



# Public Safety & Transportation Committee Agenda

## City of Newton In City Council

Wednesday, October 20, 2021

7:00 PM

The Public Safety & Transportation Committee will hold this meeting as a virtual meeting on Wednesday, October 20, 2021 at 7:00 pm. To view this meeting using Zoom use this link: <https://us02web.zoom.us/j/86909442922> or call 1-646-558-8656 and use the following Meeting ID: **869 0944 2922**

### Items Scheduled for Discussion:

- #138-21** **Discussion with the Administration on the Newton Police Reform Task Force**  
PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting a discussion with the Administration on the Newton Police Reform Task Force recommendations and matters pertaining.  
**Public Safety & Transportation Held 8-0 on 10/06/21**
- #272-21** **Request for quarterly updates on Task Force recommendation progress**  
COUNCILORS NORTON, ALBRIGHT, WRIGHT, LUCAS, KALIS, GREEN, BOWMAN, HUMPHREY, LAREDO, KRINTZMAN, DOWNS AND LIPOF requesting quarterly updates from the Mayor and Police Chief to the Police Reform Task Force and Public Safety and Transportation Committee on the progress toward implementing Task Force recommendations.  
**Public Safety & Transportation Held 8-0 on 10/06/21**
- #248-21** **Discussion with the Police Department regarding training**  
COUNCILORS BOWMAN, GROSSMAN, DOWNS, HUMPHREY, LIPOF, RYAN, LEARY, DANBERG AND NOEL requesting a discussion with the Newton Police Department on training including discussion of training that supports the Police Reform Task Force recommendations for additional training for officers on systemic racism, behavioral health and cultural responsiveness to marginalized communities. Discussion should include what training officers and others are attending (internal and external) including

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

overview of the content, who is receiving the training, and an assessment of the effectiveness.

**Public Safety & Transportation Held 8-0 on 10/06/21**

At approximately 8:00 p.m.

**Chair's Note:** The Committee will join the Program & Services Committee to discuss the following two items. The link to the Programs & Services Committee Agenda is as follows:

<https://us02web.zoom.us/j/84908094836> or call 1-646-558-8656 and use the Meeting ID 849 0809 4836.

**Referred to Public Safety & Transportation and Programs & Services Committees**

**#49-20(3) Requesting report as to the implementation of the leaf-blower landscaper registration and enforcement**

COUNCILORS ALBRIGHT, BAKER, WRIGHT, HUMPHREY, NOEL AND GREENBERG requesting a report from the Executive Department, including the Chief of Police and the Commissioner of Inspectional Services, as to the implementation of the leaf-blower landscaper registration and enforcement ordinance amendments effective Labor Day 2021.

**Referred to Programs & Services and Public Safety & Transportation Committees**

**#271-21 Request for a discussion on School Bus Transportation**

COUNCILORS BOWMAN, CROSSLEY, DANBERG, DOWNS, GREENBERG, GROSSMAN, HUMPHREY, KALIS, KELLEY, KRINTZMAN, LAREDO, LUCAS, MARKIEWICZ, NOEL, NORTON, OLIVER, RYAN, LEARY AND WRIGHT requesting a discussion with the Newton Public Schools to review the school bus transportation program including expenses and fees charged to students and upcoming bus contract and as part of a comprehensive school transportation strategy.

Respectfully submitted,

Andreae Downs, Chair

#49-20 DRAFT AS APPROVED IN FINANCE COMMITTEE –includes POLICE ENFORCEMENT  
Passed by City Council 5/17/2021 (to be effective Labor Day 2021)

Move the definition of leaf blower from section 20-13 (d) to section 20-13 (h) and amend the provisions of Sections. 20-13 (h), (j) and (n) as follows:

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(h) *Restrictions on use of leaf blowers.*

Notwithstanding the provisions of sections 20-13 (f) and (g), no property owner or property manager or other person in control of a property shall authorize or permit the operation of leaf blowers on property under their control; no contractor or commercial landscaper, including a City contractor or employee, shall use or operate or authorize or permit any agent or employee to use or operate a leaf blower; nor shall any person use or operate a leaf blower within the City unless they do so in compliance with the provisions of this section. The following definitions shall apply to this section:

*Leaf blower:* any portable motorized device, whether carried or pushed, whether powered by gasoline or other fuel, electricity or battery, used in any landscape or property construction or maintenance activity, for the purpose of blowing, dispersing, redistributing, or removing dust, dirt, leaves, grass or plant clippings, litter or other debris.

