of recommendations on noise ordinance amendments as well as a new and improved draft education program, part of which is underway.

### Evaluation

1. **Committee report and recommendations.** A volunteer committee has been created. The membership of the committee has varied over the times it has met, but generally consists of representatives from the landscape maintenance industry, an acoustical engineer, and City public works and planning staff.

At the first meeting, volunteers were given the direction provided by the Council in February (see minutes of that meeting, attached). The direction was to "educate users and detractors about the different types of equipment." A brainstorming session was conducted. In the following meetings the committee solicited additional comments and information from blower advocates and opponents and the Police Department. Some conclusions were drawn:

*The primary noise problems come from blowing in the downtown area and in shopping center parking lots.* This work has to be done at times that businesses are closed or have little business. Therefore, some maintenance crews use blowers in the middle of the night, particularly in shopping center lots (in violation of regulations). Public parking lots downtown are maintained under contract to the City, and therefore these workers have been required to use blowers only during the allowed hours.

Meeting the City's current requirements results in a quandary: when blowers are used in parking lots only after 7 a.m., the operator must work around vehicles and persons arriving for work. According to landscape contractors on the committee, it takes about twice as long to clean parking lots after seven than before. This means the noise continues for longer periods and more

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people are offended by the noise and dust. On the other hand, downtown residents are sometimes awakened by blowers used before seven.

*Noise concerns are not restricted to leaf blowers.* Citizens invited to committee meetings expressed concerns with sidewalk steam-cleaning operations, construction noise, and other power equipment. There were recommendations to prohibit construction activity on Sundays and holidays. Because construction and steamcleaning is different from yard work, the committee was not in a position to comment on or make recommendations on these other areas. It would not be inappropriate to regulate other power gardening equipment use in a manner similar to that of power blowers. If the Council chooses to pursue such an option, it should provide specific direction to staff.

An education program has been drafted. The committee and its guests came up with many ideas for a) informing users of the City's laws on power blowers; b) encouraging appropriate use of blowers; and c) letting people know what to do when these laws are broken. A copy of the draft education program is attached. The following paragraphs explain parts of the program.

a. **The flyer.** The primary element of the program is the creation of a flyer that is specific to San Luis Obispo. The flyer is to let people know, in a friendly manner, exactly what the law says. It will also provide tips on proper use and who to call for apparent violations. A copy of a draft version of that flyer will be available at the Council's meeting.

The committee recommends that the City send the flyer out in all water bills, distribute it to all businesses within the city and most of the county that sell power blowers, send it to all known landscape maintenance persons who work within the city limits, distribute it at meetings of the California Landscape Contractors' Association, to the Cal Poly Ornamental Horticulture Department, and any other relevant organizations. Copies would be handed to persons applying for business tax certificates for landscape maintenance. This broad-brush approach is intended to reach most residents and gardeners in the city.

b. **Police response.** Enhancing Police effectiveness was also high on the committee's list. Complainants have said that when they call the police, citations are rarely issued and the responding officer normally does not appear to know what the regulations say.

As directed by the Council, the Police Department (PD) has created a separate code for power blower calls, so that the number of complaints may be more accurately tracked. Noise violations are misdemeanors, which means that the officer must actually see and hear the violation before he or she can issue a citation. Because most blowing is done in a matter of minutes, the officer often does not have an opportunity to observe the blower in action. In these cases, the complainant is often dissatisfied with the response to the complaint.

In 1997, a total of seven calls were logged in under the new blower code (5314). One of these resulted in a citation. It is possible that some calls were taken and logged

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under a separate number, but that is possible with any type of call. This number is consistent with the numbers in previous years, and indicates that blower complaints are still not high in number.

The committee determined that there are two ways the PD can enhance blower enforcement, without the need to create a whole new program:

- *Education.* The noise control officer can make sure that beat-duty officers are made aware of the hour restrictions.

- *Use "FI cards".* The police are authorized to use "Field Interrogation cards" where there are "suspicious circumstances". The officers who are called for a blower complaint can be directed to take down the name and address of persons suspected of using blowers in violation of the regulations (in cases where citations cannot be issued). These names would then be given to the persons responsible for mailing informational flyers, and letters with flyers would be sent to the alleged offender. If the same operator then violates the law at a later date, the officer would have a record that he or she had been informed and may choose to step up enforcement efforts.

Although these small changes can improve the effectiveness of police response, possibly the greatest change needs to take place in public expectation. Complainants often do not understand why officers cannot write citations for violations they do not themselves observe. The flyer and other educational efforts are expected to help improve that understanding.

c. *Other efforts.* The committee established the following as medium- and low-priority on the education program. These ideas would be pursued if determined necessary after the high-priority items are implemented:

*Plain-language noise ordinance.* Many members of the committee confessed to some confusion in reading and understanding the way the ordinance is now formatted and written. An admirable goal for the committee is to rewrite at least that section that deals with power blowers, so that it is immediately comprehensible to most citizens.

*Newspaper advertising.* Eye-catching, graphically-intense display ads could be produced, that provide simple tips for consumers, in a format similar to that used by the Utilities Department in its current public relations campaign. The blower campaign would not be as large or elaborate as Utilities', but would be fairly regular. For example, ads may be produced quarterly. A related possibility is the addition of blower laws and tips to the City's web pages. Cost for this item could vary widely, depending on the type of ad (display or public service), its size and frequency of publication.

*Blowerfest.* An event at Mission Plaza or elsewhere, offering information, demonstrations, tips on how to get the most from a blower efficiently (and with less pollution). The event could be stand-alone (not likely to attract a large crowd) or part of some other related event.

Other ideas will be reviewed further as the high-priority projects are completed. The committee has been meeting monthly, and is scheduled to meet again on October 15, to review the Council's actions on this item, finalize the design of the flyer, and pursue any next steps. The committee's work is essentially complete, with the exception of follow-up review and assistance as necessary. Meetings in the future are expected to be called less frequently.

- 2. Noise regulations changes are made. Amendments to the noise regulations have been drafted, that limit decibel levels and prohibit power blower use on Sundays. These changes are incorporated into the attached draft ordinance. The power blower committee discussed prohibiting blowers on holidays as well, to preserve the quiet for several extra days per year. However, there was concern that people would not know which holidays are affected, and that holidays are the only chance for some residents to do many maintenance jobs around the home, and many of those jobs require a power blower. For these reasons, the committee supports the prohibition on Sundays but not on holidays.

The City's parks maintenance supervisor is concerned about prohibiting the use of all blowers on Sundays. The Jack House property is usually maintained on Sundays, with the use of electric blowers. The minutes refer to blowers, with no distinction in kind. If it was not the intent of the Council to prohibit all blowers, the regulations can easily be amended to correct this.

The committee's acoustical engineer and the Police Department representative have both commented that regulations limiting decibel levels are not likely to be enforceable, except in extreme cases where separate testing is worthwhile. Sound measurement is not simple and is affected by many variables in the environment. The only fair way to determine if a machine does not exceed the 70 dBA limit is to test it in controlled circumstances, an option not normally available to the average police officer.

However, it is appropriate to have such a limit in our ordinance. This regulation can be used to sway blower buyers toward the quieter machines. Virtually all new blowers are being manufactured to meet this standard today, and are marked by stickers on the machines themselves. But many older-built machines are still on the market. It will still take a few years to phase out all of the older, noisier, more-polluting machines.

**CONCURRENCES**

Public Works Parks maintenance staff is on the committee and is interested in retaining the ability to use power blowers in maintenance of all City properties. The Police Department notes that education is good, but also that increased knowledge of the law may lead to a greater number of complaints. Other departments have no concerns with blowers.

**FISCAL IMPACT**

Other 2-97

Power blower noise amendments and education program

Page 6

As currently constructed, the education program is expected to cost an initial \$1,000 for flyer reproduction and mailing costs. Periodic massive re-mailings (every year or every other year) would cost a similar amount. Newspaper advertising may be a "public service", if the committee feels the newspaper staff can create effective ads. This advertising is more likely to be in the form of paid display ads, which would be designed with cost in mind. For the limited need at present, City graphics-capable staff is being used. The Public Works and Community Development Departments are anticipating sharing the costs.

**ALTERNATIVES**

The Council may adopt an modified ordinance, if concerns are raised during the hearing that have not been addressed by it.

The Council may continue action. Direction should be given to staff.

The Council may, by minute action, choose to make no changes at this time.

The Council may recommend or mandate certain changes to the education program or require its elimination.

**Attachments**

- draft ordinance
- environmental initial study
- draft education program
- draft flyer (if available)
- minutes of City Council February 18, 1997 meeting

**ORDINANCE NO. (1997 SERIES)  
AMENDMENTS TO THE NOISE REGULATIONS  
LIMITING DECIBEL LEVELS OF POWER BLOWERS AND  
PROHIBITING THEIR USE ON SUNDAYS**

WHEREAS, the City Council conducted a public hearing on October 7, 1997 and has considered testimony of interested parties and the evaluation and recommendation of staff; and

WHEREAS, the City Council finds that the proposed revisions are consistent with the General Plan, the purposes of the Noise Regulations, and other applicable City ordinances; and

WHEREAS, the City Council has considered the draft Negative Declaration of environmental impact as prepared by staff;

**BE IT ORDAINED** by the City Council of the City of San Luis Obispo as follows:

**SECTION 1.** The City Council finds and determines that the project's Negative Declaration adequately addresses the potential significant environmental impacts of the proposed text amendment to the noise regulations, and reflects the independent judgment of the City Council. The Council hereby adopts said Negative Declaration.

**SECTION 2.** Section 9.12.050 of the Municipal Code is hereby amended as follows:

9.12.050

\*\*\*

B. Specific Prohibitions. The acts, as set forth in this section, and the causing or permitting thereof, are declared to be in violation of this chapter.

**10. Domestic Power Tools, Machinery.**

- b. Operating a power blower in a residential zone or within two hundred feet of a residential zone between six p.m. and eight a.m., Monday through Saturday ~~so as to create a noise disturbance across a residential real property line.~~
- c. Operating a power blower in any non-residential zone between six p.m. and seven a.m., Monday through Saturday, ~~or between six p.m. and eight a.m. Sunday, so as to create a noise disturbance across a real property line.~~
- d. Operating a power blower in such a manner as to exceed the following standard:

Measurement location: Maximum noise level, dBA

50 feet from the blower 70 dB

c. Operating a power blower any time on a Sunday.

d-f. Any motor, machinery, or pump, such as swimming pool equipment, etc., shall be sufficiently enclosed or muffled and maintained so as not to create a noise disturbance in accordance with Section 9.12.060 of this chapter.

**SECTION 3.** A synopsis of this ordinance, approved by the City Attorney, together with the names of the Council Member voting for and against, shall be published at least five days prior to its final passage, in the Telegram-Tribune, a newspaper published and circulated in this City. This ordinance shall go into effect at the expiration of thirty (30) days after its final passage.

**INTRODUCED AND PASSED TO PRINT** by the Council of the City of San Luis Obispo at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ on motion of \_\_\_\_\_, seconded by \_\_\_\_\_, and on the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
Mayor Allen Settle

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

# Labor Efficiency Comparison

<b>EQUIPMENT</b>	<b>BROOM</b>	<b>HOSE DOWN</b>	<b>GIANT VAC</b>	<b>BACKPACK BLOWER</b>
<b>AREA</b>	168,989 Sq. Ft.	168,989 Sq. Ft.	168,989 Sq. Ft.	168,989 Sq. Ft.
<b>COMPLETION TIME</b>	Approx. 282 labor hours	Approx. 76 labor hours	Approx. 18 labor hours	Approx. 2.25 labor hours
<b>TOTAL LABOR COST</b>	\$4,018.50	\$1,083.00	\$256.50	\$32.06

SOURCE: Leaf Blower Comparison Report/City of Whittier, CA 9/92



International  
Marketing  
Exchange,  
Inc.



July 10, 1997

**ADDENDUM #12 - BACKGROUND PACKAGE**

1. Article - LAWN & LANDSCAPE, January, 1997, "Blowers Are The Only Option."
2. Chart - Labor Efficiency Comparison, Broom/Hose/Giant Vac/Backpack Blower.
3. Editorial - Golden Eagle Distributing Corporation ECHO NEWS Insert, January/February 1997 Issue, "Enough Is Enough!"
4. Ordinance No. 3449, Burbank, California, With Results.
5. CLCA Position Paper - **DRAFT**
6. Article - Portland, OR, Oregonian, January 18, 1997, "Don't Be Ridiculous."
7. Noise Control Position Paper, John Cockerill, February 12, 1997.
8. Article - T & O SERVICE TECH, January/February 1997, "Too Much Noise Is Big Trouble."
9. Editorial - YARD & GARDEN, February, 1997, "Not Just Hot Air"
10. Article - YARD & GARDEN, March, 1997, "Industry Unites On Blower Issue; L.A. Ban Is A Wake-Up Call For Future Legislation"
11. Article - Great Neck, NY, Great Neck News, February 14, 1997, "New Environmental Group Takes Aim At Leaf Blowers"
12. Article - Fresno, CA, Bee, February 15, 1997, "Blowers Pay Off"
13. Article - Santa Barbara, CA, News-Press, February 16, 1997, "So Many Reasons To Ban Blowers," "Using The Right Tools For The Job"
14. Article - Saratoga, CA, Saratoga News, February 19, 1997, "Council, Planners Consider, Reject Restrictions On Leaf Blowers"
15. Article - Los Angeles, CA, Rafu Shimpo, February 20, 1997, "Lawndale Bans Leaf Blowers"
16. Article - San Luis Obispo, CA, County Telegram-Tribune, February 20, 1997, "SLO Council Sounds Off On Noisy Leaf Blowers"

**EXHIBIT**  
4 5

17. Article - Santa Barbara, CA, News-Press, February 24, 1997, "Aren't There More Important Issues Than Leaf Blowers?"
18. Power Blower Position Paper, April 1, 1997
19. Article - Moorpark, CA, Star, May 17, 1997, "Tempest On A Sidewalk"
20. Article - LANDSCAPER PUBLICATIONS, March, 1997, "Blowers Banned In Los Angeles; Industry Reps Meet To Discuss Impact"
21. Article - Visalia, CA, Times-Delta, May 18, 1997, "Leaf Blowers Are Next Targets In Clean Air Wars"

## BLOWERS ARE THE ONLY OPTION

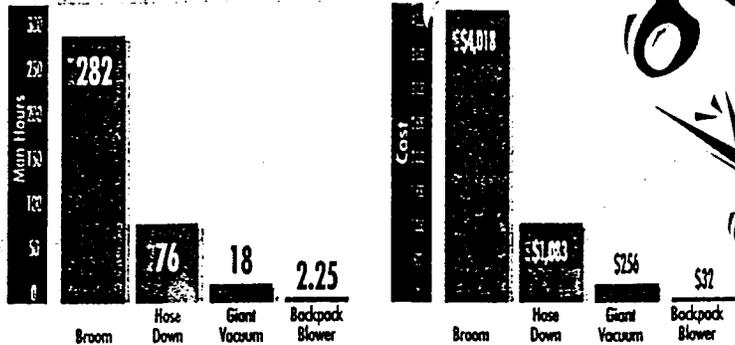
Gasoline-powered blowers continue to face potential restrictions from near-sighted groups focusing exclusively on the noise produced by these valuable tools.

One municipal study illustrates the value of blowers by measuring their productivity against vacuums, hoses and brooms. The study showed that an area of 168,989 square feet can be cleared in two hours and 15 minutes with a backpack blower, but takes 18 hours of work with a vacuum, three days with a hose and almost 12 days with a broom.

Critics also ignore the fact that backpack blowers triumph in affordability with a labor cost of \$32.06 for clearing that area, compared to \$256.50 for the vacuum, \$1,083 for the hose and \$4,018.50 for doing the job with a broom.

## CUTTING AWAY LABOR COSTS

This chart illustrates labor and cost savings with a backpack blower for clearing an area of 168,989 sq. ft.



Source: Echo Inc.

## SERVICEMASTER CONTINUES GROWTH — BUYS BAREFOOT

A MOVE that surprised the entire lawn care industry, ServiceMaster L.P., Downers Grove, Ill., announced plans to purchase Barefoot Inc., Worthington, Ohio, for \$230 million. The purchase, by the company that owns TruGreen-ChemLawn, will form the lawn care industry's largest company, with more

than 3 million customers. According to ServiceMaster, the transaction will be carried out with a tender offer to Barefoot stockholders of \$16 per share. The deal is subject to registration with the Securities and Exchange Commission, antitrust approval and completion of final due diligence by ServiceMaster.



Barefoot Grass CEO Patrick Norton (left) noted that with the sale of the company to ServiceMaster, Barefoot will now benefit from the emphasis given to service and training at TruGreen-ChemLawn. Credit: Photographic Design Group

Patrick Norton, CEO of Barefoot Inc., expected the deal to move smoothly, noting, "I would anticipate closing in about three months." He said the move by

excited about combining the nation's two largest lawn care companies with the objectives of creating expanding market opportunity, economies of scale and productivity improvements," said Carlos Cantu, CEO of ServiceMaster.

Norton added, "Barefoot is joining with the nation's largest lawn care company and one of the leading service companies in the country. ServiceMaster has a reputation for outstanding customer service, with an emphasis on training and developing people."

Barefoot reported annualized revenues in excess of \$125 million

from 53 company owned branches and 50 franchises. TruGreen-ChemLawn reported customer level revenues of more than \$630 million from 2.5 million customers serviced by 200

(continued on page 8)

*ServiceMaster will be the largest lawn care company in the U.S. with more than 3 million customers and more than \$755 million in revenues.*

ServiceMaster is consistent with the company's strategy for growth through acquisitions and called this deal the "biggest consolidation" so far.

