

Chilmark Leaf Blower Bylaw

To regulate the use of gas powered leaf blowers by commercial contractors.

1. The Town is committed to protecting the public health, welfare, and safety of its residents and visitors and to protecting the environment. The goal of this bylaw is to reduce harmful noise pollution, reduce public health risks associated with nitrous oxide, carbon monoxide, and CO2 emissions and excessive noise, and reduce the level of CO2 emissions into the environment.

2. Permitted Activity

2.1 Gas-powered leaf blowers of all types may operate until 31 May 2028 subject to the following restrictions:

- a. only between the hours of 8:00 AM and 5:00 PM Monday through Friday;
- b. only between the hours of 10:00 AM and 5:00 PM on Saturday;
- c. no use permitted on Sundays or Federal holidays; and
- d. no more than 2 leaf blowers may be used simultaneously on the same property; and
- e. only from 15 March through 31 May and from 15 October through 15 January.

Effective 1 June 2028, no backpack, handheld, or wheeled walk-behind gas-powered leaf blower may be used on any property in Chilmark at any time. Commencing 1 June 2028, other types of gas-powered leaf blowers may continue to operate subject, however, to the restrictions set out in 2.1 a through e.

2.2. Electric-powered leaf blowers may operate subject to the restrictions set out in 2.1.a. through d.

3. Definition

Leaf blower means a motorized device that uses air to move leaves, grass, and other debris. A Commercial Contractor is a person, business or entity who uses leaf blowers for profit and includes property caretakers.

4. Responsible Parties and Enforcement

The following parties are responsible for any violation of this bylaw:

*the party who employed the person operating the leaf blower (or the person operating the leaf blower, if self-employed); and

*the party who owns the property where the violation occurs.

This bylaw may be enforced by Town Police.

A person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by a non-criminal disposition pursuant to G.L. Chapter 40, Section 21D and the Town's non-criminal disposition bylaw.

The following fines apply:

a. first violation: written warning

b. second violation: \$100

third and subsequent violations: \$300/violation

Each day the violation continues constitutes a separate violation.

5. Miscellaneous

The Town shall not be subject to the provisions in section 2.1 and 2.2 in order to remediate the impacts of a severe weather event or accident.

If any provision of this bylaw is held to be invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

Adopted ATM April 28, 2025 Approved by AG on July 31, 2025