*Commercial leaf blower operator:* any individual, entity or organization, including a contractor or commercial landscaper that receives compensation for services that include operation of a leaf blower.

(1) *Summer Ban.* No leaf blower may be operated from Memorial Day through Labor Day in each year, except that one 65 dB(A) electric or battery powered leaf blower per lot may be used during this period subject to the permitted hours of use specified in (2) below. At all other times leaf blowers may be operated subject to the following provisions:

(2) Permitted hours of use. Leaf blowers may be operated only during the following times:

*Monday – Friday:* 7:00 a.m. – 5:00 p.m., except that the City of Newton, through its parks, recreation and culture department, shall be allowed to use leaf blowers prior to 7:00 a.m. for the sole purpose of maintaining city village centers.

*Saturday:* 8:00 a.m. – 5:00 p.m.

*Sundays and legal holidays:* prohibited except for operation by a resident of the property on which the leaf blower is operated between 9:30 a.m. and 5:00 p.m.; and except for operation of leaf blowers on contiguous lots under single ownership that total a minimum of thirty acres used for institutional or recreational purposes between 9:30 a.m. and 12:00 p.m.

(3) Only leaf blowers meeting the following criteria are permitted for use:

A. Leaf blowers must be manufactured after January 1, 2005 for EPA Class 4 engines and after January 1, 2008 for EPA Class 5 engines;

B. Leaf blowers must bear an affixed manufacturer’s label indicating the model number of the leaf blower;

#49-20 DRAFT AS APPROVED IN FINANCE COMMITTEE –includes POLICE ENFORCEMENT

Passed by City Council 5/17/2021 (to be effective Labor Day 2021)

- C. Leaf blowers must bear an affixed manufacturer’s label documenting a noise rating of 65 dB(A) or less; and
  - D. Leaf blowers may only be used with any muffler, full extension tube and sound attenuating devices supplied by the manufacturer of the leaf blower. Non-factory modifications are not permitted.
- (4) During times of emergency caused by a storm or other special circumstance, the Mayor or his designee may temporarily suspend application of all or a portion of this section for purposes of cleaning up from such storm or other special circumstance.
- (5) The provisions of section 20-13 (i) shall not apply to leaf blower operation.
- (6) Any violation of the restrictions contained in sections 20-13 (h)(1) through (h)(6) above shall be subject to the penalties set forth in sections 20-13 (k) and (m) below, provided that the first offense by any person subject to this section shall be subject to a warning only, and provided further that a violation committed by a commercial operator holding a valid permit and in good standing on the public list provided for in section (7) A, shall be enforced against the commercial operator only, and not against the property owner, manager or person in control of the property upon which the violation has occurred.
- (7) *Commercial Leaf Blower Operators – permit required.*
- A. No commercial leaf blower operator may operate a leaf blower or permit or authorize an agent or employee to operate a leaf blower in the City of Newton without an annual permit from the commissioner of inspectional services, who shall provide application forms; who may establish rules governing the display of permits on permittee’s vehicles; and who shall maintain a public list of commercial leaf blower operators who hold a valid permit under this section. The commissioner may set a reasonable fee for such permit. Such application form shall require the name and telephone number of a contact and shall require the applicant to certify under pains and penalties of perjury that they have read and understand this ordinance pertaining to leaf blower restrictions, and that they will inform all employees of the restrictions. If a violation of any leaf blower restriction under this ordinance is committed by an employee or agent of and while performing work for said commercial leaf blower operator, the commercial leaf blower operator shall be responsible for the violation and the employee or agent shall not be individually liable.
  - B. A commercial leaf blower operator shall ensure that its name, address, telephone number and its commercial leaf blower permit number are clearly visible on any vehicle it uses to conduct business in Newton.
  - C. In addition to the penalties set forth in sections (k) and (m) below, the permit of any commercial leaf blower operator who has received two or more notices of violation of leaf blower restrictions by it or its employees or agents in a 12-month period shall be suspended for a period of sixty days. The permit of any commercial leaf blower operator whose permit has been suspended two times shall be revoked, and the operator shall be ineligible for a permit for a period of one year. The operator’s name shall be removed from the public list during any period of suspension or revocation. The penalty for operating a leaf blower without a commercial operator permit shall be \$300.00.