Executives of both firms noted advantages for the combined company. "We are

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# Labor Efficiency Comparison

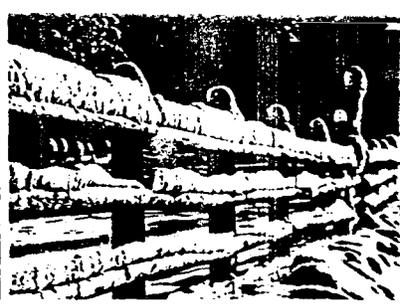
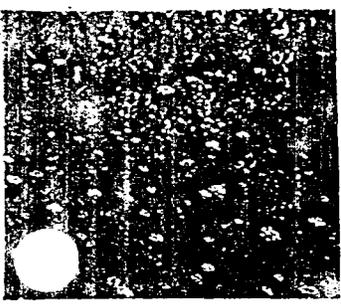
<b>EQUIPMENT</b>	<b>BROOM</b>	<b>HOSE DOWN</b>	<b>GIANT VAC</b>	<b>BACKPACK BLOWER</b>
<b>AREA</b>	168,989 Sq. Ft.	168,989 Sq. Ft.	168,989 Sq. Ft.	168,989 Sq. Ft.
<b>COMPLETION TIME</b>	Approx. 282 labor hours	Approx. 76 labor hours	Approx. 18 labor hours	Approx. 2.25 labor hours
<b>TOTAL LABOR COST</b>	\$4,018.50	\$1,083.00	\$256.50	\$32.06

SOURCE: Leaf Blower Comparison Report/City of Whittier, CA 9/92

# **QUIET1™**

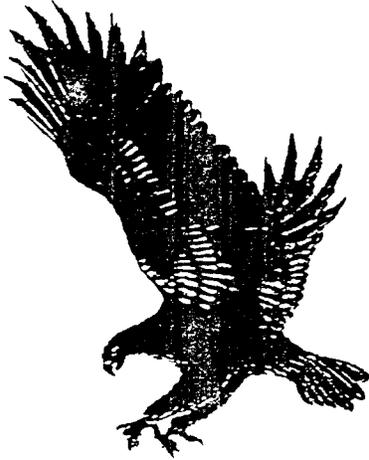
Echo Incorporated  
400 Oakwood Road  
Lake Zurich, IL 60047-1564  
(847) 540-8400 FAX: (847) 540-8413

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Special Edition

**ECHO** NEWS



*Golden Eagle*  
DISTRIBUTING CORPORATION

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# Enough is enough!

By Robert Hurst, Golden Eagle Distributing Corporation President

Once again, gas-powered blowers have been under attack. This time, the city of Los Angeles is the culprit, developing and then passing an insane ordinance that severely restricts the use of blowers for nearly everyone within the city, except municipal workers.

How can that be? you ask. Simple. For want of a better solution to what some see as a growing noise problem in Los Angeles, city officials have devised an ordinance that bans the use of blowers within 500 feet of residences. After July 1, 1997, the only people who will be able to use these resourceful machines in the city will be city workers whose parks and city offices are well away from homes.

This is just another insult to the intelligence of professional gardeners, homeowners, other users of blowers, and to the dealers who sell and service them.

Despite improved technology, education programs, growing concern by the entire outdoor power equipment industry over the environment and ways to preserve and improve it, power blowers continue to be singled out for their "negative" impact on the environment and select residents who inhabit it.

These attacks have been and continue to be unfair and totally misguided. They single out one industry and one product within that industry — our industry. They also fail to take into consideration the benefits derived from using power blowers. Power blowers work to enhance the environment and to make life easier and more productive for its caretakers.

Even more discouraging, these attacks ignore what the industry, in general, and Echo, in particular, have done to quiet the noise issue.

Over the last decade, Echo, its dealers, and distributors have taken a pro-active stand to not only encourage but to educate end users on proper blower use. Where self-regulation has been given a chance, it works. It even works with ordinances that put reasonable restrictions on blowers.

In conjunction with its "Be Smart!" program, Echo has intervened on behalf of dealers and end users around the country, to either help prevent potential legislation against blower use or to work to turn back unreasonable or unfair restrictions. The company has proven time and time again it won't ignore this issue...and it won't ignore Los Angeles either.

Echo product engineers developed what has become the quietest gas-powered blower on the market. The PB-46LN backpack blower represents a new generation of blowers. This advanced blower dramatically reduces noise associated with blower use by 50 percent. And at full throttle, it performs well below most noise standards.

The PB-46LN has had a positive response from users and anti-noise activists throughout California and, I understand throughout the country.

Yet there are still communities where education, self-regulation, new technology and the best efforts of an industry are put on hold so that a few people can make it difficult for everyone else. Unfortunately, Los Angeles is one such community.

Power blowers didn't just emerge overnight. And this endless struggle between those who want to discriminate against blowers and those who make a living selling and using them is not new either.

Echo, with the help of its dealers and distributors, has dedicated itself to finding a cure for what ails the blower industry nay-sayers. This cure is not in a vaccine, however. No, the cure has come and will continue to come through education, self-regulation, and working together with municipalities and through technological advances. There is no excuse for passing an ordinance that ignores the reality of such a cure. And there is no place for such an ordinance in this state or in any other.

Cordially,

Bob

Eff. Date:  
October 19, 1996

ORDINANCE NO. 3449

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204-4

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK ORDERING A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE PRIMARY NOMINATING ELECTION ON FEBRUARY 25, 1997, FOR THE PURPOSE OF SUBMITTING AN ADVISORY BALLOT PROPOSAL REGARDING LEAF BLOWERS TO THE ELECTORS OF THE CITY OF BURBANK, AND GIVING NOTICE THEREOF.

THE COUNCIL OF THE CITY OF BURBANK ORDAINS:

1. A special election of the City of Burbank is ordered and shall be held in the City of Burbank, California, on Tuesday, the 25th day of February, 1997, in conjunction with the primary nominating election, for the purpose of submitting to the qualified electors of the City an advisory ballot proposal as follows:

Advisory Vote Only

"Shall the City of Burbank enact a new ordinance prohibiting the use of gas-powered leaf blowers within City limits?"	YES	NC

2. The returns of said election shall be canvassed and declared as provided by law, and if a majority of the votes cast on the proposition at such election are in favor of such proposal, the City Council of the City of Burbank may consider enacting an ordinance prohibiting the use of gas-powered leaf blowers within City limits.

3. Said special election shall be consolidated with the primary nominating election which shall be conducted on the same date.

4. Said special election shall be held in the manner provided by law for the holding of the primary nominating election and the procedure for voting for or against this ballot proposal shall be the procedure provided by or pursuant to law for voting upon measures at a primary nominating election.

February 25, 1997

Results

Yes: 3,760

No: 4,488

Qualified by the Burbank City Clerk's Office.

## CLCA Positions on Leaf Blowers -- DRAFT

- o The California Landscape Contractors Association (CLCA) opposes across-the-board bans on gasoline-powered leaf blowers, such as the 1996 Los Angeles ordinance which prohibits their use within 500 feet of a residence. CLCA believes these bans are unnecessary, bad public policy, and extremely harmful to the landscape industry.
- o Blowers are essential for landscape maintenance professionals. This is because blowers are very efficient tools for cleaning up leaves and other small debris from landscape sites. Since their development in the 1970s, blowers, to a large extent, have supplanted brooms, hoses, and rakes. Blowers even perform functions that no other tool can handle effectively, such as cleaning areas covered by rock, gravel, bark or mulch.
- o Blowers save enormous amounts of time. Most landscape industry estimates suggest that it takes at least five times as long to clean a typical landscape site with a broom and rake than it does with a power blower. A similar estimate was provided in 1994 by the City of San Luis Obispo for its parks and public buildings; the city's maintenance supervisors estimated that their crews would take 50 hours to do work that took 10 hours with blowers, and that much of the work would require the use of water. Some estimates substantially exceed the five times one rule-of-thumb: in a 1992 labor efficiency comparison report, the City of Whittier concluded that a job that took 2.25 labor hours with a backpack blower took 76 labor hours with a hose and 282 with a broom. The bottom line is that without blowers, public agencies and private owners would have to spend more time on outdoor work or accept a lower level of upkeep.
- o Time is money. CLCA members estimate that their costs (and therefore their charges) would increase from twenty to forty percent if they must perform the same functions without the blower.
- o CLCA believes many clients can't afford or are not willing to pay for additional costs of performing landscape maintenance without the blower. They would either allow their landscapes to deteriorate, do the work themselves, or flaunt the law by using blowers or hiring gardeners willing to do so. The last option is a possibility because blower bans have been difficult to enforce in municipalities that have passed an ordinance to date. That option would adversely affect our members because we play by the rules, by the very nature of the way our businesses are organized. CLCA members are all state-licensed contractors. We have a license bond on file with the Contractors State License Board, and we pay workers' compensation as well as liability insurance. We deduct federal and state income taxes from payrolls. Most of our members offer health insurance for employees and their families.

Unfortunately, we compete against a vast underground economy of unlicensed operators which does not play by the rules. It would flaunt a blower ban if given the chance, and consequently it would be able to underbid our members for landscape maintenance contracts. Legitimate landscape contractors could go out of business and their employees would lose good paying jobs.

- o The blower is an alternative to hosing down walks and driveways with water. Using water in this manner is unreasonable, especially in drought-prone California.
- o Blowers make no more noise than other types of power equipment. Nor does the hum of these tools dwarf the decibel output of other gasoline-powered equipment such as the automobiles we drive and the trains we ride.
- o High decibel noise exposure can be severely damaging to hearing. However, to provide some perspective on the issue of blower noise and hearing loss, it should be pointed out that the U.S. Department of Labor Occupational Safety & Health (OSHA) does not require a hearing protection program for employees unless noise exposures equal or exceed an eight-hour, time-weighted average sound level of 85 decibels. Although this regulation should not be taken to imply that lower decibels are always safe, compare it with the noise from a typical blower. Most of the newer machines are rated at somewhere between 65 and 75 decibels at 50 feet at full throttle. And, unlike blower users, who need hearing protection because of their long hours of exposure to noise coming from a machine a few feet away from their ears, residents and homeowners distances.
- o CLCA acknowledges that blowers can be a nuisance. However, we be the culprits are old technology and improper use. Both problems can reminded by means other than indiscriminate bans.
- o CLCA strongly encourages blower manufacturers to place a high priority on noise reduction improvements. However, credit should go where credit is due. Today's blowers are significantly more quiet than their predecessors of 10 years ago. Manufacturers have steadily reduced noise levels, and in, recent years most have voluntarily adhered to a maximum of 70 decibel (dBa) at full-throttle at 50 feet from the source. In 1996 one manufacturer introduced a revolutionary blower that generates a mere 65 dBa at full throttle at 50 feet from the source -- without sacrificing performance. Manufacturers can be expected to make future noise reduction improvements, if given the chance.
- o Although CLCA prefers other methods of dealing with blower noise, our association does not oppose efforts to prohibit outmoded equipment - as long as the standards are not unreasonable in light of the existing technology on the market.

CLCA Position Paper  
DRAFT

We suggest that efforts to prohibit outmoded equipment be accompanied by buy-back programs such as the one instituted by the City of Redondo Beach in 1994. At a minimum, bans on outmoded equipment should go into effect at least one year after a decision is made. This would give users crucial lead time to phase out their equipment.

- o CLCA believes the vast majority of commercial operators use their blower responsibly. Nevertheless, we acknowledge that improper use is a problem. It is caused chiefly by lack of knowledge, but regrettably it is sometimes a result of lack of courtesy for others.
- o Cities, municipalities, and the CLCA should partner together to educate the public as well as the landscape industry about proper use of blower equipment. Educational programs should include the following information:
  - Generally speaking, blowers should be run at half throttle most of the time. Low throttle speeds not only significantly reduce noise, but they also provide the operator with maximum control. Full throttle is seldom necessary.
  - Blowers should not be used in residential areas at unreasonable hours -- early in the morning or late at night when people are likely to be disturbed.
  - Debris should never be blown onto adjacent property, the street, vehicles, people, or pets.
  - Blowers should not be used within ten feet of doors or windows.
  - Crews should operate only one blower at a time on small residential sites.
  - Rakes or brooms should be used to loosen heavier debris.
  - The full nozzle extension should be used so the air stream can work close to the ground.
  - The muffler, air intakes, and air filters should be routinely checked to make sure they are working properly.
  - Blowers should not be used to move large debris piles from one spot to another.
  - If conditions are very dry and dusty, mister attachments should be used.

CLCA Position Paper  
DRAFT

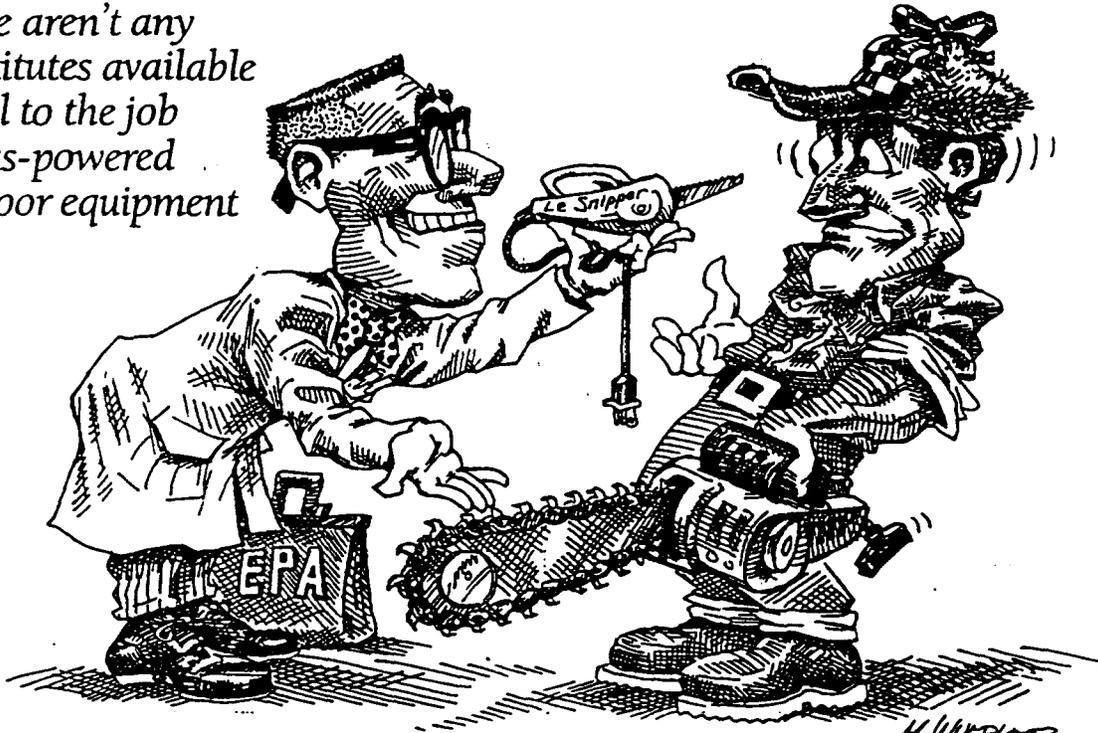
- o CLCA believes that informed citizens and landscape maintenance workers are likely to be more considerate. For the few bad apples who may lack common courtesy even with more knowledge, city ordinances to require proper use under penalty of a steep fine may be necessary. CLCA does not oppose ordinances that mandate common sense rules of blower courtesy.
  
- o Electric-powered blowers are not an acceptable substitute, for gas-powered machines. Most landscape maintenance professionals estimate that electric blowers reduce efficiency by 50 percent. They tend to be less powerful than gas blowers, and they are limited by the need for an extension cord that must be continually plugged in and unplugged. In addition, they can be hazardous to operators. Swimming pools, spas, garden ponds, and moisture from garden irrigation make for a potential electric shock problem. Finally, the heavier duty electric blowers, which are comparable in power to gas blowers, do not reduce noise that significantly. Plus, the electric blower's noise is compounded by the noise produced by a generator if electrical outlets aren't available.
  
- o The dust issue is spurious. Brooms create dust too. Properly used blowers do not raise an inordinate amount of dust. No scientific documentation whatsoever exists on the health impacts of airborne particulate matter from blowers.
  
- o The air emissions issue is likewise spurious. Standards that were put in place by the California Air Resources Board (CARB) for 1995 have been met, and in most cases, exceeded by all blowers sold in the state today. Air pollution issues are being addressed, and should be addressed, by CARB, the federal Environmental Protection Agency (EPA), and the regional air quality districts -- not cities and counties. Moreover, the frequently used criticism that blowers produce emissions greater than automobiles should be placed in proper perspective. Actual emissions from blowers are few because of the equipment's intermittent use. For example, one year of volatile organic compound (VOC) emissions from automobiles compares to 21 years of emissions from portable lawn and garden products. Portable lawn and garden equipment contributes only 0.8 Percent of all U.S. emissions, 0.6 percent of carbon monoxide emissions, and no nitrogen oxide emissions. (This comparison comes from an analysis of EPA emissions inventory data prepared for the Portable Power Equipment Manufacturers Association by Heiden & Associates of Washington, D.C.).
  
- o CLCA members are always willing to work constructively with city and county public officials to find win-win solutions to this increasingly prominent issue.

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# Don't be ridiculous

There aren't any substitutes available equal to the job of gas-powered outdoor equipment



MATT WUERKER

**D**uring 1996 there has been an alarming number of attacks on gasoline-fueled outdoor power equipment.

We have been told on and in the news that using this equipment emits pollutants, and we are led to believe that it is a major cause of air pollution. We have been asked not to run our equipment on days that have high pollution levels. We have been bribed by our power companies to trade in our gasoline-powered mowers for electric ones. And we have been led to believe by misinformed, naive people that this equipment should be banned (for example, The Oregonian's Living feature Nov. 9 "Leaf Us Alone."



I would like to clear some of the air surrounding the use of this equipment. First of all, installing and maintaining good-quality landscaping helps our environment much more than it hurts it. Landscaping enhances the value and beauty of our property while putting life-giving oxygen back in the atmosphere. Maintaining this landscaping is a way of life for many individuals in the landscape maintenance and arboriculture industries.

