

SOUTH ORANGE VILLAGE
Municipal Offices
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ORDINANCE #2022-06

Introduction: March 28, 2022 – Tabled on February 14, 2022

Adoption: April 25, 2022

AN ORDINANCE OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE IN ESSEX COUNTY, NEW JERSEY TO CREATE CHAPTER 187 OF THE CODE TO CALM, LIMIT AND REGULATE THE USE OF LEAF BLOWERS

WHEREAS, the Village finds that unlimited use of equipment, commonly referred to as leaf blowers, powered by internal combustion engines impairs the social welfare, health, peace, environment, and quality of life of persons residing in the Village and wishes to implement regulations regarding the use of such equipment within the Village to address the above concerns and to foster a more quiet, healthy and considerate environment and community.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Trustees of the Village of South Orange, County of Essex, State of New Jersey, as follows:

SECTION I.

Village Code of the Township of South Orange Village is hereby amended by adding the following Chapter 187 – Leaf Blowers:

187-1 Leaf Blowers

A. All equipment that propels air or disperses aerosols out of a nozzle (hereafter collectively referred to as "Leaf Blowers") are regulated by this Chapter. This shall include, without limitation, Leaf Blowers that are portable, handheld or back style powered by fuel (i.e. gas-powered) or electricity via battery, plug, or by way of other technology and which are used to move leaves, grass clippings, debris or other materials and/or to disperse aerosols such as, without limitation, insecticides or pesticides. For the avoidance of confusion, all Leaf Blowers, regardless of use, are hereby regulated as follows.

B. All provisions of the Code, Chapter 207 – Noise, are incorporated herein and made a part hereof.



C. Unless explicitly exempted, all Village residents and all persons operating Leaf Blowers must comply with all applicable provisions of the Code, including, but not limited to, Chapters 82, 96, 191, 220 and 237 and all applicable regulations.

D. The use of gas-powered Leaf Blowers, for any purpose, is strictly prohibited beginning at 12:01 AM on May 1st up to September 30th at 11:59 PM of each and any year.

E. Subject to the prohibitions in this Chapter, the use of any Leaf Blower by any person or entity is permitted only as follows:

Monday through Friday	8:00 a.m. to 6:00 p.m.
Saturdays and Sundays	10:00 a.m. to 4:00 p.m.

F. All Leaf Blowers shall meet applicable United States Environmental Protection Agency and State of New Jersey Department of Environmental Protection standards.

G. In the event of a weather emergency or other emergent circumstances, the Village Administrator, or his or her designee, shall be permitted to modify the restrictions of this Chapter for residents and commercial Leaf Blower operators.

187-2 Enforcement

This Chapter shall be enforced by Village law enforcement officers, code enforcement officers or other Village officials with the territorial and subject matter jurisdiction to enforce this Chapter.

187-3 Violations and Penalties

Any homeowner, property owner, homeowners association, managing agent or other such managing entity, landscaper, commercial entity and/or individual operator who violates, or allows any other to violate, the provisions of this Chapter may be subject to fines as follows:

Violations occurring on or before December 31, 2022:

- | | |
|-------------------|----------|
| 1) First Offense | Warning |
| 2) Second Offense | \$500.00 |



- 3) For a third or subsequent offense \$1,000.00, and the violator will be subject to prohibition to operate a Leaf Blower within the Village of South Orange.

Violations occurring on or after January 1, 2023:

- 1) First Offense \$500.00
- 2) Second Offense \$1,000.00
- 3) For a third or subsequent offense \$1,000.00, and the violator will be subject to prohibition to operate a Leaf Blower within the Village of South Orange.

SECTION 2.

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

SECTION 3.

Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4.

This ordinance shall take effect after final passage and publication as required by law.

SECTION 5.

On passage this ordinance shall be codified.

Introduction – First Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Brown					X	
Coallier			X			
Haskins	X		X			
Hartshorn Hilton		X	X			
Jones				X		
Zuckerman			X			



CERTIFICATION

I, Ojetti E. Davis, Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was introduced on first reading by the Board of Trustees at their meeting held on March 28, 2022.

Ojetti E. Davis
Village Clerk

Adoption – Second Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Brown				X		
Coallier			X			
Haskins	X		X			
Hartshorn Hilton		X	X			
Jones				X		
Zuckerman			X			

CERTIFICATION

I, Ojetti E. Davis, Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading by the Board of Trustees at their meeting held on April 25, 2022.

Ojetti E. Davis
Village Clerk

Adopted:

Sheena C. Collum, Village President

Attest:

Ojetti E. Davis, Village Clerk