



AGENDA MEMORANDUM

City Manager

City Council Regular Meeting Date: July 15, 2025

To: City Council
From: Dana A. Souza, City Manager
Date: June 23, 2025

SUBJECT: Second Reading and Public Hearing of Proposed Ordinance 25-010 amending Chapter 30, Environment, Article III, Noise, Section 30-70, Gas Powered Leaf Blowers, Subsection (2) to allow for the use of Gas Powered Leaf Blowers by Mayoral Proclamation or City Council Resolution During a State of Local Emergency due to a weather event.

BACKGROUND: At the May 6, 2025, City Council meeting, City Councilmembers discussed whether the State of Local Emergency related to Hurricane Ian, Hurricane Helene, and Hurricane Milton should remain in effect or be discontinued. It was the City Council's consensus that the State of Local Emergency related to the aforementioned hurricanes should remain in effect until the Governor suspends the Executive Order for each of the storms.

The current status of the Governor's Executive Orders is:

- Hurricane Ian – Executive Order Number 25-125 – Issued June 12, 2025 – Extends the State of Emergency for 60-days to August 11, 2025.
- Hurricane Helene – Executive Order Number 25-102 – Issued May 14, 2025 – Extends the State of Emergency for 60-days to July 13, 2025.
- Hurricane Milton – Executive Order Number 25-119 – Issued May 29, 2025 – Extends the State of Emergency for 60-days to July 28, 2025.

It is possible that the Governor will extend the State of Emergency for the listed hurricanes prior to the expiration dates shown above.

During the City Council discussion, the City Council directed staff to propose an amendment to Section 30-70, Gas Powered Leaf Blowers, of the Code of Ordinances, as the current Ordinance allows for the continued use of gas powered leaf blowers when a State of Local Emergency related to a storm is in effect.

The proposed Ordinance strikes language stating the prohibition on gas powered leaf blowers allowed during a State of Local Emergency and replaces it with language stating the City, through a Mayoral Proclamation or a City Council Resolution, may waive the prohibition on gas powered leaf blowers when a State of Local Emergency is in effect due to a storm.

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If the proposed Ordinance is approved by the City Council, the use of gas powered leaf blowers would be prohibited in Sanibel, effective immediately, unless waived by a Mayoral Proclamation or City Council Resolution.

First Reading of this ordinance occurred on June 3, 2025.

Additional Amendments for Second Reading

When preparing documents for the Second Reading, it became apparent that text in Section 30-70(a) should be deleted because the hours of operation for gas powered leaf blowers became obsolete on July 1, 2025. Therefore, staff provided two Ordinances in the agenda packet for the City Council's consideration. The first presents the Ordinance as it was written for First Reading on June 3, 2025. The second, strikes the obsolete text in Section 30-70(a) as previously referenced. In speaking with the City Attorney, the additional amendment proposed today is inconsequential and repeating First Reading is not necessary.

Effective Date of Ordinance 25-010

Ordinance 25-010, as written, will be effective immediately upon an affirmative vote by the City Council. Should the City Council wish to provide additional notice to contractors and property owners concerning the prohibition of gas powered leaf blowers, the effective date may be amended as desired by the City Council.

Past City Council Action Concerning Gas Powered Leaf Blowers

On December 3, 2019, the City Council unanimously approved Ordinance 19-012, amending Chapter 30 Environment, Article III, Noise, by adding a definition for gas powered leaf blowers to Section 30-61, Definitions, and by adding Section 30-70, Gas Powered Leaf Blowers. The approved Ordinance restricted the operation of gas powered leaf blowers for commercial purposes and city employees or the City's contractors to the house of 9 am – 4:30 pm on Monday-Saturday. The use of gas powered leaf blowers was prohibited on Sunday and federally recognized holidays. A copy of Ordinance 19-012 is included in the agenda packet for this item.

On August 24, 2021, the City Council unanimously approved Ordinance 21-004 amending Chapter 30, Environment, Article III, Noise, Section 30-70, Gas Powered Leaf Blowers. This Ordinance prohibits the use of any gas-powered leaf blower beginning after December 31, 2022, except for tow-behind debris blowers operating on a golf course. The Ordinance was prompted by continued complaints from residents about the noise associated with the operation of gas powered leaf blowers. A copy of Ordinance 21-004 is included in the agenda packet for this item.

At the September 12, 2022, City Council meeting, landscape business owners spoke during public comment and asked City Council to extend the effective date when Gas Powered Leaf Blowers would be prohibited in the City. Business owners made this request because equipment was not readily available in the marketplace for business owners to purchase and comply with the Ordinance by December 31, 2022. City Councilmembers asked staff to verify the availability of battery powered leaf blowers and advise City Councilmembers if a change to the Ordinance was warranted. At the December 6, 2022, City Council meeting, staff verified that major manufacturers of battery powered leaf blowers experienced a shortage of lithium batteries related to the pandemic. The manufacturer's representative recommended a 6-month delay in implementation of Ordinance 21-004. Based on comments from landscape business owners and staff's verification that equipment manufacturers experienced a temporary shortage of lithium batteries for battery powered leaf blowers, the City

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Council unanimously voted to approve Ordinance 22-007 which extended the effective date of the prohibition of gas powered leaf blowers from after December 31, 2022, to after June 30, 2023 (6-month extension). A copy of Ordinance 22-007 is included in the agenda packet for this item.

FUNDING SOURCE: N/A

RECOMMENDED ACTION: Conduct a Public Hearing and adopt Ordinance 25-010 at Second Reading.

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