Thousands of people are employed in these industries as well as by the companies that manufacture and/or maintain this equipment. Currently, there are no comparable electric tools that will do the job of a professional-quality gasoline-powered piece of outdoor power equipment.

Electric products that have the same power as gasoline-powered equipment would be too heavy to carry around. Additionally, it is simply not practical to use corded or battery-operated electric products in many applications.

Now for some other facts: In the early 1980s, Congress passed the Clean Air Act. This gave the government the authority to identify polluters and require that they eliminate their pollution or suffer the consequences. For years, the Environmental Protection Agency and similar state agencies have directed their efforts toward the major polluters — industrial processes such as those of petrochemical and automotive industries, power providers, large factories, and the like.

While they have done a remarkable job of reducing the pollution created by these, in my opinion if these agencies were to continue with their efforts, they would either bankrupt these industries or make their products so expensive none of us would be able to afford them. So in an effort to justify their continued existence, the agencies appear to have directed their efforts toward other, smaller sources of pollution that do not have the resources of the larger industries to defend themselves. One of these is the outdoor power equipment industry.

In the early 1990s the California Air Resources Board identified gasoline-powered landscaping equipment as a minor source of air pollution and began drafting emission standards for this equipment. The initial regulations took effect in January of this year. The federal government got involved and the EPA has adopted similar regulations for the entire United States, which will take effect over the next 12 months.

The outdoor power equipment industry has spent an estimated \$60 million over the last five years to meet or exceed these new emission stan-

dards. Lawn mowers, trimmers, leaf blowers, chain saws, hedge trimmers and the like are now being manufactured to be much cleaner. But just how dirty were they before these new costly regulations were enacted?

In a study commissioned by the Portable Power Equipment Manufacturers Association in the mid-90s, Heiden and Associates, a well-known research group, found (based on EPA data) the following:

- The Volatile Organic Compounds (VOC) emissions inventory in the United States on a yearly basis is made up of less than 0.8 percent from portable lawn and garden equipment; 99.2 percent comes from other sources — such as industrial processes, residential fuel consumption, automobiles, trucks and marine use.

- Industrial processes' VOC emissions for one year equal 1.6 years of on-road emission sources (autos and trucks); 14.4 years from residential fuel consumption; 12.8 years from recreational marine emissions; and 51.4 years from gasoline-powered portable lawn and garden equipment.

If we take a look at VOC emissions from just mobile sources, the automobile is still the single largest offender. Based on EPA data, it would take five years of recreational marine emissions, 21 years of portable lawn and garden equipment or 439 years of logging chain saws to equal the emissions of automobiles for just one year.

Gasoline-powered lawn and garden equipment is a very efficient and safe way to maintain your landscape whether you do it yourself or have it done for you. Don't be fooled by just one side of the story.

Lee Richey is Western regional manager for Shindaiwa Inc. of Tualatin, an outdoor power equipment manufacturer.

# NOISE CONTROL

Position Paper 2/12/97

John Cockerill

We must eliminate the noise level that causes complaints. Those who are opposing the noise have a few courses to take. One is to legislate against our stirring up contaminants and the annoyance of excess noise which disturbs the peace. It has been clearly demonstrated in 200 municipalities across this land that we are a problem on both counts. We have denied it up to this point. We have taken unsuccessful approaches through the court system. We have threaten the consumer with claims that have not been substantiated. The irony in this case is that the reason for the noise in the first place is our believing that making noise somehow has justified our existence to the customer. This reminds me of the maid who make a lot of dust in the air while putting the dirt under the rug. In fact we have irritated everyone to the point of legislation. Those stubborn noise makers among us have not realized the irony, and continue to make noise in defiance of the law. What do we do now?

Firstly we must admit the obvious. We do make too much noise and we are now strapped with a legal tide against us about which no one else really cares. The sympathy we seek is not earned and nowhere forthcoming. There are those among us that believe we cannot persuade our own peers to stop making the noise. The belief is that our noise making peers are so ignorant that only a policeman can convince them, and even then only if the fines are so stiff that it costs more to operate while making noise than if they stop. " I get caught a few times and I pay the fines. So what is the big deal?" " So let them stop me and I will pay the fines." There

is a community of operators in our industry who are openly defiant of the laws, and they laugh in our face.

**WHAT ARE OUR OPTIONS?**

We can continue to proclaim that the problem is not real, and make noise in spite of the law.

- We can make an all out effort to educate the ignorant among us and perhaps in time make some progress.

We can become proactive in the control of noise and tell the authorities to come down hard on the operators who continue to make noise.

We can strike a compromise with the communities and allow a low noise quotient with high fines for flagrant violators.

The last seems the best option, but it may be too late. We did not implement a conservation program when we first had that option, during the first blower bans. In fact we ignored the problem and the solution and did nothing after being given a second chance. Will we get a third chance? After the recent litigation? After years of patience on the part of municipalities? Its a very delicate shot.

What about striking a compromise in the communities that have not yet lost patience, together with working very hard on a peer education program? If we can affect a good noise abatement program with the use of quiet blowers at minimum noise production through vigilant conservation and peer pressure, can we set an example of compromise in these communities and then go back to the blower ban communities and show how the program can work? I think it is worth a try. I think it is our only remaining option. We need to identify the

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communities where we can try this experiment. Perhaps Yonkers, Grenburgh, and Bronxville are communities for a start. We have to publicize to all communities that we are working hard on this program. We have to ask the cooperation of these communities in the area of compromise legislation and police cooperation in implementing that cooperation. We have to appeal to all customers to demand that their gardeners knock off the unnecessary noise and pollution. Then we must work the streets to police those renegades in our line of work who are out there unaware of the problem they create, and teach them however we must to conserve noise generation for the benefit and comfort of their customers.

The single greatest cost of this program will be communications with the part time operators and the non-English speaking operators who do not know what is happening in the larger picture. The collection of information to locate and get the message across to this group will either make us or break us. The commitment will have to be one of outreach, and hard salesmanship on the part of every professional in our trade. We have to reach them in the neighborhoods where they live, at the work place, on radio, in newsprint, through the repair shops, in our Association training program activities, and in church if necessary. Many of the violators are our own employees who feel they are justifying their own existence on the job by making noise and looking busy. Employers must manage their own employees, limit the equipment on the trucks, and find quieter ways to get the job done, using blowers in a more conservative and thoughtful way. We must learn and teach how to avoid blower operation if we suspect it to be annoying to others. We must teach each operator in a very well defined training program how to become more sensitive to reducing annoying noise. We have to become vigilant about the effect our blower

operation has, not so much on productivity but on the people living around our work sites. We must be conscious of the noise and the dust that is created, and where that noise and dust goes which could be annoying.

Unless we begin to adjust our thinking to identification of the problem and choosing among the alternatives we have and implementing them, we are doomed to return to primitive ways of completing our maintenance tasks. We have abused the privilege. We will pay the price. If we can show that we can respect the privilege, we may regain respect as professionals and not have to be spoken to, at the point of law.

# ALCA Focus

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## Too Much Noise Is Big Trouble

In many areas of the country, landscape technicians are coming under fire for using one of the most time-saving, convenient tools of the trade — the backpack blower.

According to Robin Pendergrast, president of International Marketing Exchange, Evanston, Ill., some 275 communities have banned, or are considering banning the use of blowers in summer months or altogether.

The highest profile case has been in Los Angeles, where late last year the use of blowers was banned within 500 feet of any residence — which really means blowers cannot be used in maintenance of residential landscapes.

The impact of this legislation won't be felt for a few months when the ban takes effect, but this will certainly cost landscape crew members valuable production time and contractors money in lost work. To make matters worse, Pendergrast reported that nearly a dozen communities are following Los Angeles' lead and are setting up their own legislation that will impose some sort of equipment ban or restriction.

How does this affect you, the company you work for and your community? Well, in cities and counties where bans are being fought, the legal fees and time spent on trying to overturn or relax bans are astronomical. And, many times the reason that community forces mobilize against power equipment is the misuse of the equipment by crew workers. Equipment operated too early or late at night, in the vicinity of children or in inappropriate situations can spur community activism.

Another hot spot for noise litigation has been the northern suburban area of New York City. Larry Wilson, president of the New York State Turf & Land-

scape Association, a state association member of ALCA, described the situation there in a recent interview:

**Q:** What is the situation with equipment restrictions today?

**A:** We had a court action to challenge the seasonal ban which has been implemented in many Westchester County communities. The county has 40 different municipalities, and many of these have blower bans in the summer months. In addition, many of the same communities that have approved a ban have exempted schools systems, utility companies and, in some cases, the golf courses from compliance. These situations have been especially offensive to us — it clearly shows that they are going after the landscape contractor.

**Q:** What is the organization trying to do?

**A:** We have had many discussions and we are trying to implement an offense against the ordinances. We see public relations as a big part of this. We have always had an educational program to instruct members and the industry as a whole on the proper use of equipment. We feel that some public relations efforts will now be necessary.

We'd like to send a message to homeowners that, first of all, if we're excluded from using machines then we have no alternative other than to spend more time doing our work without the blower than we did with the blower. This ultimately translates into higher prices for them.

Secondly, the public should know that we are making an effort to instruct members in proper equipment use. Many people work in this industry illegally, don't pay taxes and don't have the proper education. They are out working on Sunday at

8:00 or 9:00 in the morning, and many of the complaints have stemmed from that abuse. In contrast, our members attend meetings and we preach about proper equipment use — and they think twice before cranking up that blower before 9:00 in the morn-

ing. And they certainly think twice before they go out to work on a Sunday, period.

Professionals have the right education, and it's in the public's best interest to know that hiring a professional is ultimately better for the community. 



as simple as that. Install the Mini-Click rain sensor with your sprinkler timer, and your crews will spend a lot less time running around turning the timer off and on, or correcting the problems of overwatering. The world's best-seller, Mini-Click is the most reliable and accurate rain sensor on the market — even under the most demanding conditions. In fact, it comes with an unparalleled five-year warranty.

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**MINI-CLIK<sup>II</sup>**  
Richmond, Virginia USA



Noël Brown,  
editor

# Not Just Hot Air

I've never seen anything like it. The day was January 15. The city: Los Angeles. We're in a hotel conference room, sitting at a long U-shaped table. The mood is serious. The air is thick with anticipation. We all scan the room pensively, wondering what the outcome of such a gathering will be.

The meeting gets underway. Starting at one end of the table, each participant introduces himself and his position. They are from all over the country. This room represents a complete cross-section of the industry. There are manufacturers. Distributors. Dealers. Landscapers. Associations from every level. And me.

The only time I've ever seen this many different elements of the industry in one place is during the International Lawn, Garden and Power Equipment EXPO in Louisville every July. But even there, they are never together in one room, uniting on one issue. And though they all attend EXPO, they don't all speak up.

But at this meeting, everyone voiced their stance. Every single person in the room committed their support to the cause and offered ideas toward a solution. Everyone took a slightly different spin, but all agreed on one thing: something has to be done. Now.

The issue: a backpack blower ban in the city of Los Angeles, effective July 1, 1997. The ordinance passed in November.

Now, some of you will stop reading here. You say, "So what? That's in L.A. It doesn't affect me." And you'd be right. But you'd also be wrong.

Fact is, we are talking about L.A. today. But it could be your town tomorrow. Equipment bans are cropping up in small towns around the country. It just so happens L.A. is a big, high-profile city that attracts attention and headlines. But the issue is real. It is widespread. And it may affect your bottom line sooner than you think.

We will provide more details on the blower ban and the meeting in our next issue, but I want to tell you what I thought the most important point of the meeting was: This issue has nationwide implications.

If we don't pay attention to what seems like a local issue, if we don't band together as an industry and become proactive in educating people in areas not yet affected, dealers and landscapers across the country will be in the same spot as our industry brothers in L.A. Trying to overturn a decision is much harder than defeating one.

To contact  
Noël Brown:  
Phone: (414) 563-1644  
Fax: (414) 563-1699  
E-mail:  
nbrown@jhpress.com

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# Industry Unites on Blower Issue

*L.A. ban is a wake-up call for future legislation*

By Noël Brown

**O**n January 15, 1997, the Portable Power Equipment Manufacturers Assoc. (PPEMA) hosted an industry-wide meeting to discuss the latest and most high-profile city to ban blowers. An ordinance was passed in the city of Los Angeles restricting the use of gas-powered blowers within 500 feet of a residence, effective July 1, 1997.

"We were very pleased with the meeting," says Don Purcell, director of PPEMA. "It was the first time all interested parties were able to sit down in one place and articulate their ideas."

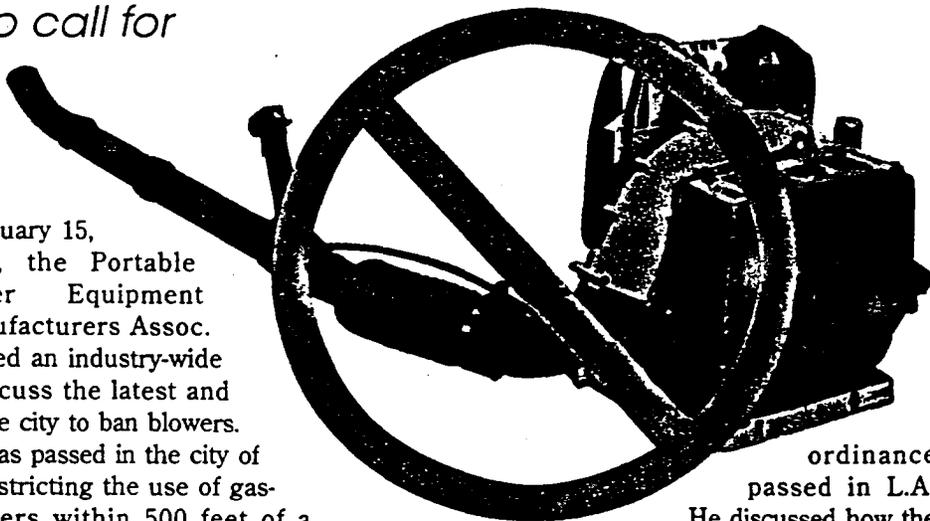
Indeed. Participating manufacturers included Echo, Stihl, John Deere Consumer Products, Toro, Shindaiwa, Poulan/Weedeater, Little Wonder, Tru-Power and Kawasaki. There also

were several distributors, including Bee Tee Equipment and Golden Eagle Distributing. At the dealer level, representatives included Garvey Equipment Co. and Yamada Co. A handful of landscape companies and associations also were represented. Even a New York landscape contractor attended to provide perspective on the Scarsdale ban.

The meeting agenda was simple. After a brief presentation outlining the background of the issue by Echo representative Robin Pendergrast and political perspective from lobbyist Tom

McCarty (also representing Echo), the session turned interactive. The blower ban issue is nine years old, and although it's a hot issue in L.A., there also are ordinances and bans popping up all over the country. In fact, currently there is activity on this issue in more than 30 states.

Pendergrast highlighted a poignant fact of the



ordinance passed in L.A. He discussed how the

city council based their conclusions about the harmful effects of blowers on limited knowledge and misinformation.

Purcell posed two questions and asked every person in the room to answer them: "What are your concerns?" and "What are your expectations?"

Many feel the issue has nationwide implications and a call was made for a united effort from the industry. "We need to have a common voice on this issue," says Little Wonder's George Tinker. "We need to be proactive in educating communities and come to some sort of resolution on this topic."

"We as manufacturers must offer alternatives, and we as an industry must offer a nationwide solution," says Echo's Larry Will.

"Entire product lines are in jeopardy," says Tru-Power's Rick Hlaves. "We as an industry didn't get organized to fight this: We kept thinking, 'Cooler heads will prevail,' but they didn't listen to the facts. We have to salvage the situation."

Lee Richey from Shindaiwa agrees. "There's a general apathy in the industry. Until it happens where they are, dealers are not going to worry about it — but it affects their future."

"We have to think, 'What can we do in our areas in the future?' We missed an opportunity here," says Jim Baylor of the Professional Gardeners Federation of Northern California. "We've got to be proactive and bring solutions to the community before it is a problem."

"We really need a nationwide standard," says William Guerry from the Outdoor Power

***"There's a general apathy in the industry. Until it happens where they are, dealers are not going to worry about it — but it affects their future."***

Equipment Institute. "These conflicting standards are a manufacturer's nightmare."

"We have complacent acceptance in the industry on this issue," says Tom Griswold of John Deere. "Our present ways of dealing with these issues one-by-one is a failed strategy. We must deal with it on a national and global level."

"It's the 'mow, blow, and go' guys who abuse the privilege and give the industry a bad name," says Stan Price of Golden Eagle Distributing. "We need to broaden the myopic view of this issue, and start a groundswell of support to include homeowners. These actual purchasers are voters: They have a voice."

Many talked about educating the public and the government about benefits and drawbacks to blowing as well as the alternatives. "We need to educate customers about the new technologies," says Steve Tsujiuchi of Yamada Co. "We have to look at other solutions and figure out what we have to offer as an alternative for our customers."

Purcell took careful notes to bring to the

PPEMA board at their February 28 meeting. "We'll present an options package to the board regarding the next steps of this issue," he says. "We'll get our marching orders on what they want to pursue. The mayor of Los Angeles said he will review the law in six months. We are looking at new ways to approach the subject to get the mayor to reconsider. And we are discussing ways to develop voluntary standards, then work at the local, state, and federal level to come to a solution we can all work with."

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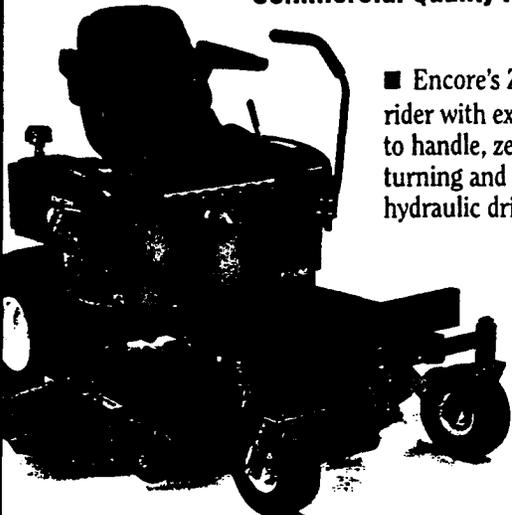
For background on the blower issue, refer to the YARDstick column in the July/August 1996 issue of Yard & Garden.

