

**Town of Somerset**  
**Ordinance to Prohibit Use of Gas-Powered Blowers**

Resolution No.: 10-21-4  
Introduced: October 4, 2021  
Adopted: November 1, 2021  
Effective Date: December 7, 2021

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO  
PROHIBIT THE USE OF GAS-POWERED BLOWERS, ON OR  
AFTER September 1, 2022.

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Section 83-17 of the Town Charter authorizes the Town Council to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Town Charter, as it may deem necessary for the good government of the Town; for the protection and preservation the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein;

WHEREAS, after proper notice to the public, the Town Council introduced the following Ordinance in an open meeting conducted on the 4th day of October, 2021;

WHEREAS, after proper notice to the public, the Town Council considered the following Ordinance in public session assembled on the 1st day of November, 2021;

WHEREAS, after receiving a recommendation from Environment Committee, and upon consideration of the testimony and evidence presented at the public hearing, the Town Council finds that the ordinance as hereinafter set forth is necessary for the good government of the Town; for the protection and preservation the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein.

NOW, THEREFORE, the Town Council does hereby adopt the foregoing Ordinance.

BE IT ORDAINED AND ORDERED, this 1st day of November, 2021, by the Town Council, acting under and by virtue of the authority given it by the Maryland Code and the Town Charter that the Code of Ordinances is hereby amended as follows:

\* \* \*

**§ 140-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

\* \* \*

LAWN MAINTENANCE ACTIVITIES — Any and all activities or tasks associated with the care or maintenance of a lawn, garden, flower bed, tree or other landscaping.

POWER EQUIPMENT — Motorized equipment such as a lawn mower, chainsaw, leaf blower or other similar equipment utilized to perform lawn maintenance activities.

\* \* \*

**§ 140-3. Lawn maintenance activities; use of gas-powered blowers prohibited.**

- A. Lawn maintenance activities that involve the use of power equipment are permitted on non-holiday weekdays between the hours of 8:00 a.m. and 7:00 p.m., with the sole exception that lawn maintenance work that involves the use of power equipment is also permitted
- B. on non-holiday weekdays between the hours of 7:00 p.m. and 8:00 p.m. if only one piece of power equipment is used.

B. Lawn maintenance activities that involve the use of power equipment are permitted on weekends and holidays between the hours of 9:00 a.m. and 7:00 p.m.

**C. Notwithstanding any provision to the contrary in this Chapter, it shall be unlawful for any person to engage in the use of a gas-powered blower on or after January 1, 2023 September 1, 2022.**

\* \* \*

**§ 140-5. Violations and penalties.**

Violation of any provision of this chapter is a municipal infraction punishable by a fine of \$100 for a first offense and by a fine of \$500 for each repeat offense.

\* \* \*

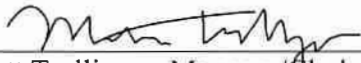
AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter, that:

1. If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

2. This Ordinance shall take effect on the 7<sup>th</sup> day of December, 2021 (36 calendar days after approval by the Mayor).

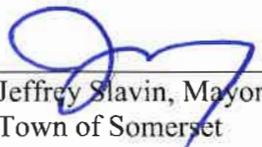
ATTEST:

TOWN OF SOMERSET

  
\_\_\_\_\_  
Matt Trollinger, Manager/Clerk-Treasurer  
Town of Somerset

  
\_\_\_\_\_  
Stephen Surko, President  
Town Council

Approved:

  
\_\_\_\_\_  
Jeffrey Slavin, Mayor  
Town of Somerset

Date: 11/1/2021

**Bold and Underline** indicates new material  
~~Strikethrough~~ indicates material deleted  
\* \* \* indicates material unchanged