#49-20 DRAFT AS APPROVED IN FINANCE COMMITTEE –includes POLICE ENFORCEMENT  
Passed by City Council 5/17/2021 (to be effective Labor Day 2021)

D. The commissioner of inspectional services may promulgate rules and regulations to implement this section.

(i) *Permits for exemptions from this ordinance and for extensions of time to comply with this ordinance.*

(1) The mayor or his designee may grant a permit for any activity otherwise forbidden by the provisions of this ordinance upon a determination by the mayor or his designee that compliance in the conduct of such activity would cause undue hardship on the person or persons conducting such activity or on the community, taking into account: (i) the extent of noise pollution caused by not requiring such compliance; and (ii) whether reasonable efforts have been made to abate the noise. The mayor or his designee shall establish appropriate procedures for the processing of requests for such permits, including such hearings as the mayor or his designee deems appropriate. In granting any such permit, the mayor or his designee may impose such appropriate conditions as he deems necessary pursuant to this section. Copies of all such permits shall be filed with the clerk of the city council promptly after issuance. Promptly after issuance, copies of all such permits shall be filed with the clerk of the city council and to each ward city councilor for the affected ward.

(2) The mayor or his designee may extend to a specified date the time for compliance with this ordinance in the case of any particular activity with respect to which a determination is made that such extension is necessary to provide a reasonable opportunity for such activity to be brought into compliance. No such extension shall be granted which has the effect of exempting such activity from compliance with this ordinance. The mayor or his designee shall establish appropriate procedures for the processing of requests for such extensions of time, including such hearings as the mayor or his designee deems appropriate.

(j) *Judicial Review.* Any person aggrieved by the grant or denial of a permit pursuant to subsection (i)(1) or an extension of time pursuant to subsection (i)(2), or a suspension or revocation of a commercial leaf blower operator permit pursuant to subsection (h)(7) may seek relief therefrom by a civil action in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.

(k) *Penalties.* Violation of any of the provisions of this section shall constitute a misdemeanor and any person, upon conviction of such violation, shall be fined an amount not to exceed three hundred dollars (\$300.00). Each day that such violation continues shall be considered to be a separate offense.

(l) *Enforcement.* The Newton Police Department and the Inspectional Services Department shall be responsible for enforcement of this ordinance. Each department shall document the disposition of all complaints by written report available to the public. The written report shall clearly indicate whether the complaint resulted in a warning or fine. If a warning or fine was not issued for a complaint, the responding city employee shall clearly indicate the reason.

(m) *Non-criminal disposition.* In addition to the penalties set forth in subsection (k), where non-criminal disposition of specified sections of this ordinance by civil fine has been provided for in sections 17-22 and 17-23 of the Revised Ordinances, as amended, pursuant to the authority granted by G.L. c. 40, sec. 21D, said violations may be enforced in the manner provided in such statute. The civil penalty for each such violation is set out in Sections 17-23(c) and 17-23(d).

(n) In the event the person in violation of section 20-13 (h) pertaining to leaf blower use is a commercial leaf blower operator, the property owner shall be notified of the violation and of any warning or other enforcement issued to the operator.

#49-20 DRAFT AS APPROVED IN FINANCE COMMITTEE –includes POLICE ENFORCEMENT  
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(o) *Severability*. If any provision(s) of this ordinance or the application of such provision(s) to any person or circumstances shall be held invalid, the validity of the remainder of this ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby. (Ord. No. R-331, 6-20-83; Ord. No. T-62, 12-4-89; Ord. No. T-200, 12-16-91; Ord. No. V-286, 3-6-00; Ord. Z-32, 7-14-08; Ord. No. Z-78, 02-22-11; Ord. No. Z-104, 04-02-12; Ord. No. A-100, 01-17-17; Ord. No. B-53, 03-02-20)

**Cross reference**—Sounding warning devices on motor vehicles, § 19-72; noise by hawkers and peddlers, § 20-75.

#49-20 DRAFT AS APPROVED IN FINANCE COMMITTEE –includes POLICE ENFORCEMENT  
Passed by City Council 5/17/2021 (to be effective Labor Day 2021)