**"We have to think, 'What can we do in our areas in the future?' We missed an opportunity here. We've got to be proactive and bring solutions to the community before it is a problem."**

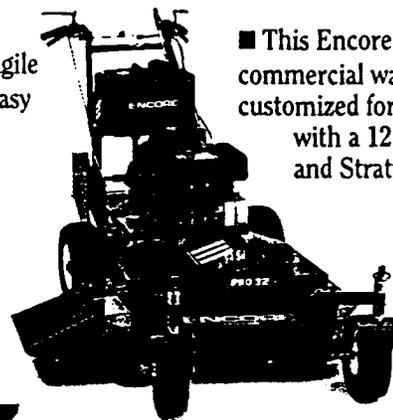
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**LUCE** PRESS CLIPPINGS

# New Environmental Group Takes Aim At Leaf Blowers

By Karen Rubin

Even before spring blossoms and the grass sprouts anew, a new environmental group in Great Neck is tackling the noise-pollution created by the leaf and lawn blowers that are sure to come with the change of season.

Safe Action for a Sustainable Environment (SAFE) plans to try to get villages to impose regulations on the use of the gas-operated leaf blowers. Liye Sidon, chairperson, said she hoped to raise the issue before the Village of Kensington trustees at the Feb. 19 meeting.

The peninsula-wide committee is dedicated to "preserving the quality of life, health and well being of the citizens of Great Neck," Ms. Sidon said. "To begin, we are addressing one of the most important and lethal forms of pollution—noise pollution. We are seeking to regulate the landscaping practices and noise levels which have gone unrestricted up to now. Not only is noise pollution a threat to the nervous and auditory systems of children and adults as well (including those who might be ill and trying to recuperate), but the inevitable disturbance and loss of precious top soil is known to contribute to serious respiratory problems."

She added, "a 1995 statistics shows that one hour of running a gasoline powered lawn mower is equal in pollutant emissions of a car driven for 350 miles."

A similar proposal to regulate the use of leaf blowers is being considered in Great Neck Estates, having been raised by its Environmental Committee. The Village of Great Neck Estates, at its Jan. 13 Board of Trustees meeting, considered a proposal to ban the use of leaf/lawn blowers from May 1 to Oct. 21 and between Dec. 20 and Mar. 21

At that meeting, Mayor Lawrence Nadel asked the Village attorney to investigate how other villages in the state have imposed bans and implemented their ordinances.

Mrs. Sidon told the *Great Neck News* she has done research to show that bans or restrictions against the blowers have been imposed in Larchmont, New Rochelle, Pelham Heights, Scarsdale and White Plains in Westchester, and 14 communities in California, among others.

She stressed, "We are not adversarial. We hope to work with the gardeners to come up with a satisfactory solution."

Among the regulations SAFE is proposing: to regulate the use of leaf blowers; that garden machinery be properly muffled; and that mechanized gardening activity begin after 10:30 a.m.

The group is inviting those who would like to join to contact Liye Sidon at 487-3390.

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**LUCE** PRESS CLIPPINGS

## Blowers pay off

Originally the leaf blower debate in Los Angeles was about noise, but it was twisted around to where the noise issue was all but dropped, and the anti-blower crowd targeted air pollution as the real reason.

At one point it was suggested by gas-powered opponents that lawn and landscape professionals use electric generators to power their electric blowers. Let's see, they ban a 2.5 to 4-horsepower blower and replace it with a 10- to 12-horsepower generator set to power a brace of electrics. And this pollutes less? What about low-flying planes, freeway traffic, circular saws, stereos and motorcycles?

It gets better. At the L.A. hearing, some of the town's prominent citizens turned out to add their two cents to the discussion. This made all the papers, along with new complaints, such as the noise of snow blowers. You see a pattern developing here, don't you? Today leaf blowers. Then chippers? Trim mowers?

Let's look at the cost- and labor-savings issue. Pasadena did a study comparing blowers to manual labor to clean up after the Rose Bowl. The 100,000-plus seat stadium was cleaned out by six workers in eight-and-a-half hours with blowers. Without? Try four days and 80 people! Lots of time and money saved.

**Ginny B. Rezzonico**  
Oakhurst

# BLASTing away

## NO

Continued from Page G1  
produce.

**Environmental damage** — Gasoline leaf blowers, which have a muzzle velocity of 150 mph or more, blow away topsoil and ground cover that, if left in place, would help soil to hold precious moisture, and would minimize the number of times plants have to be watered.

**Airborne dissemination of dangerous chemicals** — Leaf blowers spread herbicides and pesticides, making them airborne. This is especially serious for asthmatics or people with other breathing difficulties — about 10 percent of the population — and for those with allergies.

**Ineffectiveness** — Leaf blowers, as generally used, don't remove leaves, dust and other debris, but simply blow them somewhere else, often onto neighbors' property.

**Health concerns** — Leaf blowers generate, at full throttle, about 109 decibels of noise for their operators. Cal OSHA allows only 20 minutes of aggregate daily exposure to a noise level that high. Clearly, most blowers use their blowers far beyond that.

**Legitimacy as a legislative issue** — At least 43 California cities, with a total of over 6.4 million people, already have blower bans, or are in the process of adopting them.

**Availability of alternative equipment** — Under the BLAST proposal, gardeners who don't wish to use rakes and brooms — which were sufficient before they had blowers — could still use electric blowers, which are far cheaper to buy (in the \$60 range, as opposed to \$100-\$400 for gas-powered).

They also weigh less, thus causing less operator fatigue. They do not pollute. They are less likely to blow large clouds of dust into the air. The operator does not have to supply fuel, but can use the cus-

tomers' electricity. They are quieter.

**Quality of life** — For increasing numbers of people, gasoline-powered leaf blowers are a terrible nuisance. Night workers who sleep during the day, retired persons, students, telecommuters and other people who work at home — all need to minimize the loud noises which increasingly assail them during the daylight hours.

**Anger directed at gardeners** — The unrestricted use of leaf blowers has generated widespread ill will against gardeners.

**Strong support for the proposed ordinance** — In 1991, 3,400 Santa Barbara residents signed a petition calling for a total ban.

In September 1991, a ban on gas-powered blowers in residential areas was defeated in City Council by the vote of just one council member, who gave as his only reason that the measure was "not strong enough."

In the November 1995 election, I ran for a seat on the City Council on the single issue of banning leaf blowers and I received 2,161 votes — more than 13 percent of the total ballots cast.

**Absence of hard data about adverse impacts in other cities** — Gardeners and blower lobbyists raise the specter of dire economic consequences if a blower ban passes. But they have never submitted any firm data, based on the experience of these other cities, to back up their predictions. Can't we fairly conclude that these predictions are groundless?

**Facilitation of enforcement** — Regulations based on permitted hours of operation are very difficult to enforce, and are widely ignored. A complete ban would make enforcement simple.

**Moral obligation of the City Council to do what is right** — The council has few opportunities to enhance the lives of so many.

If you want to help BLAST, please contact us at P.O. Box 55, Santa Barbara 93102.

# Using the right tools

## YES

Continued from Page G1  
ability of middle-income Santa Barbarans with gardening services to afford their service.

This ban would affect everyone that appreciates the pristine condition of our city and not just those who have been paying the maintenance bills.

It is argued there are other communities with laws that ban different types of blowers. I understand that enforcement of those laws in those areas is impossible.

Unfortunately, the municipalities are not the only ones paying more. Commercial property managers and condominium associations are having to recontract with service providers for higher maintenance contracts because of the additional labor time needed to perform the same job.

I cannot disagree that blowers and hedge trimmers generate noise and are combustion-powered tools. I would be the first to purchase an affordable, noiseless and exhaustless power tool for my business.

I understand there are many blowers being used are outdated and should be replaced with newer, quieter and more efficient models. We should look toward solutions to bring in those units just as we have taken steps to get inefficient automobiles off the road.

I recently purchased a new blower that is the newest generation of maintenance equipment technology. It has the same work performance as older model

blowers but operates at less than 65 decibels at full throttle. It is stealthy enough that it is hard to hear it unless you are wearing it and operating it.

We act responsibly with our tools and are considerate of the wishes of our customers. There are a few of my customers who prefer we not blow off certain parts of their property and others that prefer we refrain from making noise with any power machine at certain times.

We respect their wishes and their right to govern what happens on their property.

Banning anything that provides a safe and effective service to a property owner takes away their option to choose how to best maintain their property.

Blowers and other small engine tools we are currently using meet all state emissions ratings for their class. The technology and consumer demand for better equipment is continuing to produce cleaner and quieter units. I am amazed at the changes being made in my industry, especially those changes to our power tools.

Taking extreme measures to satisfy overly concerned desires for a complete ban will create incredible maintenance problems and unnecessary financial hardship on many of the people who are trying only to make a decent living.

I don't believe anyone using any gardening equipment is out to disturb someone else's peace of mind or destroy our environment. On the contrary, we are the ones working to keep the city clean and preserve its beauty.

**LEAF BLOWERS**

# So many reasons to ban blowers

By ASHLEIGH BRILLIANT

**T**o the people of Santa Barbara: How much longer will we allow our streets and neighborhoods to be poisoned by the noise, dirt and pollution of a technology gone berserk?

The gasoline-powered dirt blowers which our City Council has permitted to proliferate like a plague — despite a decade of pleas from outraged citizens — are the worst example of a deteriorating environment that we have it in our power to do something about.

Why has the council failed to act? Because, like the rest of us, the dirt

*Ashleigh Brilliant is a Santa Barbara writer.*

blower users, backed by the dirt blower sellers and manufacturers, have been well organized.

Hence the formation of BLAST.

BLAST believes, in the long run, we will all — including the gardeners, benefit from using safer, saner methods of dealing with dirt and debris, methods which do not annoy everyone within hearing and breathing distance.

Many other cities have already been through this process, the latest being Los Angeles. You might expect that, as a city as large and complex as L.A. could ban those machines, the leaders of our community would at least be willing to reconsider their own positions.

Yet, amazingly, most members of our City Council have already declared their minds made up, and they are resolutely opposed to any kind of



ban. They know regulation won't work. The past six years have proven that conclusively. They are simply afraid to deal effectively with the problem.

How did the people of L.A. ever do it? Simply by carefully considering the facts. The following list is adapted from a document issued by Los Angeles City Council member Marvin Braude, who led the successful fight for a blower ban there:

**Air Pollution** — According to the Southern California Air Quality Management District, a two-stroke commercial blower generates 277 pounds of volatile organic compounds, 825 pounds of carbon monoxide and 2.3 pounds of particulates per year.

gasoline-powered leaf blower generates as much tailpipe emissions in one hour as an automobile traveling 100 miles.

**Noise** — The quietest gas-powered blowers available today generate about 70 decibels of noise, measured at 50 feet. The legal pre-ban limit in Los Angeles was 65 decibels.

Santa Barbara has no legal limit. The 1991 Santa Barbara leaf blower ordinance prohibited, as of July 1, 1993, all blowers which did not meet the standards developed by the American National Standards Institute. But those standards put no limit on noise. They merely require all blowers be labeled with the amount of noise they

SEE NO ON G2

# Using the right tools for the job

By ADAM P. GRAHAM

**A**n outright ban of gas-powered blowers and hedge trimmers would not be a workable solution to our perceived problem.

Leaf blowers are tools that have their place in our community's effort to maintain itself. They are tools that, when used properly, serve to beautify our properties by making it possible to remove debris and garden clippings quickly and efficiently.

A ban on all blowers and hedge trimmers targets hard working individuals who are in business or are

*Adam P. Graham operates Ironwood Landscapes and is Santa Barbara Chapter president of the California Landscape Contractors Association.*

employed by our city to clean up and beautify the city.

Alternatives to blowing off patios, parking lots and driveways are hosing them off or sweeping them with a broom. Using water to clean off surfaces is time consuming and is generally not recommended in communities like our own, where water costs are at a premium. The increased labor costs to replace blowing with sweeping would drive maintenance costs higher and would mean many property owners would no longer be able to afford the costs of keeping their properties well maintained.

A tool ban that increases costs will directly affect the city budget and the

SEE YES ON G2

# COUNCIL, PLANNERS CONSIDER, REJECT RESTRICTIONS ON LEAF BLOWERS

*Some citizens want a ban  
on blowers, others don't*

*Current ordinance stands*

By SARAH LOMBARDO

The subject came and went like a leaf being blown by a noisy gasoline-powered blower. But in the end, after touching on topics from economic hardship to the utility users tax, the Saratoga City Council, in a joint meeting with the Planning Commission, decided to leave current leaf-blower ordinances alone.

The council and commission discussed the possibility of banning or restricting the use of gasoline-powered leaf-blowers within city limits after resident John Vance wrote to the council on the subject. Addressing city officials last week, Vance said he knew the subject had come up before, but he decided to ask the council to consider it again after learning that Los Angeles had recently adopted an ordinance banning the use of gasoline-powered blowers in residential neighborhoods.

"If L.A. can do this, then surely a smaller city can likewise, within the residential communities, get rid of these things," Vance said.

The City Council last looked at the issue of leaf-blowers in 1994, when the city conducted an informal written and telephone survey of residents. The poll showed that out of the almost 70 responses the City Manager's office received, a majority of respondents supported a ban on all leaf-blowers. In contrast, the responses received at the City Hall receptionist's desk showed that 68 out of 123 residents opposed a ban on

Please turn to page 8

## Leaf blowers

Continued from page 1

blowers, compared with 50 responses in favor of a ban. The council at that time decided to rely on the 1991 Noise Ordinance, which states that gasoline leaf-blowers can be used Mondays through Saturdays between the hours of 8 a.m. and 5 p.m. only.

But Community Development Director Paul Curtis said enforcement of the ordinance has always posed a problem.

"One of the difficulties in enforcing [the noise ordinance] is that by the time you send somebody out for a noise reading, they're probably done," he said. "So, it's very hard to track this down."

Many commissioners and council members said enforcement problems should be considered, especially in light of the city's current budget restraints and recent talk of cutting down on staff.

"We want to foster respect for the law, and if we want to pass a series of regulations and so on that really aren't enforced or can't be enforced as a practical matter, we're going to

be doing a disservice to the community," said Planning Commissioner Mark Pierce.

Said Councilman Paul Jacobs: "We can't ever really have any city-wide surveys to determine how the city feels, so it's hard to know whether the majority of the public would support these kinds of restrictions or not, but one thing we have had is that we did have a majority cut our budget. . . . If people want more regulation, somebody's got to pay for it. You have what I perceive, at least from the public in this city, they don't want to pay for regulation, and if they don't want to pay for it, then I don't think we are in a position to be providing more regulation."

Jacobs also said he would prefer that the issue go before the public. "I would much rather put it on the ballot and let the voters decide at the next municipal election. I mean, the voters say they want to have the right to make major decisions. I mean, [a ban] is in a way an economic decision. For a lot of people in this community, banning gas blowers might cost them as much annually as the utility users tax would have cost them."

Jacobs' comments sparked a heat-

ed response from Councilman Stan Bogosian, an opponent of the recently defeated tax. Bogosian said he was dismayed at what he perceived to be an attitude of punishing the residents because they voted down the tax in November. "I really don't like hearing that somehow because the voters decided in a certain way on the utility tax that we're going to come out and punish them by not bringing these issues forward," he said.

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## Lawndale Bans Leaf Blowers

The Lawndale City Council last week approved an ordinance similar to a 1996 law passed by the Los Angeles City Council that will ban gas-powered leaf blowers.

The Lawndale ordinance bans gas-powered leaf blowers starting July 1. Electric leaf blowers are

allowed if they are below 45 decibels.

Meanwhile, another South Bay city, Palos Verdes Estates, is also considering a leaf blower ban. The city had banned leaf blowers back in 1987, but revoked the law in 1991 during the drought.

**LUCE** PRESS CLIPPINGS

## SLO council sounds off on noisy leaf blowers

*City's leaders  
tighten restrictions,  
stop short of a ban*

### SAN LUIS OBISPO

By Coleen Bondy  
Telegram-Tribune

San Luis Obispo's City Council has tightened its restrictions on gas-powered leaf blowers, but backed away from a total ban.

The council voted unanimously to ban the blowers on Sundays, and to keep the decibel levels on the machines below 70 at all times.

The council also voted Tuesday to form a task force to come up with possible regulations for all noisy garden equipment.

"We basically did feel that we wanted to take some action, but we didn't feel that we could justify a ban," said council member Kathy Smith.

Enforcing a ban would be tough because it would require police action.

"I thought it was a really reasonable compromise. We need to address the entire (noise) problem, not just the gas blower," she added.

The issue has been before the council several times in the past few years. The council had already set limited hours for use of gas-powered leaf blowers.

Four people asked the council for an outright ban Tuesday, but five asked the council to allow continued use of the cost-effective blowers.

Bill Richardson, who thinks the blowers are a bane in the city, wished the council had gone all the way with the ban.

"I can't imagine that it will accomplish much, because most people aren't out there working on Sundays," he said.

"At least they won't disturb the Lord on his day," Richardson added wryly.

The blowers are mainly a nuisance downtown, he said. Elderly people and people with asthma and other respiratory ailments are particularly sensitive to the clouds of dust stirred up by the blowers.

"I would like to see them ban it at least in the commercial areas downtown where they go shopping," Richardson said.

But landscape contractor Kevin Holmes told the council that the leaf blowers are an essential tool for his trade.

If they are banned, he said, he will have to raise his rates.

"In the short run, I would probably raise my rates 30 to 50 percent to my clients, and in the long run it would probably put me out of business in the city limits," Holmes said.

"It's a competitive business, and a lot of my clients are on a fixed income," he added.

