

**VILLAGE OF HASTINGS-ON-HUDSON  
BOARD OF TRUSTEES**

**PROPOSED LOCAL LAW B OF 2023**

**A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF  
HASTINGS-ON-HUDSON REGARDING THE USE OF GAS-POWERED LEAF  
BLOWERS**

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

**Section One.** Chapter 217 Performance Standards, Section 217-6.J., is deleted in its entirety.

**Section Two.** Chapter 176 Landscapers is hereby amended to read as follows:

**ARTICLE I - REGISTRATION**

**§ 176-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**LANDSCAPER**

Any person, corporation, partnership or business entity of any form who owns, operates, maintains, controls or conducts a landscaping business to perform landscaping or gardening, including tending, planting, installing, maintaining, or repairing lawns, gardens, flower beds, shrubbery, trees, or landscaping of any kind, on real property which such person or business entity does not own or at which s/he does not reside.

**§ 176-2. Registration required; requirements; fee; exemptions.**

A. No landscaper shall advertise, operate or provide services within the Village of Hastings-on-Hudson unless the landscaper is registered annually pursuant to this chapter.

B. Registration requirements.

(1) All landscapers shall submit annually a completed registration form provided by the Village Clerk and pay a nonrefundable registration fee in an amount to be determined by the Board of Trustees from time to time as set forth in Chapter 22 of this Code. The registration period shall be January 1 through December 31 of each year.

(2) The registration form, at a minimum, shall state that the landscaper has read, understands, and agrees to comply with the Village's leaf blower restrictions as set forth in this Chapter, the Tree Preservation Code (Chapter 273) and other relevant Village laws and policies, as may be amended.

(3) In addition, the landscaper shall submit proof of a valid and current Westchester County home improvement license.

C. When the Village Clerk determines that all requirements have been met, s/he shall issue landscaper registration tags, which must be placed on the rearview mirror of each vehicle the landscaper uses in the Village. The landscaper registration tag is not transferable.

D. Landscaper registration tags shall be valid from January 1 through December 31, unless revoked.

**§ 176-3. Penalties for offenses.**

Every person or business entity violating any provisions of this chapter shall be liable for a penalty in accordance with § 1-14 of the Village Code.

**ARTICLE II - LEAF BLOWERS**

**§176-4. Gas-Powered Leaf Blowers.** Using or operating, or permitting to be used or operated, any gas-powered leaf blower at any time within the Village shall be prohibited, except during the period of October 15 through December 31 of each year, and then only from 9:00 a.m. until 5:00 p.m. Any gas-powered leaf blower used during such time shall meet current Environmental Protection Agency exhaust standards, and be operated and maintained in accordance with manufacturer's instructions and specifications.

**§176-5. Penalties.**

A. Responsible parties: The following parties shall have committed a violation of §176-4 if any of its provisions is not complied with:

- (1) The party who employed the person to operate the leaf blower; and
- (2) The party who owns or rents (where the tenant is responsible for landscape maintenance) the property where the violation occurs.

B. Penalties. Any person found guilty of violating §176-4 shall be subject to a penalty of \$250 for the first offense, and \$500 for a second offense, and \$1000 for any subsequent offense.

**Section Three. Severability**

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

**Section Four. Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.