

PROPOSED LAW **1** OF 2020

A LOCAL LAW

Amending Chapter 195, Noise, of the Code of the Village of Larchmont, to delete regulation of Leaf Blowers, which will now be regulated under Chapter 180 of the Code of the Village of Larchmont

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:  
(deleted language in ~~strikeout~~, added language is underlined)

**SECTION 1.** Section 195-3 of the Code of the Village of Larchmont is hereby amended to read as follows:

§195-3 Maximum Sound Pressure Levels; measurement standards.

- A. Except for noise emanating from the operation of motor vehicles, power tools, construction equipment, gardening equipment and leaf blowers (all of which are dealt with separately below or in Chapter 180 of this Code), the permissible intensity of noise from any source not specifically exempted herein between the hours of 8:00 a.m. and 10:00 p.m. and from 10:00 p.m. to 8:00 a.m., respectively, whether such noise is intermittent, impulsive, sporadic or continuous, is as follows: the maximum sound-pressure level [A-scale reading of standard calibrated sound meter, instrument calibration frequency of 100 cycles per second (hertz)]:
- (1) From 8:00 a.m. to 10:00 p.m.: 70 decibels.
  - (2) From 10:00 p.m. to 8:00 a.m.: 62 decibels.

**SECTION 2.** Section 195-5 of the Code of the Village of Larchmont is hereby amended to read as follows:

§ 195-5 Motorized gardening equipment and leaf blowers.

- A. Leaf Blowers are separately regulated under Chapter 180 of this Code, and are not subject to this Section 195-5.
- B. No person shall operate within the Village of Larchmont any gardening equipment powered by an internal combustion engine, including but not limited to lawn mowers ~~and leaf blowers on dates when leaf blowers are allowed to be operated~~, except at the following times:
- (1) Monday through Friday, excluding holidays: between 8:00 a.m. and 5:30 p.m., except grass may be cut with an internal combustion engine lawn mower by an occupant of the premises where it is being cut on weekdays between the hours of 5:30 p.m. and 8:00 p.m.

(2) Saturday: 9:00 a.m. to 6:00 p.m.

(3) Sunday and holidays: 10:00 a.m. to 5:00 p.m.

~~C. Between June 1 and September 30, inclusive, of each calendar year, no person shall operate any leaf blower within the Village of Larchmont. Between October 1 and May 31, inclusive, no person shall operate any leaf blower within the Village of Larchmont except at the times specified in Section 195-5D(1), (2), and (3) of this chapter.~~

~~D. For purposes of this chapter, the term "leaf blower" shall mean any device powered by an internal combustion engine which is used or designed to move leaves, grass, clippings, dust, dirt or other matter by blowing them with air emitted by such device.~~

C. Notwithstanding anything to the contrary herein, it shall be a violation hereof to operate any gardening equipment powered by an internal combustion engine in the Village of Larchmont without a properly functioning muffler.

### **SECTION 3. Severability**

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

### **SECTION 4. Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.