

**CITY OF BALTIMORE**  
**COUNCIL BILL 23-0367**  
**(First Reader)**

---

Introduced by: Councilmembers Dorsey, Burnett, Ramos

Introduced and read first time: March 13, 2023

Assigned to: Health, Environment, and Technology Committee

---

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Baltimore City Health Department,  
Environmental Control Board

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Prohibition – Gas-Powered Debris Removal Equipment**

3 FOR the purpose of prohibiting the use of gas-powered debris removal equipment in Baltimore  
4 City; defining certain terms; establishing procedures for reporting the use of gas-powered  
5 debris removal equipment; establishing certain penalties; and providing for a special effective  
6 date.

7 BY repealing and re-ordaining with amendments

8 Article 1. Mayor, City Council, and Municipal Agencies

9 Section 41-14(6)

10 Baltimore City Revised Code

11 (Edition 2000)

12 BY renumbering

13 Health Article

14 Sections 8-301 and 8-302

15 to be new sections 8-401 and 8-402, to be under the new subtitle designation,

16 “Subtitle 4. Penalties”

17 Baltimore City Revised Code

18 (Edition 2000)

19 BY adding

20 Health Article

21 New sections 8-301 to 8-303, to be under the new subtitle designation,

22 “Subtitle 3. Gas-Powered Debris Removal Equipment”

23 Baltimore City Revised Code

24 (Edition 2000)

25 BY adding

26 Health Article

27 Section 8-403

28 Baltimore City Revised Code

29 (Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.



**Council Bill 23-0367**

1           (2) *INCLUSIONS.*

2                   “DEBRIS” INCLUDES:

3                           (I) MANUFACTURED OBJECTS;

4                           (II) PLANT MATERIALS;

5                           (III) ANIMAL MATERIALS; AND

6                           (IV) NATURAL GEOLOGIC MATERIALS.

7           (D) ENFORCEMENT OFFICER.

8                   “ENFORCEMENT OFFICER” HAS THE MEANING STATED IN CITY CODE ARTICLE 1 § 41-1(C)  
9                   {“DEFINITIONS: ENFORCEMENT OFFICER”}.

10          (E) GAS-POWERED DEBRIS REMOVAL EQUIPMENT.

11           (1) *IN GENERAL.*

12                   “GAS-POWERED DEBRIS REMOVAL EQUIPMENT” MEANS ANY DEVICE POWERED BY AN  
13                   INTERNAL COMBUSTION OR ROTARY ENGINE USING GASOLINE, ALCOHOL, OR ANY  
14                   OTHER FUEL THAT IS USED TO BLOW, VACUUM, DISPLACE, OR GATHER DEBRIS.

15           (2) *INCLUSIONS.*

16                   “GAS-POWERED DEBRIS REMOVAL EQUIPMENT” INCLUDES:

17                           (I) LEAF BLOWERS; AND

18                           (II) LEAF VACUUMS.

19           (3) *EXCLUSIONS.*

20                   “GAS-POWERED DEBRIS REMOVAL EQUIPMENT” DOES NOT INCLUDE:

21                           (I) LAWN MOWERS;

22                           (II) LAWN TRIMMERS;

23                           (III) SNOW BLOWERS; OR

24                           (IV) PRESSURE WASHERS.

**Council Bill 23-0367**

1 **§ 8-302. PROHIBITION OF GAS-POWERED DEBRIS REMOVAL EQUIPMENT.**

2 A PERSON MAY NOT USE GAS-POWERED DEBRIS REMOVAL EQUIPMENT IN BALTIMORE CITY.

3 *SUBTITLE 4 [3]*  
4 *PENALTIES.*

5 **§ 8-401 [8-301]. Enforcement by citation.**

6 (a) *In general.*

7 In addition to any other civil or criminal remedy or enforcement procedure, this title may  
8 be enforced by issuance of:

9 (1) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental  
10 Control Board"}; or

11 (2) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

12 (b) *Process not exclusive.*

13 The issuance of a citation to enforce this title does not preclude pursuing any other civil  
14 or criminal remedy or enforcement action authorized by law.

15 **§ 8-402 [8-302]. Criminal penalties: \$1,000.**

16 (a) *In general.*

17 Except as otherwise specified, any person who violates any provision of this title is guilty  
18 of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 for each  
19 offense.

20 (b) *Each day a separate offense.*

21 Each day that a violation continues is a separate offense.

22 **§ 8-403. CRIMINAL PENALTIES: GAS-POWERED DEBRIS REMOVAL EQUIPMENT.**

23 (A) *IN GENERAL.*

24 EXCEPT AS OTHERWISE SPECIFIED IN THIS SUBTITLE, AN ENFORCEMENT OFFICER MAY  
25 ISSUE A CIVIL CITATION FOR THE USE OF GAS-POWERED DEBRIS REMOVAL EQUIPMENT IF  
26 THE ENFORCEMENT OFFICER:

27 (1) WITNESSES THE VIOLATION; OR

28 (2) RECEIVES FROM AT LEAST 1 WITNESS A WRITTEN COMPLAINT ACCOMPANIED BY  
29 PHOTOGRAPHIC EVIDENCE.

**Council Bill 23-0367**

1 (B) *WARNING TO CEASE AND DESIST.*

2 AN ENFORCEMENT OFFICER WHO FINDS ANY PERSON VIOLATING THIS SUBTITLE SHALL  
3 ORDER, ON A FIRST OFFENSE, THAT THE PERSON CEASE AND DESIST THE USE OF GAS-  
4 POWERED DEBRIS REMOVAL EQUIPMENT.

5 (C) *SUBSEQUENT OFFENSE.*

6 A PERSON WHO COMMITS A SUBSEQUENT OFFENSE IS SUBJECT TO A FINE OF \$250 FOR EACH  
7 SUBSEQUENT OFFENSE.

8 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect 1 year after the  
9 date it is enacted.