Add the following language (redline underscored) to the provisions of Sec. 17-23 (c):

c) DEPARTMENT OF INSPECTIONAL SERVICES: The commissioner of inspectional services, and/or his or her designee, and building inspectors of the department of inspectional services shall be authorized to issue written notice of the following violations:

..... FINE  
Sec. 20-13. Noise Control, any section except Sec. 20-13 (h)(7)

( ) First offense in calendar year ..... Warning

( ) Second offense in calendar year ..... \$100.00

( ) Third offense in calendar year ..... \$200.00

( ) Fourth or subsequent offense in calendar year ..... \$300.00

Sec. 20-13 (h)(7 ) Commercial leaf blower operator – operation of leaf blower without  
a permit ..... \$300.00

#49-20 DRAFT AS APPROVED IN FINANCE COMMITTEE –includes POLICE ENFORCEMENT  
Passed by City Council 5/17/2021 (to be effective Labor Day 2021)

Add the following language (redline underscored) to the provisions of Sec. 17-23 (d):

(d) POLICE DEPARTMENT: City police officers shall be authorized to issue written notice of the following violations:

..... FINE  
Sec. 20-13. Noise Control, any section except Sec. 20-13 (h)(7)

( ) First offense in calendar year ..... Warning

( ) Second offense in calendar year ..... \$100.00

( ) Third offense in calendar year ..... \$200.00

( ) Fourth or subsequent offense in calendar year ..... \$300.00

Sec. 20-13 (h) (7) Commercial leaf blower operator – operation of leaf blower without  
a permit .....\$300.00



**Nathan Giacalone**

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**From:** Nadia Khan  
**Sent:** Monday, September 20, 2021 10:45 AM  
**To:** Nathan Giacalone  
**Subject:** FW: Preparing for leafblower registration and enforcement  
**Attachments:** Council Order - leafblower amendments.pdf; leaf blower questions from citizens.docx

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**From:** 'Lisle Baker' <councilorbaker@comcast.net>  
**Sent:** Friday, September 3, 2021 9:44 AM  
**To:** Ruthanne Fuller <rfuller@newtonma.gov>  
**Cc:** City Council <citycouncil@newtonma.gov>; Nadia Khan <nkhan@newtonma.gov>  
**Subject:** RE: Preparing for leafblower registration and enforcement

[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

Dear Mayor Fuller:

Thank you for your response. I saw your helpful newsletter last week, but that does not go into what the administration has been doing to be prepared. The city ordinances on line do not yet reflect the changes in the Council Order from May, attached. Also, I and others have been receiving inquiries from citizens, like the attached, which we would like to respond to, but have been awaiting hearing from Mr. Yeo and Commissioner Lojek in response to my prior email below. Several of us are docketing a request for an update but it will not likely be taken up until later in the season, and it would be helpful to know more of what has been done to date to help make these revisions effective when they become the law next week.

Thank you. - Councilor Baker

On 08/27/2021 12:39 PM Ruthanne Fuller <[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)> wrote:

We'll get right back to you Councilor.Ruthanne

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**From:** Lisle Baker <[councilorbaker@comcast.net](mailto:councilorbaker@comcast.net)>  
**Sent:** Friday, August 27, 2021 12:30 PM  
**To:** Ruthanne Fuller <[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)>  
**Cc:** City Council <[citycouncil@newtonma.gov](mailto:citycouncil@newtonma.gov)>  
**Subject:** Fwd: Preparing for leafblower registration and enforcement

[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

Dear Mayor Fuller:

The email we all received from a concerned citizen about leaf-blower enforcement is echoed by others I have also received asking how the revised ordinance is going to be administered.

You may recall that while the Council passed the revised ordinance in May, the effective date was deferred until Labor Day to allow time to notify landscapers and to set up the registration process and to hire the new seasonal person in Inspectional Services which was part of the fiscal .2022 budget. (It was helpful for you to have advised citizens about the change in one of your newsletters.)

I had written Mr. Yeo and Mr. Lojek on August 16, below, asking for an update on the preparation for the implementation of the revised ordinance, but to date I have had no response.

Would you be able to do so?

Thank you.

