

CITY OF SANIBEL
ORDINANCE 26-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY DELETING IN ITS ENTIRETY CHAPTER 30, ENVIRONMENT, ARTICLE III, NOISE, SECTION 30-70, GAS POWERED LEAF BLOWERS, TO COMPLY WITH CHAPTER 2026-3, LAWS OF FLORIDA; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 24, 2021, the City Council adopted Ordinance 21-004 amending Section 30-70, Gas Powered Leaf Blowers, to prohibit the operation of gas powered leaf blowers after December 31, 2022, except during a State of Local Emergency related to a weather event; and

WHEREAS, on December 2, 2022, the City Council adopted Ordinance 22-007 extending the date when gas powered leaf blowers would be prohibited on Sanibel from December 31, 2022, to June 30, 2023; and

WHEREAS, the States of Local Emergency related to Hurricane Ian (September 2022), Hurricane Helene (September 2024), and Hurricane Milton (October 2024) extended beyond six months; and

WHEREAS, on July 15, 2025, City Council adopted Ordinance 25-010 to amend Section 30-70(2) to ensure the use of gasoline-powered leaf blowers is not extended unnecessarily beyond the period of time when such equipment may be needed during the response and the initial recovery phases following a significant weather event; and

WHEREAS, on March 23, 2026, Governor DeSantis signed SB 290 into law (Chapter 2026-3, Laws of Florida, with an effective date of July 1, 2026, which prohibits municipalities from enacting or enforcing legislation that restricts or prohibits the use of gasoline-powered leaf blowers.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA:

SECTION 1. The recitals above are true and correct and made a part hereof.

SECTION 2. Sanibel Code of Ordinances, Chapter 30, is hereby amended with ~~strikethrough~~ language indicating deletions and underlined language indicating additions as follows:

Chapter 30 - ENVIRONMENT

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ARTICLE III. - NOISE

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~~**Sec. 30-70. — Gas powered leaf blowers.**~~

~~Notwithstanding any contrary terms or provisions elsewhere in the Code:-~~

~~(a) — Except for tow behind debris blowers operated on a golf course, the use of gas~~

~~powered leaf blowers within the city for any purpose, whether for private, governmental, or commercial purpose is prohibited for use after November 30, 2025.~~

~~(b) The limitations and prohibitions in this section may be waived by mayoral proclamation or city council resolution when the city has declared a state of local emergency related to a weather event.~~

Secs. 30-~~7074~~ - 30-90. Reserved.

SECTION 3. Codification. The City Manager is hereby authorized and directed to indicate these amendments in future City Code publications.

SECTION 4. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed, and the remainder shall have full force and effect and be liberally construed.

SECTION 5. Severance. If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

SECTION 6. Effective date. This Ordinance shall be effective immediately upon adoption.

SCHEDULED FOR SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THE 5TH DAY OF MAY 2026.

Attest:

Scotty Lynn Kelly, City Clerk

, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Council Members:

DeBruce _____
Henshaw _____
Johnson _____
Miller _____
Smith _____

First Reading: _____
Publication Date: _____
Second Reading: _____