

An Ordinance Amending Section 12-89 regulating disposal of leaf and yard debris

Section 12-89 of the Code of Ordinances is hereby amended as follows:

Sec. 12-89. - Disposal of leaf and yard debris.

(a) *Disposal to be conducted in environmentally sound manner.* The city finds that disposal of leaf and yard debris should be conducted in an environmentally sound manner and wishes to institute a comprehensive plan for such disposal with as little negative environmental impact as practicable.

(b) *Definitions.*

Acceptable leaf/yard debris shall mean leaf/yard debris free of contamination by rubbish, trash, garbage, construction/demolition debris, tree limbs larger than four (4) inches in diameter, tree stumps or any other material that does not constitute leaf/yard debris.

Leaf/yard debris shall consist of leaves, grass, weeds, vegetable and flower garden herbaceous debris and remnants, plant trimmings, small brush and hedge clippings, chipped or shredded tree or shrubby branches and other small landscape trimmings and cuttings.

Leaf blowers are defined as portable, handheld or back pack style power equipment that is powered by fuel or electricity and used in any landscape maintenance, construction, property repair, or property maintenance for the purpose of blowing, moving, removing, dispersing or redistributing leaves, dust, dirt, grass clippings, cuttings and trimmings from trees and shrubs or any other type of litter or debris.

(c) *Containers.*

Acceptable yard/leaf debris shall be placed in municipally approved recyclable, reusable or disposable biodegradable containers for collection. Every person shall place yard debris at curbside. It shall be separate and apart from all other disposable and recyclable materials.

(d) *Plastic bags prohibited.*

Acceptable leaf/yard debris shall not be placed for disposal in plastic bags of any nature.

~~(e)~~ *Disposal onto sidewalks and streets prohibited.*

No person shall cast, place, sweep, blow or deposit in any manner leaf/yard debris in or upon any street, sidewalk, alley, park, drain, sewer, gutter or receiving basin in the City.

(f) *Additional regulation of leaf blowers*

Leaf blower operations shall not cause leaves, dirt, dust, debris, grass clippings, cuttings or trimmings from trees or shrubs or any other type of litter or debris to be blown or deposited on any adjacent or other parcel of land, lot, or public right-of-way/property other than the parcel, land, or lot upon which the leaf blower is being operated. Leaves, dirt, dust, debris, grass clippings, cuttings or trimmings from trees or shrubs or any other type of litter or debris shall not be blown, swept or raked onto or into an adjacent street or gutter, except by municipal employees or municipal contractors or leaf blower operators placing leaves, dust, dirt, grass clippings, cuttings and trimmings from trees and shrubs on a municipal street or sidewalk for collection and pick-up, during municipal street and sidewalk sweeping and cleaning operations. In no event shall leaves, dirt, dust, debris, grass clippings, cuttings or trimmings from trees or shrubs or any other type of litter or debris be blown, swept or raked onto or into catch basins or onto vehicles, persons or pets. Deposits of leaves, dirt, dust, debris, grass clippings, cuttings or trimmings from trees or shrubs or any other type of litter or debris shall be removed and disposed of in a sanitary manner which will prevent dispersment by wind, vandalism or similar means.

All leaf blowers shall satisfy the emissions standards of the United States Environmental Protection Agency and noise level standards as follows: the sound emitted from any leaf blower shall be rated by the manufacturer to be no greater than 65 decibels.

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On parcels of 10,000 square feet or less, only one leaf blower at a time may be used, and on parcels larger than 10,000 square feet, only one leaf blower may be used within each 10,000 square foot area.

(g) *Enforcement.*

The director of the department of public works or his/her designee is hereby authorized to promulgate rules and regulations so as to effect the purpose of this section. Property owners will be held responsible for prohibited activity conducted by others who have been hired to maintain the owner's property.

(h) *Penalty.*

Any violations of the provisions of this section shall be punishable as stated in section 12-61.2 of the Code of Ordinances of the City of Providence.

(Ord. 1993, ch. 93-59, § 1, 12-27-93)

Editor's note—

Ord. 1993, ch. 93-59, adopted December 27, 1993, did not specifically amend this Code; hence, inclusion as § 12-89 was at the discretion of the editor.