

MOTION under ARTICLE 33 Conservation Commission Moved: That the Town vote to amend its General Bylaw, by adding a new Section (Article XI, Section 19) titled "Leaf Blowers," for the purpose of limiting the use of leaf blowers to certain seasons and certain hours of the day as follows:

A. Definition

"Leaf blower" means any motorized device whose primary function is to use blowing air to move leaves, dirt, dust, sand, grass clippings, or any other type of litter or debris.

B. Usage Based on Time of Year 1. Electric and battery-powered leaf blowers may be used all year, subject to the Time of Day limitations specified in section C. 2. Gas-powered leaf blowers may be used only from October 1 through December 20 and from March 20 through May 31, subject to the Time of Day limitations specified in section C.

C. Usage Based on Time of Day; Allowed Users

During the times of year when leaf blowers may be used, as specified in Section B, leaf blowers may be used only during these hours:

1. Mondays through Fridays from 7AM to 6PM; all users
2. Saturdays from 9AM to 5PM; all users
3. Sundays and legal holidays from 9AM to 5PM; only residents of the property on which the leaf blower is used.

D. Exclusions

1. Gas-powered leaf blowers may be used in any season for public safety and emergency situations.
2. The Building Inspector may grant one-day exemptions from this By-law for the use of gas-powered leaf blowers for special situations, but not for ongoing routine maintenance. Applications for these exemptions must be applied for in writing to the Building Inspector.

E. Enforcement and Fines

For any violation of this By-law after October 1, 2019, the Lincoln Police or the Lincoln Building Inspector shall have the authority, after a complaint from an identified person or upon the officer's or inspector's own observation, to issue a warning upon the first violation, and a fine of \$100 for each subsequent violation. Warnings and fines shall be issued to the property owner. Each day on which there is a violation will constitute a separate violation.

F. Effective Date

The provisions of this By-law shall be effective starting on the date it is approved by the Attorney General or on May 15, 2019, whichever is later.