

CITY OF SANIBEL
ORDINANCE 25-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 30, ENVIRONMENT, ARTICLE III, NOISE, SECTION 30-70, GAS POWERED LEAF BLOWERS, SUBSECTION (2), TO ALLOW FOR A WAIVER FROM THIS SUBSECTION DURING A STATE OF LOCAL EMERGENCY DUE TO A WEATHER EVENT; 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) have extended beyond six months; and

WHEREAS, the City Council wishes to amend Section 30-70(2) to ensure the use of gas 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.

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 ~~strike through~~ language indicating deletions and underlined language indicating additions as follows:

Chapter 30 - ENVIRONMENT

...

ARTICLE III. - NOISE

...

Sec. 30-70. – Gas powered leaf blowers.

Notwithstanding any contrary terms or provisions elsewhere in the Code:

- (a~~4~~) The operation of any gas powered leaf blowers within the city for any commercial purposes or by city employees or on behalf of the city is permissible only between the hours of 9:00 a.m. to 4:30 p.m., Monday through Saturday, except such gas powered

leaf blowers are prohibited for use on the following federally recognized holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and Christmas Day. Less a sole exception 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 June 30, 2023.

- (b2) The limitations and prohibitions in this section may be waived by mayoral proclamation or city council resolution ~~are inapplicable during times~~ when the city has declared a state of local ~~state of~~ emergency related to a weather event.

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.

FIRST READING THIS 3RD DAY OF JUNE 2025.

SCHEDULED FOR SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THE 15TH DAY OF JULY 2025.

Attest:

Scotty Lynn Kelly, City Clerk

Mike Miller, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Council Members:

Miller _____
Smith _____
DeBruce _____
Henshaw _____
Johnson _____

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