Leaf blowers work better than brooms, and became popular as an alternative to hosing down sidewalks during the drought, Holmes said.

"I'm not going to be able to do as good of a job (without blowers)," he said. "My customers won't be happy with that."

*'I thought it was a  
really reasonable  
compromise. We need  
to address the entire  
(noise) problem, not  
just the gas blower.'*

— Kathy Smith,  
city councilwoman

But Holmes also said he sympathizes with people who can't stand the noise from the blowers.

But if someone asks him to use the leaf blowers at another time, Holmes said, he will rearrange his schedule.

"I consider it more of a courtesy issue than a noise or dust issue," he said.

The new equipment is quieter now, Holmes added. He said his blowers operate at less than 70 decibels.

"My blowers are a lot quieter than my lawnmowers," he said. "The industry — the manufacturers — realize there's a problem because cities keep banning them."

Holmes also pointed out that an array of noisy equipment is used in the city, including jackhammers, chainsaws and tree grinders.

"Leaf blowers I think just have a big target painted on them. Some people won't stop until they're gone," he said.

More than 40 cities in California have banned gas-powered leaf blowers, including Los Angeles.

Leaf blower use in San Luis Obispo is now allowed from 8 a.m. to 6 p.m. in residential areas, and from 7 a.m. to 6 p.m. outside residential areas.

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## LETTERS TO THE EDITOR

# Aren't there more important issues than leaf blowers?

I have been struggling with the issue of the potential ban on gas-powered leaf blowers and hedge trimmers, trying to understand how we can spend so much time worrying about a ban when there are so many other issues which are seemingly more important.

I worry about whether or not our children are getting a good education.

Are we doing enough to reduce violent crime? Are our tax dollars being spent efficiently?

Then I remembered that I was in Santa Barbara. So I decided to get with the spirit of the community. Those darned leaf blowers and hedge trimmers! How dare they interrupt my brilliant thoughts. They make too much noise and they pollute the air. Let's get rid of them all! Wow, I feel better already.

But now I have other concerns.

What do we do with those now-banned gas leaf blowers?

If we throw them away, we'll fill the landfills.

What to do?

Since they blow air out of one



RICHARD MILHOLLAND

end, they must be sucking air in the other end.

Hey, maybe we don't have a problem after all. Packed cor-

rectly, we now have gas-powered leaf suckers.

We could even use our vacuums as leaf suckers. Except

that since they are electric, they would need a source of power, maybe a gas-powered electric generator.

Another approach would be to sell hoses to attach to the tailpipes of our cars to use as leaf blowers.

I'm worried about this approach, however, because now your car might be considered a blower and be banned from the city. I know, I know, I just gave the anti-car group a new idea for an ordinance.

But what about those gas-powered hedge trimmers?

The newly developed sucker technology doesn't apply here.

No problem, just use chainsaws.

Since they aren't hedge trimmers, they won't get caught in the new law.

Or, better yet, a set of stickers can rename all of those bad hedge trimmers into hedge saws.

What a concept.

Don't we have more important issues facing us?

Randy Shaffer  
Santa Barbara



International  
Marketing  
Exchange,  
Inc.

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## Power Blower Position Paper

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April 1, 1997

Produced By: International Marketing Exchange, Inc.  
For: Echo Incorporated

### Power Blower "Sound -- Not Noise"

Despite improved technology, education programs, growing concern by the entire outdoor power equipment industry over the environment and ways to preserve and improve it, power blowers continue to be singled out for their "negative" impact. It's Echo's position that these attacks have been and continue to be unfair and totally misguided.

Most of the complaints against power blowers revolve around the issue of noise. Admittedly, blowers that are improperly used or maintained can be a nuisance, just like any other piece of equipment. But power blowers make no more noise than other types of power-equipment. Nor does the hum of these tools dwarf the decibel output of other gasoline-powered equipment such as the automobiles we drive and the trains we ride. Moreover, throughout the last three decades, the power blower has proven to be among the most useful of any power equipment tool ever invented.

Since being challenged 10 years ago to develop quieter running blowers, the industry, spearheaded by Echo, has responded. Echo engineers studied every aspect of the blower, coming up originally with a series of power blowers that could set the standard for quiet operating machines (70 dBA and lower at 50 feet when operated at full throttle). More recently, the company introduced a revolutionary low noise power blower that generates a mere 65 dBA at full throttle at 50 feet. The new blower reduces noise output by up to 50 percent over many current models on the market.

In addition to advances in noise abatement, Echo was one of the first to introduce an engine that met the very stringent 1995 California Air Resources Board (CARB) standards. There is no question that today's blowers are significantly quieter and cleaner to operate than

their predecessors of 10 years ago, or even a year or two.

To supplement its design and engineering efforts, Echo has long been a proponent of educating the end-user to operate not just blowers but all power equipment in a safe and courteous way. Eight years ago, the company instituted its nationwide "Be Smart!" program. Through poster, video, literature and other education vehicles, including an operating brochure translated into six languages, Echo has and continues to instruct people on how to use equipment without offending bystanders.

Echo dealers and sales representatives have also played a key role over the years alerting customers about the growing sensitivities over blower use and how they can be minimized by following a few simple guidelines.

Through it all, Echo has made itself available to city councils and their constituents to help resolve any blower noise situations.

Despite these efforts and those of other industry associates, selected communities around the country are still trying to either ban blowers altogether or seriously restrict their use. Most recently, Los Angeles passed an ordinance that bans the use of blowers within 500 feet of residences. The ordinance, scheduled to go into effect July 1, 1997, will severely restrict the use of blowers at both the consumer and professional level. Los Angeles doesn't stand alone. There are literally hundreds of communities around the country that have ordinances against blower use or are considering some degree of regulation.

Common sense tells us that a pragmatic tool like the power blower, one that has been employed for decades and one that is getting quieter and cleaner to operate, should be taken off the most wanted list. Common sense tells us that efforts to educate end-users and a

willingness to work with all parties to find an equitable solution should count for something.

Common sense tells us, as well, that if more than a few communities can find an equitable solution without bans and other severe use restrictions, others can, too, if they only try.

The key with cities such as Los Angeles is they're not trying...and it's our growing belief noise and pollution aren't the issues. The issue is ignorance, ignorance about the important roll power blowers play in helping, not hindering our environment.

### Sounding Out The Problem

New technology, educational programs, and heightened awareness among users hasn't made an impact on Los Angeles and other communities where unreasonable regulations and ordinances against blowers have passed. The stated problem is noise and pollution.

But it's not noise -- more specifically too much noise -- that's the problem. After all, if noise were the issue, there would be plenty of other engine-powered products on the cutting block ahead of power blowers. Pollution by way of engine emissions and dust would seem insignificant, as well, when compared to other producers of the same.

The only "reasonable" conclusion to be drawn from this unfair and in our estimation illegal attack on power blowers, is the select few who are spearheading the movement have failed to make a connection between an operating power blower and the job it's doing. It's the sound of the blower, not the noise, that's turning them off. They hear a blower, see it in operation, then criticize its use without fully understanding its function.

These same people would feel differently if their restrictions had the same kind of

negative impact on them as it does on those whose lives power blowers touch in a positive way, every day. Here are some of those people:

- \* Municipalities -- Using brooms instead of power blowers increases the time (and cost) of removing leaves by 30 to 50 percent. Acknowledging the negative impact, the Los Angeles recreation and parks department requested exemption from the first proposed ban in 1986. Wouldn't it be nice if people who depend on blowers to make a living could request a similar exemption?
- \* Dealers -- Literally thousands of dealers in this country sell and service power blowers. Obviously, bans and even severe restrictions have a negative impact on their operations. Even in areas of the country where regulations have only been suggested and are not in place, the negative publicity has hurt sales.
- \* Distributors -- After three decades of helping dealers market, sell and service power blower, distributors have come to rely on these products. Putting restrictions on their use -- like it does with their dealers -- has a negative impact on their business.
- \* Manufacturers -- Echo, as the leading manufacturer of power blowers, has plenty to lose from unreasonable restrictions against blower use. But so, too, do other power blower manufacturers, their dealers and distributors. So, too, do the component manufacturers and other companies who supply both the OEMs and produce

accessories that accompany safe and proper power blower use.

- \* Landscapers (and other professional users) -- Without power blowers, landscapers have two choices: They can charge customers 30 to 50 percent more for using brooms to assist in cleanup. Or they can reduce the level of service. The former would require hiring more employees (if they can find them); the latter would require customers to accept a lower level of service.
  
- \* Consumer (homeowners) -- Homeowners are affected by blower restrictions, too. Without blowers, they, too, will be required to use brooms or water to clear walks and rakes to gather leaves.
  
- \* Pavement/Commercial Facility Sweeping/Maintenance Companies -- Companies that specialize in facility cleanup will lose one of their most useful and productive tools.
  
- \* Special Niche Services -- People who complain about blower noise (sound) have tunnel vision that affects their reasoning in two ways: One, they don't understand what the blower's purpose is and two, they can't possibly comprehend that a blower could have more than one application. Blowers are used by any number of people and services for a variety of applications. Power blowers have helped contain fires, remove snow from walks and automobiles, clean up public facilities and stadiums, to name but a few.

Inconsistencies And Other Troubling Aspects Of The Power Blower Controversy

-- Bans and ordinances that single out power blowers do so without calling into question other power equipment, tools, or devices that make as much if not more noise or that add as much if not more to air pollution levels.

-- Bans and serious restrictions are not only unfair and raise very serious restraint-of-trade issues, they blatantly ignore their own economic consequences.

-- The industry in general, and Echo in particular, have been proactive on noise and other environmental concerns about blower use. Technological advances, educational programs and the willingness to meet with public officials has met with success in several communities. Yet in others, the same effort falls on deaf ears.

-- The last thing cities like Los Angeles need is another unreasonable and unenforceable ordinance. Ordinances rarely solve the issue at hand. They sweep it under the rug.

The Position

Re-stated, it's Echo's position that attacks on power blowers have been and continue to be unfair and totally misguided. The company has worked diligently for several years now and continues to work to develop, produce and market environmentally friendly products. Further down the line, dealers and distributors have made the same effort to train end-users in

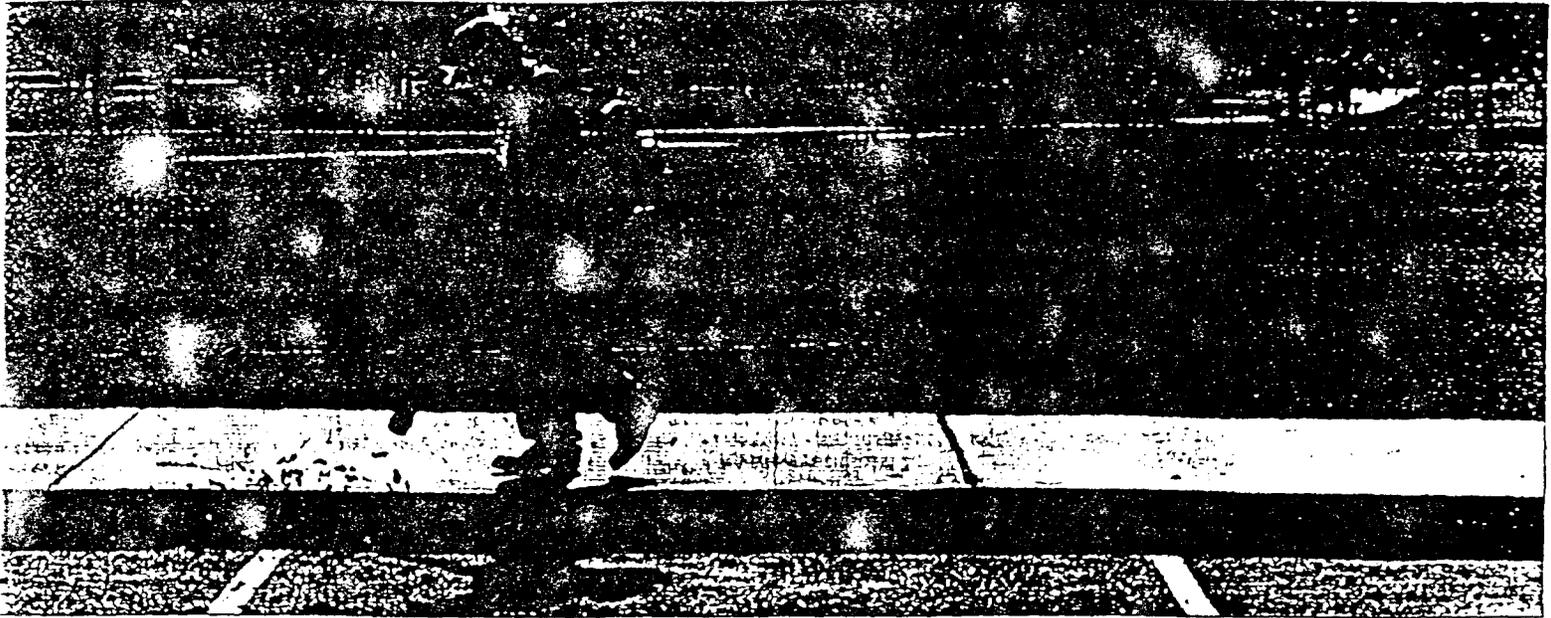
the proper use of their equipment. These are ongoing efforts.

It's been proven over and over that self-regulation of blower use works. So, too, do reasonable and realistic ordinances. Bans and severe restrictions don't and Echo will take every action necessary to have these regulations lifted and the rights of individuals reinstated.

###

Echo 11 Disk/LAPOS97.WP

## Leaf blowers: Nuisance or necessity?



Staff photo by Richard Quinn

**PUSHING IT:** Felipe Blas of Mark Five Services in Moorpark blows debris from a parking lot sidewalk at Rancho Santa Susana Community Park in Simi Valley.

# Tempest on a sidewalk

Several county cities among those seeking ways to limit noisy machines landscapers love, others hate

By Jim McLain  
Staff writer

Getting action at Oxnard City Hall was easy for First Presbyterian Church Pastor Jim Bain. Uttering a few words from his pulpit one Sunday did the trick.

Almost before he knew it, Bain had about 60 signatures — more than 10 percent of his congregation — on a petition demanding a city-wide ban on gasoline-powered leaf blowers, the noisy landscaping tools people love to hate.

Oxnard City Council members were impressed. They ordered their staff last week to check out the idea and make a recommendation this summer. Bain sees it as a health issue.

"We have a neighbor who had gone into the hospital two or three times with asthma partly caused by air pollution," he said. "I just think a leaf blower is kind of unneighborly. It usually just blows the dust up into the air and next door."

From Oyster Bay, N.Y., to Evanston, Ill., to Santa Barbara, the ear-splitting whine of the

ubiquitous leaf blower is increasingly the subject of political controversy. Gardeners won't be allowed to use gasoline-powered blowers within 500 feet of any Los Angeles residence after July 1. Activists in the nation's second-largest city battled 11 years to win the ban.

In Santa Barbara, members of BLAST-Ban Leafblowers and Save Our Town claim to have gathered more than 7,000 voters' signatures on petitions to qualify an initiative outlawing gas-fueled leaf blowers for the Nov. 4 ballot. They need only 6,500 valid signatures and have until May 27 to get more.

Restricting the use of leaf blowers is a trend that has taken root in 42 California cities, including Camarillo. Bain and his petition have Oxnard officials thinking about it. In Ojai, Planning Director Bill Prince said increased noise complaints recently prompted council members to order him to look at other cities' ordinances and propose one.

Moorpark City Councilman John Wozniak proposed an ordinance three months ago, but agreed to table the idea when others pointed

Please see **BLOWERS** on A6

### Where blower foes have been at work:

**CAMARILLO:** Only Ventura County city with an ordinance restricting leaf blowers. Enacted five years ago, it limits their use to one hour a day.

**OJAI:** After receiving numerous complaints, the City Council asked the city staff to look at other leaf blower laws and propose one. Planning Director Bill Prince said that process will begin this summer.

**VENTURA, MOORPARK:** These cities rely on anti-noise ordinances to keep leaf blowers in check. Officials in both cities said landscapers willingly cooperate once they are told of the law.

**OXNARD:** After 60 people signed a petition demanding leaf blower restrictions, the City Council ordered its staff to come up with a recommendation. It should be ready this summer.

**LOS ANGELES:** A tough ordinance banning gasoline-powered leaf blowers from being operated within 500 feet of any residence goes into effect in Los Angeles on July 1. The issue had been debated for nearly 11 years.

**SANTA BARBARA:** Backers of a measure that would ban gasoline-powered leaf blowers throughout Santa Barbara have until May 27 to turn in 6,500 registered voters' signatures to qualify it for the Nov. 4 ballot. They say they already have 7,000 signatures.

# BLOWERS: Cities look at limiting use

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Continued from A1

out that the city's anti-noise law covers the leaf blowers' racket, even though it does not mention the machines specifically.

Complaints about leaf blower noise are sporadic in Ventura County, several officials said. Simi Valley City Councilwoman Sandi Webb, who hates the machines, said many people handle the problem themselves. It also helps that many homes are on large lots.

"You tell your own gardener, 'Hey, knock it off!'" Webb said. "As far as I'm concerned, that's the way you handle it. I think that you probably would have more problems in neighborhoods where the houses are more tightly packed."

Camarillo's ordinance was enacted five years ago after several complaints, said Planning Director Tony Boden. It restricts the use of leaf blowers, lawn mowers, edgers and other noisy equipment to daytime hours, 7 a.m. to 9 p.m. weekdays and 9 a.m. to 6 p.m. on weekends and holidays. Most of the grumbling concerned workers who used blowers to clear debris from shopping center parking lots in predawn hours, Boden said. There have been few requests to strengthen the law.

That is probably because most leaf blower operators cooperate readily when told about complaints, said Sue Taylor, a code enforcement inspector in Ventura. She hands out copies of the city's anti-noise ordinance to gardeners and sweepers when there are complaints. Though the ordinance does not mention leaf blowers, Taylor said, she has never had to file a complaint. Ventura's ordinance sets noise levels that cannot be exceeded at certain times of the day.

