

CITY OF BALTIMORE  
ORDINANCE \_\_\_\_\_  
Council Bill 23-0367

---

Introduced by: Councilmembers Dorsey, Burnett, Ramos  
Introduced and read first time: March 13, 2023  
Assigned to: Health, Environment, and Technology Committee

---

Committee Report: Favorable, with amendments  
Council action: Adopted  
Read second time: September 16, 2024

---

AN ORDINANCE CONCERNING

1                                   **Prohibition – Gas-Powered Debris Removal Equipment**

2           FOR the purpose of prohibiting the use of gas-powered debris removal equipment in Baltimore  
3           City; defining certain terms; establishing procedures for reporting the use of gas-powered  
4           debris removal equipment; establishing certain penalties; and providing for ~~a special effective~~  
5           ~~date.~~ special effective dates.

6           BY repealing and re-ordaining with amendments  
7           Article 1. Mayor, City Council, and Municipal Agencies  
8           ~~Section Sections 40-14(e)(7) and 41-14(6)~~  
9           Baltimore City Revised Code  
10          (Edition 2000)

11          BY renumbering  
12          Health Article  
13          ~~Sections 8-301 and 8-302~~  
14          ~~to be new sections 8-401 and 8-402,~~ Section 8-301, to be new section 8-401, to be under  
15          the new subtitle designation,  
16          “Subtitle 4. Penalties”  
17          Baltimore City Revised Code  
18          (Edition 2000)

19          BY adding  
20          Health Article  
21          New sections 8-301 to 8-303, to be under the new subtitle designation,  
22          “Subtitle 3. Gas-Powered Debris Removal Equipment”  
23          Baltimore City Revised Code  
24          (Edition 2000)

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.

Council Bill 23-0367

1 BY adding  
2 Health Article  
3 Section ~~8-403~~ 8-402  
4 Baltimore City Revised Code  
5 (Edition 2000)

6 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the  
7 Laws of Baltimore City read as follows:

8 Baltimore City Revised Code

9 Article 1. Mayor, City Council, and Municipal Agencies

10 Subtitle 40. Environmental Control Board

11 § 40-14. Violations to which subtitle applies.

12 (e) Provisions and penalties enumerated.

13 (7) Health Code

14 ...

15 Title 8: Air Pollution \$100

16 SUBTITLE 3: GAS-POWERED DEBRIS REMOVAL EQUIPMENT

17 § 8-303. PROHIBITION OF GAS-POWERED DEBRIS REMOVAL EQUIPMENT  
18 SUBSEQUENT OFFENSE \$250

19 *Subtitle 41. Civil Citations*

20 § 41-14. Offenses to which subtitle applies – Listing.

21 ...

22 (6) Health Code

23 ...

24 Title 8: Air Pollution \$100

25 SUBTITLE 3: GAS-POWERED DEBRIS REMOVAL EQUIPMENT

26 § 8-303. PROHIBITION OF GAS-POWERED DEBRIS REMOVAL  
27 EQUIPMENT  
28 SUBSEQUENT OFFENSE \$250

29 ALL OTHER OFFENSES \$1,000

30 ...

Council Bill 23-0367

Baltimore City Revised Code

Article – Health

*SUBTITLE 3. Gas-Powered Debris Removal Equipment.*

**§ 8-301. DEFINITIONS**

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) *AIR POLLUTION.*

“AIR POLLUTION” HAS THE MEANING STATED IN § 8-101(B) OF THIS TITLE.

(C) CONTRACTOR.

“CONTRACTOR” MEANS A PERSON, FIRM, OR LEGAL ENTITY WITH WHICH THE CITY HAS ENTERED INTO AN AGREEMENT.”;

~~(D)~~ (D) DEBRIS.

(1) *IN GENERAL.*

“DEBRIS” MEANS ANY SOLID MATERIAL OR PORTION OF A SOLID MATERIAL INTENDED FOR DISPOSAL.

(2) *INCLUSIONS.*

“DEBRIS” INCLUDES:

(I) MANUFACTURED OBJECTS;

(II) PLANT MATERIALS;

(III) ANIMAL MATERIALS; AND

(IV) NATURAL GEOLOGIC MATERIALS.

~~(E)~~ (E) ENFORCEMENT OFFICER.

“ENFORCEMENT OFFICER” HAS THE MEANING STATED IN CITY CODE ARTICLE 1 § 41-1(C) {“DEFINITIONS: ENFORCEMENT OFFICER”}.

**Council Bill 23-0367**

1       ~~(E)~~ (F) GAS-POWERED DEBRIS REMOVAL EQUIPMENT.

2           (1) *IN GENERAL.*

3                   “GAS-POWERED DEBRIS REMOVAL EQUIPMENT” MEANS ANY DEVICE POWERED BY AN  
4                   INTERNAL COMBUSTION OR ROTARY ENGINE USING GASOLINE, ALCOHOL, OR ANY  
5                   OTHER FUEL THAT IS USED TO BLOW, VACUUM, DISPLACE, OR GATHER DEBRIS.

6           (2) *INCLUSIONS.*

7                   “GAS-POWERED DEBRIS REMOVAL EQUIPMENT” ~~INCLUDES:~~

8                   ~~(I) LEAF BLOWERS; AND~~

9                   ~~(II) LEAF VACUUMS.~~ INCLUDES HANDHELD LEAF BLOWERS WITH A VACUUM  
10                   FUNCTION.

