

Effective Date: April 5, 2015

2/28/15

35-O-15

AN ORDINANCE

Amending Title 9, Chapter 5, Regarding Regulations of Leaf Blowers

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Title 9, Chapter 5, of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

9-5-20. PROHIBITED NOISE.

It shall be unlawful for any person within the City to make, continue, or permit any loud, unnecessary or unusual noise which annoys a reasonable person of ordinary sensibilities, disturbs, injures or endangers the comfort, health, peace or safety of others within the limits of the City. Noise in violation of this Section is a public nuisance.

The following acts are declared to be loud, disturbing and unnecessary noise in violation of this Section, however, this shall not be construed to exclude other noise violating this Section.

SECTION 2: That Subsection 9-5-20(D)4 of the Evanston City Code of 2012, is deleted in its entirety, and amended and replaced to read as follows:

4. **Leaf Blowers:** A person may use any backpack mounted or handheld gasoline powered leaf blower type of machine only during the following days of each year:

March 30 to May 15; and
September 30 to the first Thursday of December.

A person may use any backpack mounted or handheld gasoline powered leaf blower type of machine on those days only during the following times:

Monday through Friday	7:00 A.M to 9:00 P.M.
Weekends or Holidays	9:00 A.M. to 5:00 P.M.

Any person who uses a leaf blower or any person who permits the private

or commercial use of a leaf blower on their property during restricted days or times, shall be fined one hundred dollars (\$100.00).

SECTION 3: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: March 9, 2015

Approved:

Adopted: March 23, 2015

March 25, 2015

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

W. Grant Farrar
W. Grant Farrar, Corporation Counsel