"Any leaf blower would definitely be in violation, above the decibel level we allow," said Taylor, who last year got a night crew cleaning Community Memorial Hospital's parking garage to change its hours. "They probably know that their days may be numbered if there were enough complaints."

Leaf blower complaints are received only occasionally at the Ventura County Air Pollution Control District, said Keith Duval, compliance division manager.

Though the two-stroke engines that run most gas-fueled blowers do pollute, there aren't enough machines to make them a major smog source, he said. Most of the grumbling the APCD hears concerns noise, which is not in its jurisdiction, he added.

Though people claim to hate

**"I just think a leaf blower is kind of unneighborly. It usually just blows the dust up into the air and next door."**

— Jim Bala,  
Oxnard church pastor

them, leaf blower sales are brisk, said Vera Villasenor, assistant store manager at Green Thumb Nursery in Ventura, where 10 to 30 are bought each month. Landscape maintenance businesses can operate cheaper and more efficiently with leaf blowers, he said. Many homeowners like the time and energy they save by not having to rake.

"They're noisy, yes, but the mowers and chain saws are noisier than the blowers," Villasenor said. "People don't complain about them."

Still, there are enough complaints to prompt strong action. The city of Lomita, a few miles south of Torrance, banned gas-fueled blowers nearly 10 years ago. It was one of the first in California to act. But the law had to be changed two years ago to restrict only the hours blowers can be used because residents had unrealistic enforcement expectations.

"By the time a person called the Sheriff's Department or myself, they had already stopped using it," said Code Enforcement Officer Christine Villarreal. "We don't have the time to sit for a half-hour to guard against that."

In Evanston, Ill., just north of Chicago, a law enacted last year allows leaf blowers to be used only for six-week periods in the spring and fall. Linda Lutz, director of Evanston's Ecology Center, said the large number of residents who work out of their homes asked for the ban.

"It's a nuisance noise, and they don't like it," Lutz said. "We don't know if this is going to work, but a lot of people were in favor of trying it."

In Santa Barbara, syndicated cartoonist Ashleigh Brilliant has spent 15 years battling leaf blowers.

He ran unsuccessfully for the City Council a few years ago; leaf blowers were his only campaign issue. He is leading the initiative campaign to outlaw gas-fueled machines and thinks this time he might win.

"Ideally, we'd like to stop them all," said Brilliant, creator of the comic strip Pot Shots, "but it's going to be hard enough just to get this much through."

# Blowers Banned In Los Angeles

## Industry Reps Meet To Discuss Impact.

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On November 19, 1996, the Los Angeles City Council passed a law that will outlaw the operation of all gasoline powered leaf blowers within 500 feet of a residence. This law goes into effect on July 1, 1997 and is a total, year-round ban.

It was sponsored by the Los Angeles City Council member Marvin Braude and was first proposed ten years ago, but did not have the votes to pass. Equipment dealers in Los Angeles face the virtual elimination of an entire product line in their city. Landscape groups have denounced the law. The industry as a whole that conducts business in Los Angeles must now find another way to do the job of this very important tool they can no longer use. Maximum penalties reach \$1,000 and provisions are in place to fine illegal operators of this machine as well as the owners of the property where the violations take place.

In an effort to assess the impact of this law and to communicate views and opinions, industry representatives met on January 15, 1997 at the Los Angeles Airport Marriott Hotel.

The Portable Power Equipment Manufacturers Association (PPEMA) sponsored, organized and hosted the meeting which was attended by its member equipment manufacturers. Also, in attendance were representatives from the Outdoor Power Equipment Institute and leaders of landscape contractor trade groups from throughout the State of California. The author of this article was in attendance as an observer from the New York State Turf and Landscape Association which is currently engaged in the legal challenge of similar, but less restrictive laws in its own state.

The agenda of the meeting was as follows:

1. Welcome - Donald Purcell, PPEMA President.
2. Los Angeles Blower Situation: Its origins and implications - Robin Pendergrast, International Marketing Exchange (representing ECHO, Inc.)
3. A Political Perspective on the Blower Ban - Tom McCarty, lobbyist, the McCarty Company, Los Angeles, California (representing ECHO, Inc.)
4. Question and Answer Session.

Sitting at the table for every attendee was a 150 page information package produced by Mr. Pendergrast which included a comprehensive collection of copies of recent newspaper articles and edi-

torials from papers throughout Southern California. Also included in this package were copies of letters to and from the City Council members and police authorities concerning the new law, letters from PPEMA and other industry members, as well as a copy of the law itself. Mr. Pendergrast also produced a video tape presentation which included related television news clips from the Los Angeles area television networks as well as the actual City Council meeting that produced this law. On the video tape there appeared the public testimony in council chambers of Meredith Baxter and Peter Graves, both former television personalities that expressed negative opinions about the use of leaf blowers. Using the considerable array of information that he prepared expressly for this meeting, that was effectively presented to show a very dire state of affairs for the industry in Los Angeles, Mr. Pendergrast stunned the room.

Immediately following his presentation, came Mr. Tom McCarty of the McCarty Company who lobbied the City Council on behalf of ECHO, Inc. His account of months of work attempting to forge a coalition of council members to oppose the ban, painted a picture of the Los Angeles City Council capitulating with the elderly council member Marvin Braude to ratify his political agenda in his final term (he has announced plans to retire at the end of this council term). Mr. McCarty underscored the problem for the various industry representatives that laws similar to this are possible to occur in any municipality in America. All it really takes is a small number of vocal proponents and a powerful council member to push a measure such as this one, into law. It should be noted that Mayor Richard Riordan signed the measure as well. Three council members opposed the ban, Mr. Alatorre, Mr. Savorinich, Mr. Walters. There were three abstentions and nine votes in favor of the ban.

The real substance of this meeting came with the thoughts and feelings of the thirty-five attendees. Virtually everyone spoke. They expressed their objection to the law and its implications. The ideas expressed by the attendees spanned the whole spectrum of alternatives including (but not limited to) educating the users in the industry to fighting the laws in the court system. Many thought that a public relations campaign would help. Everyone agreed that unity was impor-

(continued on page 19)

tant.

In the end, the fact that the many different factions of this industry gathered together that day to exchange views was an important step toward a unified approach to a very difficult set of circumstances. No one could recall a meeting of such a wide variety of industry representatives to address future challenges.

Mr. Purcell, the PPEMA President spoke last. His concern went far beyond the noise issue in Los Angeles. He was able to relate the fears and concerns of the manufacturers that faced the possible curtailment of all two stroke powered equipment sales in the entire state of California. The California Air Resources Board had regulations proposed for enactment that would impose pollution and particulate matter guidelines in two years that would exceed the industry's present capacity to meet. While he expressed a hope, at best, that the Los Angeles law could be "recrafted" to be a little less restrictive, he emphasized that it would take a unified approach to accomplish that end "with everyone together on the same page." It was "reasonable standards" that he was working for, "not a lawsuit". Mr. Purcell offered to create a "clearing house for information and reports" through PPEMA; "a communications data base" and to invite everyone back in March for an update on their progress. He clearly stated that he did not have the budget for fighting noise issue battles nationwide while bearing the financial burden of meeting the technological challenges faced by the manufacturers in the next fifteen years.

There were few smiles as the attendees went back to their work in an industry with a new set of problems to ponder. It remains to be seen how effectively PPEMA will function as a clearing house for information. Will this include the legal briefs and arguments advanced by those who choose to bear the burden of a legal challenge on their own, in their own cities and towns, as these laws proliferate? Will they commission their own studies and compile their own facts and statistics to challenge the misinformation circulated by those that would like to put them out of business? Will they create a web site?

I have to say that I walked away with more questions about the future than I came with. Everyone that I spoke with looks forward to the next meeting. It might only be a small consolation that I now have friends across the country that I can dial up at any time to draw upon their experience as we all go forward.

but that may just be the basis for success in our fight for fair laws and equitable compromise in our workplace.

Larry Wilson, President  
New York State Turf & Landscape  
Association  
P.O. Box 307  
Scarsdale, NY (914) 636-2875

MAY 19, 1997

P1548

**LUCE** PRESS CLIPPINGS

## OUR VIEWS

# Leaf blowers are next targets in clean air wars

Banning leaf blowers?

Unthinkable.

Or is it?

The City of Visalia's environmental advisory committee might have caught people by surprise last week in recommending some restriction on use of gasoline-powered leaf blowers in the city. So far, there are few specifics about what kind of restrictions, or even if the committee is thinking about a total prohibition. The committee is drafting an ordinance for presentation to the City Council in June.

There's also no word yet from the council on whether it would adopt the ordinance.

But something is coming, for sure.

Opponents of leaf blowers are correct in saying they contribute a disproportionate share of air pollution in comparison to the amount of time they operate and the work they perform. And the air needs to be protected. California's state guidelines are becoming stricter, and communities are going to have to start dealing with their pollution problems.

Of course, we don't understand why the cleanup has to start with the smallest engines involved while the state repeatedly avoids getting really tough with mega-polluters, but that's another issue.

Leaf blowers stink. And they're loud. They're a nuisance.

Issue: The City of Visalia's

Environmental Committee is drafting an ordinance to restrict the use of leaf blowers, considered heavy contributors of both air and noise pollution.

**Our View:** This is probably inevitable. The committee needs to give people time to adjust.

**How To Get Involved:** Comment to the committee by writing City Hall, 707 W. Acequia Ave., Visalia, CA 93291; messages: 738-3325; fax: 730-7043.

basically.

Ah, but there are so many of them, they can never get rid of 20 million blowers in California.

If you think it couldn't happen, remember smoking. No one thought smoking tobacco would be eliminated from public only a few years ago.

So eventually the leaf blowers will go. It will be cleaner and quieter, and property owners will pay a lot more for their yard care. It's called progress.

Meanwhile, we advise the advisors to be reasonable and gradual in their need to rid the world of leaf blowers. It's not going to happen in a single growing season.

Eventually, though, leaf blowers will be replaced by alternative technology.

It's called a rake.

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**SB 14 Leaf blowers.****BILL NUMBER: SB 14 AMENDED 06/24/98**

AMENDED IN ASSEMBLY JUNE 24, 1998  
 AMENDED IN ASSEMBLY MARCH 16, 1998  
 AMENDED IN SENATE JUNE 5, 1997  
 AMENDED IN SENATE MAY 14, 1997  
 AMENDED IN SENATE MAY 5, 1997  
 AMENDED IN SENATE APRIL 2, 1997

**INTRODUCED BY Senator Calderon Polanco****DECEMBER 2, 1996**

~~An act to amend Sections 204, 215, 234, 631, 631.2, and 1033.5 of, and to add Sections 191.5, 214.5, and 219.5 to, the Code of Civil Procedure, to add Sections 17053.20 and 23635 to the Revenue and Taxation Code, and to add Section 1253.9 to the Unemployment Insurance Code, relating to juries. An act to add Chapter 11.5 (commencing with Section 21900) to Division 8 of the Business and Professions Code, relating to leaf blowers.~~

**LEGISLATIVE COUNSEL'S DIGEST**

SB 14, as amended, Calderon Polanco. ~~Jury service~~ Leaf blowers.

*Existing law provides for the regulation of specified businesses and professions and provides for certain special business regulations.*

*This bill would authorize a city, county, or city and county to establish noise limitations on leaf blowers consistent with a noise level standard of 65 dBA or greater, measured at a distance of 50 feet in accordance with testing protocol established by a particular standard of the American National Standard Institute.*

*This bill would prohibit a city, county, or city and county from prohibiting the use of leaf blowers, except between the hours of 6 p.m. and 8 a.m. on weekdays and between the hours of 5 p.m. and 9 a.m. on weekends. It would authorize a city, county, or city and county to regulate the manner of use of leaf blowers, as specified, and to require leaf blowers used for commercial purposes in that local jurisdiction on and after January 1, 2000, to be tested and certified by an independent testing facility.*

*This bill would provide that certain duly adopted local initiative measures, containing more stringent requirements on the hours or manner of use of leaf blowers than are contained in the bill's provisions, would supersede the bill's provisions in those local jurisdictions.*

*This bill would also state legislative intent and provide legislative findings and declarations with respect to these provisions.*

~~(1) Under existing law, the Trial Jury Selection and Management Act, the Legislature recognizes that jury service is an obligation of citizenship, and all qualified persons are required to perform jury service, as specified, unless excused for undue hardship, and qualified jurors who fail to appear as summoned or ordered are subject to compelled attendance or punishment for contempt of court for failure to attend.~~

~~This bill would specify that jury service is mandatory for all qualified California citizens who are summoned or ordered to appear, as a duty of California citizenship. The bill would also declare the intent of the Legislature with respect to one-day one trial jury service.~~

~~(2) Existing law does not specify a minimum period, following jury service, during which an eligible person is excused from further jury service.~~

~~This bill would excuse an eligible person from further jury service for a minimum 12 months after he or she has completed jury service.~~

~~(3) Existing law specifies the fees and travel reimbursement to be paid to jurors in civil and criminal cases. In criminal cases, these amounts are paid by the county. In civil cases, the party who has demanded trial by jury is required to reimburse the county for the fees and mileage of jurors appearing for voir dire examination.~~

~~This bill would increase the daily fees and mileage reimbursement, and require reimbursement for parking and dependent care expenses, beginning with the second day of jury service, thereby imposing a state-mandated local program. The bill would require the party demanding trial by jury to reimburse the county for juror fees, parking, child and other dependent care expenses, and mileage reimbursement.~~

~~(4) Existing law provides that a court may award a prevailing party specified costs in a civil action.~~

~~This bill would provide that allowable costs would include juror parking, child and other dependent care expenses, and mileage reimbursement.~~

9/1/98 cc

<b>EXHIBIT</b>
6

~~(5) Existing law provides for the selection of trial jurors by name, and provides for the names of qualified jurors drawn from the qualified juror list to be made available to the public upon request unless the court determines, as specified, that a compelling interest exists in keeping this information confidential.~~

~~This bill would provide for the selection and identification of trial jurors by number instead of by name.~~

~~(6) Existing law does not authorize alternate jurors to observe the deliberations of the trial jurors in a civil action.~~

~~This bill would authorize a court, in its discretion, to permit alternate jurors to observe the deliberations of the trial jurors in a civil action, as specified.~~

~~(7) The Personal Income Tax Law and the Bank and Corporation Tax Law authorize various credits against the taxes imposed by those laws.~~

~~This bill would authorize a credit against those taxes for each taxable and income year beginning on or after January 1, 1999, in an amount equal to 50% of the amount paid or incurred during the taxable or income year as compensation to an employee during the period that the employee serves on a trial jury.~~

~~(8) Existing law provides for the waiver of a jury trial by failure to pay advance jury fees.~~

~~This bill would revise those provisions.~~

~~(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that reimbursement for those costs shall be made pursuant to an appropriation in the annual Budget Act.~~

Vote: majority. Appropriation: no. Fiscal committee: yes no . State-mandated local program: yes no .

~~SECTION 1 Section 191.5 is added to the Code of~~

*SECTION 1. Chapter 11.5 (commencing with Section 21900) is added to Division 8 of the Business and Professions Code, to read:*

#### **CHAPTER 11.5. LEAF BLOWERS**

*21900. (a) A city, county, or city and county, may establish noise limitations on leaf blowers consistent with a noise level standard of 65 dBA or greater, measured at a distance of 50 feet in accordance with testing protocol established by the American National Standard Institute Standard B 175.2.*

*(b) No city, county, or city and county may prohibit the use of leaf blowers, except between the hours of 6 p.m. and 8 a.m. on weekdays and between the hours of 5 p.m. and 9 a.m. on weekends.*

*(c) Notwithstanding subdivisions (a) and (b), a city, county, or city and county, may do both of the following:*

*(1) Regulate the manner of use of leaf blowers, including the imposition of restrictions on blowing and disposal of debris onto adjoining property or into public streets, sidewalks, or gutters.*

*(2) Require leaf blowers used for commercial purposes in that local jurisdiction on and after January 1, 2000, to be tested and certified by an independent testing facility.*

*(d) Notwithstanding subdivisions (a) and (b), a local initiative that is qualified for a local ballot by the necessary number of signatures as required by state law, the primary purpose of which is to place more stringent requirements on the hours or manner of use of leaf blowers than are contained in this chapter, and which is adopted by a majority of voters at a regularly scheduled election in the local jurisdiction, shall take effect as provided in the initiative, and shall supersede the provisions of this chapter.*

*21901. (a) The Legislature finds and declares that the permissible noise level of leaf blowers as provided in this chapter is in need of uniform statewide regulation and constitutes a matter of statewide concern that shall be governed solely by this chapter.*

*(b) It is the intent of the Legislature in establishing a local noise level threshold for leaf blowers of 65 dBA, as described in subdivision (a) of Section 21900, that this threshold level represents the quietest leaf blower technology available on the market as of the date of the enactment of this chapter, and that as more technologically advanced, reduced-noise leaf blowers become economically viable, that threshold level should be lowered to reflect technological and market conditions.*

All matter omitted in this version of the bill appears in the bill as amended in the Assembly, March 16, 1998 (JR 11)

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BILL ANALYSIS

SB 14  
Page 1

Date of Hearing: July 1, 1998

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT  
Michael Sweeney, Chair

SB 14 (Polanco) - As Amended: June 24, 1998

SENATE VOTE : not relevant

LOCAL GOVERNMENT >

SUBJECT : Local government regulation of leaf blowers.

