

1 [Banning use of gas-powered leaf blowers.]

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3 **Ordinance amending the San Francisco Police Code by adding Section 65, to prohibit**
4 **the use of gas-powered leaf blowers within the City and County.**

5 Note: Additions are *single-underline italics Times New Roman*;
6 deletions are *strikethrough italics Times New Roman*.
7 Board amendment additions are double underlined.
8 Board amendment deletions are ~~strikethrough normal~~.

8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. The San Francisco Police Code is hereby amended by adding Section 65,
10 to read as follows:

11 **SEC. 65. GAS-POWERED LEAF BLOWERS.**

12 (a) It shall be unlawful for any person to use, or cause to be used, a gas-powered device to
13 blow leaves, dirt or other debris off sidewalks, driveways, lawns or other surfaces within the City.

14 (b) No City departments and agencies shall purchase any gas-powered devices to blow
15 leaves, dirt or other debris off sidewalks, driveways, lawns or other surfaces within the City. Within six
16 months of the effective date of this ordinance, all City departments and agencies that currently use such
17 devices shall submit a report to the Board of Supervisors that details the department's or agency's plan
18 and schedule for eliminating the use of gas-powered blowers.

19 (c) Any person who violates this Section shall be guilty of an infraction. If charged as an
20 infraction, upon conviction thereof, said person shall be punished by (1) a fine not exceeding \$100.00
21 for a first violation, (2) a fine not exceeding \$200.00 for a second violation within the same year, and
22 (3) a fine not exceeding \$500.00 for each additional violation within the same year.

23 (d) In the event that the City adopts an ordinance creating a procedure for the City
24 Administrator to impose and review Administrative Penalties pursuant to California Government Code
25 Section 53069.4, the City may impose Administrative Penalties for violation of this Section as follows:

1 (1) in an amount not exceeding \$100.00 for the first violation, (2) in an amount not exceeding \$200.00
2 for the second violation in the same year, and (3) in an amount not exceeding \$500.00 for each
3 subsequent violation in the same year.

4 (e) The City Attorney may seek legal, injunctive, or other equitable relief to enforce this
5 Section, including without limitation, civil penalties in an amount not exceeding \$200.00 for the first
6 violation, \$400.00 for the second violation, and \$600.00 for each subsequent violation in any given
7 year.

8 (f) The City may not recover both administrative and civil penalties for the same violation.

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10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By: _____
13 VIRGINIA DARIO ELIZONDO
14 Deputy City Attorney

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