Councilor Baker

----- Original Message -----

From: Lisle Baker <[councilorbaker@comcast.net](mailto:councilorbaker@comcast.net)>

To: Jonathan Yeo <[jyeo@newtonma.gov](mailto:jyeo@newtonma.gov)>, John Lojek <[jlojek@newtonma.gov](mailto:jlojek@newtonma.gov)>

Cc: "jkrintzman@newtonma.gov" <[jkrintzman@newtonma.gov](mailto:jkrintzman@newtonma.gov)>, salbright <[salbright@newtonma.gov](mailto:salbright@newtonma.gov)>

Date: 08/16/2021 2:32 PM

Subject: Preparing for leafblower registration and enforcement

Dear colleagues:

As the effective date of the new leafblower ordinance is two weeks away, I (and I imagine the Council) would appreciate an update on the preparation for its implementation. Rather than docket an item before the Programs and Services Committee, which has its hands full right now with the Clerk search, I thought an email would be a better way to begin.

I can testify from personal observation that the use of gas powered leaf blowers has persisted during the summer - at least in my neighborhood, so I hope the fall season will be more successful in assuring compliance with our revised ordinance.

Thank you,

Councilor Baker

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.

1. Has someone been hired as the enforcer of our ordinance?
2. Is the registration process in place to register landscapers?
3. Who will process the registrations?
4. Might we have a list on the city website listing the landscapers who have registered? For residents to know if their landscaper would be liable, and, also, for residents who would like to hire a green landscaper.
5. We have seen no notice to landscapers or residents about the new registration process. Are flyers or notification going to be sent to Newton residents? Through the Mayor's newsletter, for example?
6. Once a landscaper is registered what do they receive? Is it a sticker on each of their trucks that residents can look for?
7. How do companies receive fines if the boss is not on the job and the workers do not speak English?
8. What if there are multiple houses in a row being blown with illegal blowers from the same company? Who gets the fine? Many Newton residents have this situation.
9. Do the police give out tickets to the workers? How do they ascertain the address of the company if the workers don't speak English? Do homeowners get fined also?
10. Language barrier? What do the police do if a company does not have the sticker (or whatever it is that indicates they have registered) and the workers do not speak English?
11. Who is the contact person in ISD for violations?

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO. B-74

May 17, 2021

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON That the Revised Ordinances of Newton, Massachusetts, 2017, as amended, be and are hereby further amended with respect to **Section 20-13 of Article II Noise, Chapter 20** as follows:

1. DELETE in its entirety the definition of Leaf Blower from Sec. 20-13 (d)
2. DELETE Sec. 20-13(h) in its entirety and INSERT in place thereof the following language:

(h) *Restrictions on use of leaf blowers.*

Notwithstanding the provisions of sections 20-13 (f) and (g), no property owner or property manager or other person in control of a property shall authorize or permit the operation of leaf blowers on property under their control; no contractor or commercial landscaper, including a City contractor or employee, shall use or operate or authorize or permit any agent or employee to use or operate a leaf blower; nor shall any person use or operate a leaf blower within the City unless they do so in compliance with the provisions of this section. The following definitions shall apply to this section:

*Leaf blower:* any portable motorized device, whether carried or pushed, whether powered by gasoline or other fuel, electricity or battery, used in any landscape or property construction or maintenance activity, for the purpose of blowing, dispersing, redistributing, or removing dust, dirt, leaves, grass or plant clippings, litter or other debris.

*Commercial leaf blower operator:* any individual, entity or organization, including a contractor or commercial landscaper, that receives compensation for services that include operation of a leaf blower.

(1) *Summer Ban.* No leaf blower may be operated from Memorial Day through Labor Day in each year, except that one 65 dB(A) electric or battery powered leaf blower

per lot may be used during this period subject to the permitted hours of use specified in Subsection (2) below. At all other times leaf blowers may be operated subject to the following provisions:

(2) *Permitted hours of use.* Leaf blowers may be operated only during the following times:

*Monday – Friday:* 7:00 a.m. – 5:00 p.m., except that the City of Newton, through its parks, recreation and culture department, shall be allowed to use leaf blowers prior to 7:00 a.m. for the sole purpose of maintaining city village centers.

*Saturday:* 8:00 a.m. – 5:00 p.m.