SUMMARY : Establishes limitations on the authority of local governments to regulate the use of leaf blowers. Specifically, this bill :

- 1) Prohibits cities and counties from establishing noise limitations on leaf blowers emitting a noise level of 65 decibels or less, measured at a distance of 50 feet in accordance with the standards established by the American National Standard Institute.
- 2) Provides that no city, county, or city and county may prohibit the use of leaf blowers except between the hours of: 8 p.m. and 8 a.m. on weekdays, and 9 p.m. and 9 a.m. on weekends.
- 3) Provides that a city, county or city and county may:
  - a) Regulate the manner and use of leaf blowers including restrictions on blowing and disposal of debris onto adjoining property, sidewalks or gutters.
  - b) Require leaf blowers for commercial use, on or after January 1, 2000, to be tested and certified by an independent testing facility.
- 4) Provides that more stringent requirements on the hours or manner of use of leaf blowers than contained in this bill may be enacted by local ballot initiative if approved by a majority of the voters.
- 5) Provides that the Legislature finds that the uniform regulation of the noise level of leaf blowers is a matter of statewide concern.
- 6) Provides that it is the intent of the Legislature, in establishing the 65 decibel limit, that this level represents the quietest leaf blower technology currently available on the market and if at such time further reduced noise leaf blowers become economically viable, that threshold level should be lowered.

EXISTING LAW :

- 1) Does not address noise levels emanating from leaf blowers or

SB 14  
Page 2

other portable power equipment.

- 2) A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws. (Cal. Const. art. XI, section 7)

cc 9/6/98



SB 14  
Page 3

- 3) A city has police power authority to declare what activities or uses constitute a nuisance and to enact regulations designed to eliminate or reduce the occurrence of a nuisance in an effort to protect the general welfare. (Cal. Const. art. XI, sec. 7).
- 4) State law defines a "nuisance" as being "anything which is injurious to health, or is indecent, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property." (Cal. Civ. Code section 370)
- 5) Charter cities and charter counties may enact laws which conflict with state law as to any matters which are deemed local or "municipal" affairs rather than matters of statewide concern.

FISCAL EFFECT : No state cost.

COMMENTS :

1) The Los Angeles Ordinance .

This issue arose as a response to a City of Los Angeles ordinance passed in November, 1996 that provided that no gas powered blower shall be used within 500 feet of a residence at anytime.

Following passage of the ordinance gardeners marched in protest on the Los Angeles City Hall. According to the Los Angeles Times: "The demonstrations reached a sobering level when a group of gardeners vowed to fast until death on the grounds of City Hall unless the mayor and the council took action to address their grievances. In January, 1998, a compromise was reached when the council promised to help the gardeners obtain replacement machines, while voting to enforce the current ordinance by authorizing police to issue tickets to violators

and their employers.

Senator Polanco's first bill this session on leaf blowers was SB 1651. SB 1651 was approved by the Senate Business and Professions Committee (Ayes 4, Noes 2) and the Senate Local Government Committee (Ayes 5, Noes 2). Because SB 1651 required the Department of Consumer Affairs to adopt a program to certify leaf blowers, the bill was sent to Senate Appropriations. SB 1651 failed passage in Senate Appropriations Committee.

Instead of seeking reconsideration in Senate Appropriations for SB 1651, Senator Polanco took over Senator Calderon's SB 14 (relating clause: "Jury Service"). SB 14 (now Polanco) included the provisions of SB 1651 without the requirement that the Department of Consumer Affairs adopt a program to certify leaf blowers, thereby making the bill non-fiscal.

2) Restrictions by Other Cities .

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Page 4

Since 1975, 18 cities in California have adopted restrictive regulations or outright bans on the use of such equipment as a result of pressure from residents complaints about noise, dust and emissions. The cities that have passed such ordinances are: Belvedere, Berkeley, Beverly Hills, Carmel, Claremont, Del Mar, Hermosa Beach, Indian Wells, Lawndale, Laguna Beach, Los Altos, Los Angeles, Malibu, Menlo Park, Mill Valley, Piedmont, Santa Monica, and West Hollywood. The City of Santa Barbara approved an

SB 14  
Page 5

17

initiative ordinance banning the use of gasoline powered leaf blowers in November, 1997.

3) What is a Decibel ?

A decibel is a measurement of the intensity (energy/square inch) of sound.

According to the World Book Encyclopedia: A sound intensity level of 140 decibels (dB) is the threshold of pain. Sounds of 140 dBs or more produce pain in the ear, rather than hearing. A whisper amounts to about 20 decibels. Ordinary conversation has an intensity level of about 60 dBs. Loud rock music can produce up to 120 dBs.

The measure of decibels is on a logarithmic scale, that is for each 10 point increase in decibels the sound is 10 times louder than the previous level. Thus 70 dBs is 10 times greater than 60 dBs, 80 dBs is 100 times greater than 60 dBs and 90 dBs is 1000 times greater than 60 dBs.

4) What is the American National Standard Institute ?

The American National Standards Institute is the administrator and coordinator of the United States private sector voluntary standardization system. The Institute is a private, nonprofit membership organization supported by a constituency of private and public sector organizations.

5) Local Control .

As noted under existing law, the California Constitution clearly provides that local governments are given the authority to establish their own ordinances to address the concerns of its residents.

This bill would limit an element of local control. Ever since 1975, local communities have regulated the use of leaf blowers. Over the years, as noted above, 17 cities have determined through the local legislative process to regulate or ban, what to some residents, constitutes a nuisance.

The committee may want to consider whether it is proper for the state to set a uniform standard for all communities with regard to noise levels. Communities in this state are diverse and what is not bothersome to the population in one community may be excessively bothersome to residents of another.

Further, this bill would prevent local government from regulating to protect its citizens from dust and other airborne particulate matter which results from the use of leaf blowers. The committee may want to ask whether cities may still ban the use of leaf blowers adjacent to residences occupied by individuals with lung conditions.

This bill would also limit local governments ability to enact

SB 14  
Page 6

ordinances which would reduce emissions and contributions to smog.

The situation in Los Angeles would indicate that the system works. When the issue was brought to City Hall in albeit dramatic form, the City of Los Angeles did agree to address the concerns of the landscape workers. This bill diminishes the ability of local governments to craft ordinances through the negotiation and hearing process that address local concerns.

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SB 14  
Page 7

6) Impact on Landscape Workers .

The Los Angeles ordinance and the other 14 cities which have established total bans on the use of gasoline powered leaf blowers do impact landscape maintenance businesses. Supporters of this bill argue that the time to do proper maintenance increases when fueled leaf blowers are prohibited. Supporters argue that the Los Angeles ban eliminates a tool of the trade, that they will not be as efficient and productive and that they will be economically harmed by such a ban.

A total ban on leaf blowers impacts the cost and ability of municipalities to maintain public space. According to a City of Santa Barbara analysis of its own proposed leaf blower ban, "leaf blowers enable maintenance crews to sustain . . . levels of park cleanliness despite increased workloads and staff reductions. Leaf blowers have become even more valuable because of staff and budget reductions as well as new responsibilities expected of park maintenance crews.

Supporters of the bill argue that the market may not bear an increase in rates if landscape maintenance businesses are forced to raise those rates to make up the difference.

According to the California Landscape Contractors Association (CLCA), bans on leaf blowers deprive the industry of a safe and essential tool and discourage the development of new, cleaner and quieter technologies that will significantly reduce air and noise pollution problems associated with these products.

CLCA argues further that this bill will help address community concerns about excessive noise while still encouraging manufacturers to develop quieter and cleaner lawn and garden power equipment.

7) Environmental Concerns .

Opponents to this bill cite that flat bans on gasoline powered leaf blowers improves air quality. The Bay Area Air Quality Management district has set goals for exhaust emissions from blower engines. San Mateo County has mandated that polluting

equipment not be purchased by the county. This bill would hinder local governments ability to regulate emissions.

17

The author notes that the California Air Resources Board recently adopted regulations that will effectively require leaf blowers and other portable power equipment to cut emissions by 50 to 60 percent by January 1, 2000.

1) Special interests ?

Currently there is only one manufacturer of leaf blowers that claims that it meets the standard under this bill. Echo advertises that it has a model currently on the market (PB-46LN backpack blower) which attains the 65 dB level measured at 50

SB 14  
Page 8

feet. However, this claim has been disputed by the Consumers Union who notes that, "its noise levels were significantly higher than claimed (69.5 dB, nearly 5 times as loud as the claimed 65)."

Leaf blower manufacturer, Echo, clearly would receive a windfall if this bill becomes law.

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Page 9

## 9) Enforcement ?

Opponents to this bill argue that it will place an undue burden on law enforcement to enforce limits established in this bill. Opponents assert it is most likely that such ordinances would be unenforceable and have no practical effect.

17

REGISTERED SUPPORT / OPPOSITION :Support

Association of Latin American Gardeners of Los Angeles (ALAGLA)  
Associated Roofing Contractors  
CA Business Properties Association  
CA Chamber of Commerce  
CA Hotel & Motel Association  
CA Landscape Contractors Association  
CA State Council of Laborers  
City of Dana Point  
Construction Industry Legislative Council  
ECHO Incorporated  
Golden Eagle Distributing Corporation  
Lawn and Garden Equipment Dealers Coalition  
San Mateo Gardeners' Association, Inc.  
Sheridan Landscaping, Inc.  
Southern CA Gardeners' Federation, Inc.  
Individual letters (1)

Opposition

Blowers Annoy Neighbors (BAN), Los Altos  
Cities of: Belvedere, Berkeley, Beverly Hills, Carmel-by-the-Sea, Claremont, Del Mar, Laguna Beach, Los Altos, Los Angeles, Menlo Park, Mill Valley, Piedmont, Santa Barbara  
Citizens for a Quieter Sacramento  
Concerned Californians  
EcoMagic, Palo Alto  
Jonas and Associates  
Laguna N. Neighborhood Association, Laguna  
League of CA Cities  
People for Livable and Active Neighborhoods in Los Angeles  
Residents for Less Pollution, Long Beach  
Sierra Club, California  
Zero Air Pollution (ZAP), Los Angeles  
Individual letters (10)

Analysis prepared by : Hubert Bower / algov / (916) 319-3958

FOR DISTRIBUTION AT THE 9-1-98 mtg

#17

JILL WEISBORD \* 609, 36th. STREET, MANHATTAN BEACH, CA. 90266.  
TEL. (310) 545-1935

RECEIVED  
CITY CLERK'S OFFICE

'98 AUG 28 P2:28

cc: council  
GEOFF  
BOB  
RICH T  
TED

Manhattan Beach City Council  
1400 Highland Ave

Aug. 27, 1998

Dear Mayor and City Council,

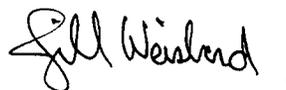
I am unable to attend the Sept. 1st. council meeting where you will again consider the regulations concerning leaf blowers. However, I would like to see a complete ban on their use.

Other cities have banned the use of leaf blowers out of concern for the adverse effects of noise and air pollution on their citizens and I would like to see Manhattan Beach follow suite.

The quality of life in Manhattan Beach has definitely declined since the advent of these noisy, air polluting machines. We are bombarded with noise which must exceed any noise ordinance. We are subjected to incredible dust and gasoline pollutants which decrease the air quality. When we add these adverse effects to the noise from the Chevron refinery, LAX, and helicopters flying overhead, plus the air pollutants from those sources and Allied Chemical, the cumulative impacts become considerable.

I urge you to follow the example of many other cities in California and ban the use of leaf blowers.

yours sincerely,



Jill Weisbord

201 N. Dianthus St.  
Manhattan Beach, CA 90266  
30 August 1998

RECEIVED  
CITY CLERK'S OFFICE

'98 SEP -1 A8:34

cc: Council  
Geoff  
Bob  
Rich T  
Ted

Manhattan Beach City Council  
1400 Highland Ave.  
Manhattan Beach, CA 90266

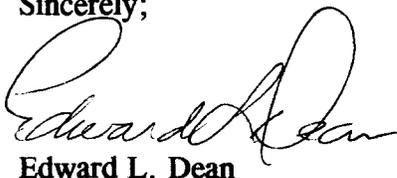
Dear Council Members

This letter is in regard to the discussions and proposed ordinance regarding leaf blowers. My main point is that leaf blowers don't have to be banned, but they do have to be less noisy. Regarding this I have two comments:

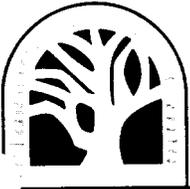
- 1) Existing blowers (at least some) can be operated quite satisfactorily at low power. Last week as my wife and I were taking an early evening walk, we passed by a gardener who was using a leaf blower very quietly and without stirring up much dust, yet he was doing an efficient job. He was running the blower at low power. We passed on the opposite side of the street and the noise level was surprisingly low.
- 2) Blowers can be made to run much more quietly and I suspect that many can be economically retrofitted to do so.

I suggest therefore that rather than an outright ban, any ordinance specify a maximum noise level and provide a practical method of measurement and enforcement. I realize, however, that this is easier said than done. The noise level should also apply to power lawn mowers.

Sincerely;



Edward L. Dean



FOR DISTRIBUTION AT THE 9-1-98 COUNCIL MEETING #17  
Letter SUBMITTED BY JEFF GRAHAM

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF CLAREMONT

Glenn D. Southard, City Manager

City Hall  
207 Harvard Avenue  
P.O. Box 880  
Claremont, CA 91711-0880  
FAX (909) 399-5492

98 SEP -1 P359

City Manager • (909) 399-5441  
City Clerk • (909) 399-5460  
Personnel • (909) 399-5450  
Community Information • (909) 399-5497

July 8, 1998

cc: Council  
GEOFF  
BOB  
RICH T  
TED

Mr. Jeff Graham  
2209 Laurel Avenue  
Manhattan Beach, CA 90266

Dear Mr. Graham:

This letter is to let you know of the "non-issues" experienced by the City of Claremont after our implementation of an ordinance prohibiting the use of gasoline powered leaf blowers in 1990.

During the hearings on this matter, which spanned about a four year period, we heard all sorts of "doomsday" type predictions from gardeners. We were told their rates would significantly increase; the City would look less pristine; the gardeners would electrocute themselves with electric blowers; and, that water usage would increase--an almost blasphemous notion in what was a drought ridden Southern California. Well, none of these things has happened.

Our 34,000 citizens continue to enjoy a pristine environment and we've had not one complaint that any of the City's 12.8 square miles are less tidy. And believe me, with our 20,000 plus street trees, which have garnered us a Tree City USA award for the last 13 consecutive years, we have a lot of leaves! I am also happy to report that we have not had one case of electric leaf blower electrocution.

Claremont residents have responded favorably to both voluntary and mandatory calls for water reduction and Southern California Water Company reports that Claremont residents easily met the 10% water reduction goal in the early 1990's.

The Claremont Colleges, City and Bausch & Lomb Surgical, all of which have significant grounds to maintain, have discovered that the vacuum sweepers are actually a more efficient way to achieve maintenance than were the gasoline powered leaf blowers.

What we have experienced is less noise, dust and air pollution. In fact, following the adoption of this ordinance, we received the Southern California Air Quality Management District's prestigious "Clean Air Award," in part due to our gasoline leaf blower prohibition.

If you need additional information, please feel free to contact me at 909-399-5442.

Sincerely,

  
Bridget Healy  
Assistant City Manager

BH/log

FOR DISTRIBUTION  
AT THE 9-1-98  
COUNCIL MEETING



Catharine Barnes  
Mayor  
David W. Raub  
Vice Mayor  
John Leonard  
Councilmember

May 19, 1998

Letter submitted by Jeff Graham

Hon John Burton  
State Capitol Building, Room 205  
Sacramento, CA 95814

Re: **Opposition to SB1651 (Polanco) Statewide Standards for  
Gasoline Powered Leaf Blowers**

RECEIVED  
CITY CLERK'S OFFICE

98 SEP -1 P3:59

Dennis Fisher  
Councilmember  
Clifford Waldeck  
Councilmember  
Doug Dawson  
City Manager

CC: COUNCIL  
GEOFF  
BOB  
RICH T  
TED

Dear Senator Burton:

We are writing to urge your opposition to SB 1651 which would preempt local control over the use of gasoline powered leaf blowers.

In response to citizens' complaints and after several hearings, the Mill Valley City Council adopted an ordinance in 1993 which banned the use of gasoline powered leaf blowers. The noise of these machines in our community with its many canyons became a major problem for many residents. The adoption of this measure has proved to be quite effective in reducing the number of neighbors' complaints. In addition, we have received no complaints from the industry regarding enforcement of this ordinance.

We ask your opposition to SB 1651, or in the alternative, if such a measure is adopted, that cities which pre-date its adoption are excluded, so that we may continue the authority over the use of these devices on a local level.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Catharine Barnes".

Catharine Barnes  
Mayor

cc: Assemblywoman Kerry Mazzone  
City Council

FOR DISTRIBUTION AT THE 9-1-98 Council Mtg  
CITY OF PIEDMONT

#17

RECEIVED  
CITY CLERK'S OFFICE

CALIFORNIA

CC: Council

98 SEP -1 P3 59



GOFF

BOB

RICH T.

TED

Letter submitted by Jeff Graham

March 31, 1998

SENATE BUSINESS AND PROFESSIONS COMMITTEE  
Room 2193, State Capitol  
Sacramento, CA 95814

Gentlemen:

Subject: SB 1651 (Polanco) Leaf Blowers, Local Preemption

For the past eight years, the City of Piedmont has banned the use of gasoline powered leaf blowers, except for municipal use. The matter was originally brought to the attention of the city council by a citizens group and was put on the regular municipal ballot in 1990. There was little, if any, reaction from the gardeners and landscapers working in Piedmont and the measure has proven to be appropriate for this community.

Recent reports in the press indicate that local regulation of gas powered leaf blowers has caused great concern on the part of gardeners. Although there was some initial concern after the adoption of the ban, it has been Piedmont's experience that professional gardeners have adjusted well to this regulation and that electric powered leaf blowers are an acceptable alternative. We have had no reports of inflated service rates or other economic consequences of the city's actions.

The city believes that the regulation of leaf blowers is a classic example of the need for local control. Although a total ban may not be appropriate for all cities, it was a good choice for our residential community. We urge your committee to vote no on SB1651 which would preempt Piedmont's ability to regulate leaf blowers in a manner acceptable to our residents.