11          (3) *EXCLUSIONS.*

12                   “GAS-POWERED DEBRIS REMOVAL EQUIPMENT” DOES NOT INCLUDE:

13                   (I) LAWN MOWERS;

14                   (II) LAWN TRIMMERS;

15                   (III) SNOW BLOWERS; ~~OR~~

16                   (IV) PRESSURE ~~WASHERS.~~ WASHERS; OR

17                   (V) SELF-PROPELLED MOTORIZED LEAF VACUUMS, INCLUDING WALK-BEHIND.  
18                   RIDING, AND HITCH MOUNT LEAF VACUUMS; AND

19                   (VI) LEAF VACUUM TRUCKS.

20          (G) LANDSCAPE MAINTENANCE COMPANY.

21                   “LANDSCAPE MAINTENANCE COMPANY” MEANS A PERSON WHO RECEIVES COMPENSATION,  
22                   INCLUDING MONEY OR MATERIAL GOODS, IN EXCHANGE FOR SERVICES THAT INCLUDE:

23                   (1) CARING FOR:

24                   (I) LAWNS;

25                   (II) GARDENS;

26                   (III) TREES;

27                   (IV) PLANTS; AND

28                   (V) HARDSCAPE FEATURES; OR

**Council Bill 23-0367**

1                   (2) OTHERWISE ENHANCING THE AESTHETICS AND FUNCTIONALITY OF AN  
2                   OUTDOOR SPACE.

3           (H) PERSON.

4           (1) IN GENERAL.

5                   “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF  
6                   THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

7           (2) INCLUSION OF GOVERNMENTAL ENTITIES.

8                   NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL  
9                   PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES A GOVERNMENTAL  
10                  ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

11          (I) SUBCONTRACTOR.

12                  “SUBCONTRACTOR” MEANS A BUSINESS ENTERPRISE THAT HAS A DIRECT CONTRACT WITH  
13                  A CONTRACTOR TO PERFORM PART OF THE WORK ON A CONTRACT.

14   **§ 8-302. PROHIBITION OF GAS-POWERED DEBRIS REMOVAL EQUIPMENT.**

15                  A PERSON PERSON, INDIVIDUAL, CONTRACTOR, OR SUBCONTRACTOR MAY NOT USE GAS-  
16                  POWERED DEBRIS REMOVAL EQUIPMENT IN BALTIMORE CITY.

17    ***SUBTITLE 4. [3.] PENALTIES.***

18   **§ 8-401 [8-301]. Enforcement by citation.**

19          (a) *In general.*

20                  In addition to any other civil or criminal remedy or enforcement procedure, this title may  
21                  be enforced by issuance of:

22                          (1) an environmental citation under City Code Article 1, Subtitle 40 {“Environmental  
23                          Control Board”}; or

24                          (2) a civil citation under City Code Article 1, Subtitle 41 {“Civil Citations”}.

25          (b) *Process not exclusive.*

26                  The issuance of a citation to enforce this title does not preclude pursuing any other civil  
27                  or criminal remedy or enforcement action authorized by law.

Council Bill 23-0367

1 ~~§ 8-402 [8-302]. Criminal penalties: \$1,000.~~

2 ~~(a) In general.~~

3 Except as otherwise specified, any person who violates any provision of this title is guilty  
4 of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 for each  
5 offense.

6 ~~(b) Each day a separate offense.~~

7 Each day that a violation continues is a separate offense.

8 ~~§ 8-403. CRIMINAL~~ **§ 8-402. CIVIL PENALTIES: GAS-POWERED DEBRIS REMOVAL EQUIPMENT.**

9 (A) *IN GENERAL.*

10 EXCEPT AS OTHERWISE SPECIFIED IN THIS SUBTITLE, AN ENFORCEMENT OFFICER MAY  
11 ISSUE A CIVIL CITATION FOR THE USE OF GAS-POWERED DEBRIS REMOVAL EQUIPMENT IF  
12 THE ENFORCEMENT OFFICER:

13 (1) WITNESSES THE VIOLATION; OR

14 (2) RECEIVES FROM AT LEAST 1 WITNESS A WRITTEN COMPLAINT ACCOMPANIED BY  
15 PHOTOGRAPHIC EVIDENCE.

16 (B) *WARNING TO CEASE AND DESIST.*

17 AN ENFORCEMENT OFFICER WHO FINDS ANY ~~PERSON~~ PERSON, INDIVIDUAL, CONTRACTOR,  
18 OR SUBCONTRACTOR VIOLATING THIS SUBTITLE SHALL ORDER, ON A FIRST OFFENSE, THAT  
19 THE PERSON CEASE AND DESIST THE USE OF GAS-POWERED DEBRIS REMOVAL EQUIPMENT.

20 (C) *SUBSEQUENT OFFENSE.*

21 A ~~PERSON~~ PERSON, INDIVIDUAL, CONTRACTOR, OR SUBCONTRACTOR WHO COMMITS A  
22 SUBSEQUENT OFFENSE IS SUBJECT TO A FINE OF \$250 FOR EACH SUBSEQUENT OFFENSE.

23 ~~SECTION 2. AND BE IT FURTHER ORDAINED,~~ That this Ordinance takes effect 1 year after the  
24 date it is enacted:

25 SECTION 2. AND BE IT FURTHER ORDAINED, That on December 15, 2024 this  
26 Ordinance takes full effect for all landscape maintenance companies, City entities, City  
27 contractors, and City subcontractors.

28 SECTION 3. AND BE IT FURTHER ORDAINED, That ALL LANDSCAPE MAINTENANCE  
29 COMPANIES and all other persons may use gas powered debris removal equipment between  
30 October 15 and December 15 of each year, until December 15, 2026, when this Ordinance takes  
31 full effect for all persons.

**Council Bill 23-0367**

Certified as duly passed this 7 day of October, 2024



---

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 7 day of October, 2024



---

Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

---

Mayor, Baltimore City