


F R O M	Name & Title	Dr. Ihuoma Emenuga, Commissioner	Health Department  AGENCY REPORT	
	Agency Name & Address	Health Department 1001 E. Fayette Street Baltimore, Maryland 21201		
	Subject/ Position:	23-0367 – Prohibition - Gas-Powered Debris Removal Equipment  <b>Favorable with amendment</b>		

To: President and Members  
of the City Council  
c/o 409 City Hall

June 26, 2024

The Baltimore City Health Department (BCHD) is pleased to have the opportunity to review Council Bill 23-0367, entitled “Prohibition - Gas-Powered Debris Removal Equipment.” This ordinance would prohibit the use of gas-powered debris removal equipment in Baltimore City; define certain terms; establish procedures for reporting the use of gas-powered debris removal equipment; establish certain penalties; and provide for a special effective date.

This bill would amend the Health Code and would prohibit gas-powered debris removal equipment from being used in Baltimore City. Notably, this would not include lawn mowers, lawn trimmers, snow blowers, or pressure washers.

Leaf-blower prohibitions have been enacted in dozens of jurisdictions, including in California, Illinois, and Oregon.<sup>i,ii,iii</sup> Studies have shown that gas-powered leaf blowers can contribute to toxic pollution, damaging noise, and airborne contaminants, leading to harmful impacts on people’s health.<sup>iv</sup> Although small, gas-powered leaf blowers can have a big impact. Per gallon of gasoline used, the engines on gas-powered leaf blowers emit pollutants at a higher rate than some other equipment.<sup>v</sup>

Council Bill 23-0367 proposes renumbering Health Article Sections 8-301 and 8-302 to be new sections 8-401 and 8-402, to be under the new subtitle designation, “Subtitle 4. Penalties.” Under the renumbered § 8-401, the bill proposes that penalties for violations of this ordinance would be enforced through the issuance of environmental citations or civil citations.

As Special Enforcement Officers, BCHD Environmental Health Specialists are authorized to issue environmental citations. However, BCHD does not issue civil citations. Individuals receiving an environmental citation may request a hearing before the Environmental Control Board (ECB). Environmental citations are limited to those violations enumerated in Article 1, § 40-14 (e)(7). Therefore, BCHD recommends that section be amended to include the violation proposed by this legislation. Additionally, if it is desired that environmental citations be issued based upon the report and photographic evidence of third parties, environmental citations would need to be added to Section § 8-403.

BCHD does not believe our general enforcement capability will be negatively impacted by this legislation. Therefore, BCHD respectfully requests a **favorable with amendment** position on Council Bill 23-0367.

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<sup>i</sup> California Air Resources Board. (2021). CARB approves updated regulations requiring most new small off-road engines be zero emission by 2024. Retrieved from <https://ww2.arb.ca.gov/news/carb-approves-updated-regulations-requiring-most-new-small-road-engines-be-zero-emission-2024>

<sup>ii</sup> Evanston, Illinois – Code of Ordinances, Title 8, Chapter 26 – Leaf Blowers (2021).

[https://library.municode.com/il/evanston/codes/code\\_of\\_ordinances?nodeId=TIT8HESA\\_CH26LEBL](https://library.municode.com/il/evanston/codes/code_of_ordinances?nodeId=TIT8HESA_CH26LEBL)

<sup>iii</sup> City of Portland Oregon. (2022). Multnomah County Bans Gas-powered Leaf Blowers. Retrieved from <https://www.portland.gov/civic/news/2022/1/13/multnomah-county-bans-gas-powered-leaf-blowers>

<sup>iv</sup> Banks, J. and McConnell, R. (2015). National Emissions from Lawn and Garden Equipment. Quiet Communities, Inc. And the Environmental Protection Agency. Retrieved from <https://www.epa.gov/sites/default/files/2015-09/documents/banks.pdf>

<sup>v</sup> California Air Resources Board. (2023). Lawn, Garden & Landscape Equipment. Retrieved from <https://ww2.arb.ca.gov/our-work/topics/lawn-garden-landscape-equipment>