

**CITY OF SAUSALITO
ORDINANCE NO. 1290**

**AN ORDINANCE OF THE CITY OF SAUSALITO
AMENDING CHAPTER 12.16 OF THE SAUSALITO MUNICIPAL CODE “NOISE
CONTROL” TO PROHIBIT THE USE OF GASOLINE POWERED LANDSCAPE
EQUIPMENT**

WHEREAS, the city of Sausalito, as well as the state of California, have been moving forward in reducing our carbon footprint; and

WHEREAS, members of the public have urged the Sausalito Sustainability Commission and the Sausalito City Council to consider banning gas-powered landscape equipment since 2013; and

WHEREAS, many gas-powered landscape equipment produce noise exceeding Sausalito’s ambient noise levels of 45 to 55 decibels in residential areas, the average 2-stroke backpack leaf blower can emit upwards of 90 decibels; and

WHEREAS, modern, readily available electric-powered landscape equipment is quiet, powerful, zero-emission, reliable and costs less to purchase and operate; and

WHEREAS, gas-powered landscape equipment emits greenhouse gases and other pollutants including carbon monoxide, nitrous oxides and hydrocarbons that are harmful to human health; and

WHEREAS, more than 100 cities in California have enacted their own bans and restrictions on leaf blowers, including about 20 cities that have fully banned them in California; and

WHEREAS, a 2020 executive order by the Governor requires California to transition to 100% zero-emission off-road vehicles and equipment by 2035; and

WHEREAS, the State of California will likely outlaw the sale of new gas-powered lawn mowers, leaf blowers, weed trimmers and chainsaws by 2024; and

WHEREAS, the Sausalito General Plan adopted February 9, 2021 states a GHG emissions reduction goal of 40% lower than 1990 levels by 2030 in line with Statewide goals; and

WHEREAS, Sausalito’s General Plan incorporates Sausalito’s 2019 Low-Emissions Action Plan with a requirement for “electric landscape equipment where possible.”

Section 1. Amendment and Restatement of Sausalito Municipal Code Chapter 12.16. Chapter 12.16 of Title 12 of the Sausalito Municipal Code is hereby amended and restated to read as follows:

The following definition shall be added to chapter 12.16.020

L. “Gasoline Powered landscaping Equipment” means any mechanical equipment utilized for maintaining landscaping including the following categories of equipment:

- a. Category A: Gasoline Powered Leaf Blowers or equipment to blow leaves, dirt, debris off sidewalks, driveways, lawns and other surfaces.
- b. Category B: Gasoline Powered lawn mowers, hedge trimmers
- c. Category C: Gasoline Powered Chainsaws and all other landscape equipment.

The following section shall be added to Chapter 12.16

12.16.137 Gasoline Powered Landscape Equipment.

- A. It shall be unlawful for any person to operate gas powered landscape equipment based on the following table.

Category	Date equipment is Prohibited	Type of Gasoline Powered Landscaping Equipment
Category A	<u>September 29, 2022</u>	Leaf Blowers
Category B	January 31, 2023	Lawn Mowers, Hedge Trimmers, weed trimmers, weed whackers, Scissors
Category C	December 31, 2023	Chain Saws, Pole mounted chainsaws and trimmers.

- B. Exceptions:
- 1.0 The use of gasoline powered landscape equipment for large turf areas, greater than 2,000, SF within the city in which battery

powered equipment cannot reasonably address the maintenance needs.

- 2.0 The use of gasoline powered, and electric powered landscape equipment may be utilized during an emergency or a disaster and in support of emergency services operations.
- 3.0 Vegetation management services initiated, and managed, by emergency service personnel.
- 4.0 Landscape equipment that is not supported by battery powered equipment such as rototillers, fence augers and all construction equipment that requires sufficient power to achieve the intended result and may require an operator to sit in or on the equipment to operate.
- 5.0 Public Works Construction projects that are required to utilize gasoline powered generators, compressors, compaction devices, concrete cutting devices and others necessary to address the public improvement.
- 6.0 Landscaping maintenance equipment utilized on School District property.
- 7.0 The Public Works Director and Community Development Director shall have the ability to issues specific exemptions to allow the use of specific landscaping equipment on a case-by-case basis when no reasonable alternative is available address landscaping.

Chapter 12.16.210 C. shall be amended to read:

C. The volume of sound shall comply with section 12.16.040.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAUSALITO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 12.16 of the Sausalito Municipal Code is hereby amended with the modification noted above.

SECTION 2. This change is consistent with all applicable provisions of the Sausalito General Plan.

SECTION 3. The adoption of this ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061 (b)(3) as it can be seen with certainty that there is no possibility that the activity in question may be a significant effect to the environment.

SECTION 4. This ordinance shall be in full and effect on force September 29, 2022,
2020

SECTION 5. A summary of this ordinance shall be published once within fifteen (15) days after its passage and adoption in a newspaper of general circulation in the city of Sausalito.

SECTION 6. If any section or portion of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that anyone or more section subsections sentences clauses or phrased be declared unconstitutional or invalid.

THE FOREGOING ORDINANCE was read at a regular meeting of the City Council of the City of Sausalito of the 12th day of July, 2022 and was adopted at a regular meeting of the City Council on the 30th day of August 2022.

AYES:

NOES:

ABSCENT:

ABSTAIN:

JANELLE KELLMAN
MAYOR

ATTEST:

SERGE ALVILA
CITY CLERK

Attachment:

1. Text of Chapter 12.16 of the Sausalito Municipal Code