Sincerely,

CITY OF PIEDMONT

*Geoffrey L. Grote*  
Geoffrey L. Grote  
City Administrator

Post-It® Fax Note	7671	Date	5-19-98	# of pages	1
To	Mynor O'Brien	From	Marcus		
Co/Dept	City of Los Altos	Co	City of Piedmont		
Phone #	0	Phone #	925-80-3040		
Fax #	650-967-0250	Fax #	653-8872		

FAX COVER SHEET

Wednesday, August 19, 1998 02:52:44 PM

RECEIVED  
CITY CLERK'S OFFICE

'98 AUG 19 P5:25

To: City Council  
Fax #: 545-9927

cc: Council  
Geoff  
Bob  
Rich T.  
Ted.  
Dave

From:  
Fax: 2 pages and a cover page.



Note:

Good afternoon,

Please include our Memo re leaf blowers in the Staff Report for the September 1 hearing on leaf blowers.

Could you please provide copies of the Memo re Oppose SB-14 to members of the City Council? Please let me know if this is not possible.

Thank you very much.

Cathy Bergeron

To: Manhattan Beach City Council  
c/o Department of Community Development

From: Cathy Bergeron  
1909 Harkness Street,  
Manhattan Beach, California 90266  
310-379-0972

Date: August 14, 1998

Re: Leaf Blowers

What is a leaf blower? It is a machine that blows lawn maintenance debris from one property to another property or to the street and sidewalk areas. This debris often includes pesticides, trash and dog droppings. It is disgusting. A leaf blower does not clean up anything. It blows the debris somewhere else. Notably, it is blown off the property of the person paying for the service. This family is among the many in this community who no longer care to tolerate the use leaf blowers.

There has been discussion of some need to balance noise pollution with economic issues. There is nothing to balance. Using a leaf blower saves time and probably reduces the cost of the service. This certainly does not mean that money will be lost by not using them. The lawn maintenance company can and should charge a price that compensates them for the work they do. If my neighbor wants to professionally maintain his lawn, I am sure he can also afford to have cleanup to be done in an appropriate manner.

My family and I are entitled to the peaceful enjoyment of our home. We have a seven-year old son, and I run a transcription business from our home. As a result of the noise, fumes and debris blowing around from leaf blowers, we frequently are forced to come in from playing outside. We routinely have to shut the doors and windows to reduce the noise level to a point where we can hear ourselves. I have had to terminate telephone calls because I cannot hear or be heard over these machines.

The situation is simply not acceptable to us. We ask you to keep in mind the fact that not just one lawn is being cared for on a given day or even at a given time. There have been many occasions on our street where two or more lawns are being worked on at the same time or on the same day.

This family supports a ban on gas powered leaf blowers. Actually, we support an absolute ban on all leaf blowers in Manhattan Beach. We urge you to vote in favor of such a ban for Manhattan Beach.

To: Manhattan Beach City Council  
c/o Department of Community Development

From: Cathy & Phil Bergeron  
1909 Harkness Street  
Manhattan Beach, California 90266  
310-379-0972

Date: August 15, 1998

Re: Oppose SB-14 - Protect Manhattan Beach's  
Right To Make A Choice On Leaf Blowers  
and Other Similar Equipment

As you may know, SB-14 is now awaiting action by the Assembly having been passed by the Senate. The passage of this bill will severely limit communities in the State of California in terms of restricting or banning the use of gas powered leaf blowers and other similar lawn maintenance equipment. It reads in part:

"This bill would prohibit a city, county, or city and county from prohibiting the use of leaf blowers meeting the established noise level standard, EXCEPT BETWEEN THE HOURS OF 6:00 P.M. AND 8:00 A.M. ON WEEKDAYS AND BETWEEN THE HOURS OF 5:00 P.M. AND 9:00 A.M. ON WEEKENDS. (Emphasis added.)

We believe that the "noise level standard," which uses decibels, is a joke. It would be difficult, if not impossible to enforce.

We urge you as a City Council and as individuals to express opposition to this bill. As you can see, it will do much more than take the decision making process out of our hands as a community. This bill will INCREASE by more than 60 percent the possible number of hours a week that this equipment could be used in Manhattan Beach. It does this by adding the hours of 8:00 a.m. to 9:00 a.m. and 5:00 p.m. to 6:00 p.m. weekdays AND the hours of 9:00 a.m. to 5:00 p.m. on SATURDAY and SUNDAY.

The situation is intolerable now. In spite of the fact that Manhattan Beach currently prohibits the use of gas powered leaf blowers on weekends, as I write this at 9:15 a.m. on Saturday I am listening to round two of a gas powered leaf blower being used by a neighbor's lawn maintenance company.

Please help protect our right to make this decision for our community. Express opposition to Senate Bill 14 and urge Governor Wilson to veto it should it pass. Thank you.

FOR DISTRIBUTION AT THE 9-1-98 COUNCIL MTG

# 17

RECEIVED  
CITY CLERK'S OFFICE

98 SEP -1 P5:29

917-27th St.  
Manhattan Beach, CA 90266  
September 1, 1998

CC: COUNCIL  
GEOFF  
BOB  
RICH T  
TED

Attn: Manhattan Beach City Council  
1400 Highland Ave.  
Manhattan Beach, Ca 90266

Subj: Public Hearing on the Banning of Leaf Blowers

Dear Sirs:

Although we won't be able to attend the public hearing at tonight's council meeting, my wife and I would like to add our voices to those strongly in favor of prohibiting the use of leaf blowers in Manhattan Beach.

Our concerns go beyond the obvious exhaust pollution and noise problems caused by these devices. At least once a week, gardeners on both sides of our home, as well as across the street, whip up large clouds of dust and dirt which cover our cars and blow into our windows, greatly aggravating my wife's serious allergies.

All that is accomplished by the use of the blowers is that piles of leaves and dirt (it is quite sandy and dusty along our street) are blown from one property to the next (and then back again the following session). It is often very breezy and the gardeners do not sweep up after blowing the filth from their customer's yards onto the neighbors'.

We have owned our home and voted in Manhattan Beach for over 25 years and feel that the banning of these nuisance leaf blowers from our city is way overdue! Thanks for hearing our concerns.

Sincerely,

Edward and Dianna Walker

Presented by Bill Dixon for the 9-1-98 Mtg

July 13, 1998

"What Do You Think?"  
The Beach Reporter  
P. O. Box 383  
Manhattan Beach, CA 90266

To the Editor:

### Noise Sources

With all the comments about noise in residential areas, here's my survey of sources in our block of 18th Street. My list starts with the loudest, and generally most objectionable:

- > leaf blowers
- > power mowers, edgers, weed-eaters
- > music (?) from Home Town Fair \*
- > loud speaker from Bicycle Races \*
- > construction work on houses
- > motorcycles
- > trash and recycling trucks \*\*
- > baseball games in Live Oak Park
- > trucks (commercial)
- > kids playing basketball
- > cars with boom boxes on
- > small planes, helicopters flying by
- > kids yelling
- > American Martyr's hourly chimes \*\*\*
- > other cars
- > kids talking
- > jets taking off from LAX
- > jets flying overhead ... quietest, least objectionable

\* once per year

\*\* once per week

\*\*\* not at all objectionable; actually quite pleasant

The ranking reflects noise levels I perceive. But how obnoxious the various sources are depends on each person's opinion; my purpose is not to quibble over this. The purpose is to support these observations:

At the top of the list is the leaf blower, the most objectionable noise source, in part because of the futility of its operation, and the one which can most easily be eliminated by City Council action. So why not eliminate it?

At the bottom of the list are jets from LAX, which I can hear only if all other competing noise sources are absent, and which, from political realities, are impossible to eliminate and very difficult to constrain. So why beat our heads against a brick wall; even if successful, it would produce an almost unmeasurable improvement?

Bill Dixon

610 18th Street  
Manhattan Beach  
(310) 545-6494

**NOTICE OF PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO TITLE 5, CHAPTER 48 OF THE MANHATTAN BEACH MUNICIPAL CODE (THE NOISE ORDINANCE) THAT WOULD PROHIBIT THE OPERATION OF CERTAIN LEAF BLOWERS**

A public hearing will be held before the City Council of the City of Manhattan Beach to consider an amendment to the Noise Ordinance that would prohibit the use of leaf blowers and similar equipment commonly used in landscape maintenance activities. Under the city's current regulations, gasoline powered leaf blowers are only permitted on weekdays (Monday through Friday) between the hours of 9:00 a.m. and 5:00 p.m.

The public hearing will be held: Tuesday, September 1, 1998, 6:30 p.m. in the City Council Chambers at City Hall, 1400 Highland Avenue, Manhattan Beach.

Proponents and opponents may be heard at that time. Further information may be obtained by contacting Rosemary Lackow, Senior Planner at 545-5621, ext. 274. The project file containing information is available for review in the Community Development Department at City Hall. A staff report will be available for public review in the Civic Center Library on Saturday, August 29, 1998, or in the Community Development Department on Monday, August 31, 1998. The staff report will also be available on the City's Internet web site after 5:00 p.m. on Friday, August 28<sup>th</sup> at: <http://www.ci.manhattan-beach.ca.us>

Oral and written testimony will be received during the public hearing. Any interested party wishing to provide written comments for inclusion in the staff report must do so on or before Friday, August 21, 1998. Written comments received after this date will be forwarded to the City Council but may not be received in time to be addressed or attached to the staff report. Submit written comments to the City Council, c/o Department of Community Development, 1400 Highland Avenue, Manhattan Beach, California 90266.

LIZA TAMURA, City Clerk

Date of Notice: July 30, 1998

Publish Beach Reporter: August 6, 1998 and August 20, 1998

ca notice



**NOTICE OF PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO TITLE 5, CHAPTER 48 OF THE MANHATTAN BEACH MUNICIPAL CODE (THE NOISE ORDINANCE) THAT WOULD PROHIBIT THE OPERATION OF CERTAIN LEAF BLOWERS**

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LIZA TAMURA, City Clerk

**Letters**

(Continued from Page 12)

hattan Beach not having a utility tax. Since 1983, residents have been paying a tax on their refuse bill. It is called a contingency fee but this fee was a charge for billing and other services provided by the city. This charge, referred to as "in lieu fees and taxes" has added millions of dollars to the city coffers.

It is known that \$30,000 was appropriated from the fund to purchase a sidewalk scrubber. We do not know what other expenditures were commingled or taken from the fund. However, it is a stretch of facts to say Manhattan Beach does not have a utility fee.

Esther Besbris  
Manhattan Beach

**Enjoyed the tournament**

Here's to the best of the best amateurs of the 1998 Manhattan Open volleyball tournament. Here's to the sponsors, organizers and all of those who gave of their time freely for the cause.

It was a great traditional tourney minus the annoying sounds of generators, boisterous game announcers and jarring rock 'n' roll music. There were even a few parking places to be had in the town and I am quite sure that many a downtown merchant enjoyed some of their regular customers again. There were no concessions except for T-shirts sold on the beach. There was no paid seating and no minimal feeling as in the past. It was a natural spectator event, with onlookers moving freely from court to court with their beach chairs and coolers just like the good old days. No sizable stadium anywhere. No fences, ropes, security guards or VIP parking. Only smiles, tans, laughter and good vibes everywhere. It was a bitchin' South Bay weekend at the Manhattan Beach pier.

If you were there, you know. If not, see you next year. By the way, what happened to the best of the rest?

Dennis "Duke" Noor  
Hermosa Beach

**More on test scores**

If you isolate Robinson School graduates (or any other elementary school) from the aggregate of Mira Costa, you will find the median or average test score will be similar to their results in the third grade. Pupils who have high percentile rankings in third grade usually continue to excel in

later grades.

A quick thought: When doctors graduate from Harvard, half of them will be below the class average.

Milt Hessenius  
Manhattan Beach

**Appreciates the memorial**

Heartfelt applause to Penny Noble for the most beautifully designed and inscribed memorial bench for our dear Karen Lowerre Salem. Take a walk, have a seat, bring a flower and spot a dolphin at Seventh and The Strand. A true spot of beauty in Manhattan Beach

The Piccaro family  
Manhattan Beach

**Didn't like the reference**

I am outraged by the letter of David Wachtfogel who applied the word "Salinists" to overexcited participants of the "Firing Line" TV program as well as to Manhattan Beach residents for their lawful opposition to the local government. He insulted the memory of 60 million real Stalinist victims who were murdered not by "Firing Lines" but by firing squads.

Wachtfogel is not original in using words he does not understand. His obvious favorite, William Buckley, compared once an Oregon court with fascism. William Ginsburg, the inglorious lawyer of equally inglorious Monica Lewinsky, named Kenneth Starr a Nazi for his attempts to defend American law.

I spent 45 years of my life under the Soviet terror and can testify how fortunate are Wachtfogels, Buckleys and Ginsburgs learning Stalin's and Hitler's atrocities by hearsay and not by their own skin.

Marina Gurvich  
Manhattan Beach

*Editor's note: In Wachtfogel's July 16 letter, he attributed the use of the term "Stalinist" to Michael Kinsley.*

**BCHD online**

The Beach Cities Health District is on the Internet at [www.bchd.org](http://www.bchd.org). Information regarding the district — including its programs, grants, the quarterly newsletter and a monthly calendar of activities — are listed. Links to other Web sites will feature community resources as those sites also come online. E-mail can be sent to [bchd@ix.netcom.com](mailto:bchd@ix.netcom.com).

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## Indoor ant control

**Question:** I've been successfully using Tanglefoot around my fruit trees to keep the ants out of the canopy of the tree. As a result, my whitefly problem has improved but what can I do to keep ants out of my house?

**Answer:** Ants are the most abundant of social insects. There are an estimated 1 quadrillion of them on earth at any time. There is nothing more discouraging than waking up to a kitchen full of ants. I haven't met one person who doesn't have an ant problem, so even though this isn't a gardening question, I thought it was important enough to answer in my column.

The ants that give us the most problem are the Argentine ants that arrived here on coffee boats many years ago. Ants enter our homes in search of food, water or warmth. Some entomologists recommend that we feed them outside with watermelon or an unrinsed empty can of cat or dog food. Plain old granulated or powdered sugar works, too. If they are already in the home, use a sponge that has been dampened with dish soap and water. Wipe them up and wash them down the drain. Keep the kitchen clean and plug up ant entrances like holes or cracks with petroleum jelly, duct tape or silicone caulk. Sometimes it is necessary to vacuum the floors daily to keep ants from combing the floor. Here's a list of other things to do to discourage ants.

- Rinse glass, metal, paper, plastic and food containers thoroughly before tossing them in wastebaskets or recycle bins.
- Clean wrappings of meat, delicatessen and fast-food items by plunging them into dishwasher and cleaning them as if they were laundry.
- Place cat and dog food bowls in a larger bowl filled with water to create a moat that ants won't cross. If they try to float across, add a little bit of detergent to the water. It will break the surface tension of the water and the ants will sink.
- Purchase buckets with twist-on lids at pet stores to store pet food in. For the storage of sugar, flour, rice and grains, use glass jars with rubber seals or plastic con-

tainers with tight-fitting snap-on lids. Keep other items in the refrigerator.

● Tanglefoot sticky barriers available at most nurseries can be used around the legs of freestanding tables to deny ants access.

Use the least-toxic approach if it is necessary to kill the ants. Insecticidal soap available at nurseries works great. Boric acid baits can kill up to 80 percent of the ant population. My favorite is Drax Ant Control Bait and is available by mail order from Peaceful

Valley Farms at (916) 272-4769. Purchase both the sweet bait and the protein/fat bait since ant feeding habits change quite frequently. Test the ants to see which bait interests them. If a colony has been starved by effective sanitation measures, the bait will be eaten more readily. Results are noticed in about three days and control can take up to three weeks. Follow directions carefully. Even though it is a nontoxic substance, the product should be kept away from pets and children. Store the bait in isolation so that no other odor can contaminate it.

I receive calls from people who have been successful with other methods. Someone suggested spraying Endust furniture polish where ants are coming in. Another recommended that spraying ammonia glass cleaner will keep them out. I have had good luck with Comet sprinkled around in the vicinity of ants or smeared on the counters with a damp sponge. Whatever method is tried, don't use any toxic ant sprays. According to experts, sprays can cause a colony to be disturbed and result in breaking up their nests. We can actually be increasing populations when we are trying to eliminate them.

*Schwind is a horticulturalist and lecturer on organic gardening. She is maintenance director of the Manhattan Beach Botanical Garden located in Polliwag Park. Anyone interested in being involved with the Botanical Garden or who would like to ask questions may write to Schwind at P.O. Box 1971, Manhattan Beach, Calif. 90267-1971 or JASchwind@aol.com.*



## L.A. airport expansion working group being formed

U.S. Congresswoman Jane Harman and Los Angeles County Supervisor Don Knabe last Friday announced the creation of a working group to analyze the proposed expansion of Los Angeles International Airport in the context of the region's needs.

According to a press release issued by Harman's office, the working group, comprising local elected officials and business leaders, was formed as a result of recommendations made during a meeting hosted last week by Harman and Knabe. That purpose of that meeting, which was attended by local elected officials and representatives of the South Bay Council of Governments, the South Bay Association of Chambers of Commerce, the El Segundo Employers Association and the Southern California Association of Governments, was to assess regional solutions for accommodating the expected growth of air traffic in Southern California, the press release said.

Jack Driscoll, executive director of Los Angeles World Airports, according to the press release, told representatives at that meeting that the draft environmental impact report on the proposed expansion is expected to be completed by the end of 1998 or early 1999. Once the draft has been completed, numerous public hearings will be held.

Neither the public nor members of the press have been allowed to attend any of the working group's meetings. The meetings have not been publicly noticed.

## M.B. charity golf tourney

The Manhattan Beach Police and Fire Charity Golf Tournament will be held Monday, Sept. 14, at the Rio Hondo Golf Course in Downey.

The entry fee is \$125 which includes green fees, cart, shirt, gift bag, awards and dinner. The deadline for registration is Aug. 28.

First-, second- and third-place prizes will be awarded. Space is limited to the first 144 entrants.

For more information, call Michelle at 374-6827.



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