*Sundays and legal holidays:* prohibited except for operation by a resident of the property on which the leaf blower is operated between 9:30 a.m. and 5:00 p.m.; and except for operation of leaf blowers on contiguous lots under single ownership that total a minimum of thirty acres used for institutional or recreational purposes between 9:30 a.m. and 12:00 p.m.

(3) Only leaf blowers meeting the following criteria are permitted for use:

- A. Leaf blowers must be manufactured after January 1, 2005 for EPA Class 4 engines and after January 1, 2008 for EPA Class 5 engines;
- B. Leaf blowers must bear an affixed manufacturer's label indicating the model number of the leaf blower;
- C. Leaf blowers must bear an affixed manufacturer's label documenting a noise rating of 65 dB(A) or less; and
- D. Leaf blowers may only be used with any muffler, full extension tube and sound attenuating devices supplied by the manufacturer of the leaf blower. Non-factory modifications are not permitted.

(4) During times of emergency caused by a storm or other special circumstance, the Mayor or his designee may temporarily suspend application of all or a portion of this section for purposes of cleaning up from such storm or other special circumstance.

(5) The provisions of section 20-13 (i) shall not apply to leaf blower operation.

(6) Any violation of the restrictions contained in sections 20-13 (h)(1) through (h)(6) above shall be subject to the penalties set forth in sections 20-13 (k) and (m)

below, provided that the first offense by any person subject to this section shall be subject to a warning only, and provided further that a violation committed by a commercial operator holding a valid permit and in good standing on the public list provided for in section (7) A, shall be enforced against the commercial operator only, and not against the property owner, manager or person in control of the property upon which the violation has occurred.

*(7) Commercial Leaf Blower Operators – permit required.*

- A. No commercial leaf blower operator may operate a leaf blower or permit or authorize an agent or employee to operate a leaf blower in the City of Newton without an annual permit from the commissioner of inspectional services, who shall provide application forms; who may establish rules governing the display of permits on permittee's vehicles; and who shall maintain a public list of commercial leaf blower operators who hold a valid permit under this section. The commissioner may set a reasonable fee for such permit. Such application form shall require the name and telephone number of a contact and shall require the applicant to certify under pains and penalties of perjury that they have read and understand this ordinance pertaining to leaf blower restrictions, and that they will inform all employees of the restrictions. If a violation of any leaf blower restriction under this ordinance is committed by an employee or agent of and while performing work for said commercial leaf blower operator, the commercial leaf blower operator shall be responsible for the violation and the employee or agent shall not be individually liable.
- B. A commercial leaf blower operator shall ensure that its name, address, telephone number and its commercial leaf blower permit number are clearly visible on any vehicle it uses to conduct business in Newton.
- C. In addition to the penalties set forth in sections (k) and (m) below, the permit of any commercial leaf blower operator who has received two or more notices of violation of leaf blower restrictions by it or its employees or agents in a 12-month period shall be suspended for a period of sixty days. The permit of any commercial leaf blower operator whose permit has been suspended two times shall be revoked, and the operator shall be ineligible for a permit for a period of one year. The operator's name shall be removed from the public list during any period of suspension or revocation. The penalty for operating a leaf blower without a commercial operator permit shall be \$300.00.
- D. The commissioner of inspectional services may promulgate rules and

regulations to implement this section.

- 3. DELETE Sec. 20-13 (j) in its entirety and INSERT in place thereof the following language:

(j) *Judicial Review.* Any person aggrieved by the grant or denial of a permit pursuant to subsection (i)(1) or an extension of time pursuant to subsection (i)(2), or a suspension or revocation of a commercial leaf blower operator permit pursuant to subsection (h)(7) may seek relief therefrom by a civil action in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.

- 4. DELETE Sec. 20-13(n) in its entirety and INSERT in place thereof the following language:

(n) In the event the person in violation of section 20-13(h) pertaining to leaf blower use is a commercial leaf blower operator, the property owner shall be notified of the violation and of any warning or other enforcement issued to the operator.

- 5. DELETE, in Sec. 17-23(c) DEPARTMENT OF INSPECTIONAL SERVICES, the listing of Sec. 20-13 Noise Control in its entirety and INSERT in place thereof the following language:

Sec. 20-13. Noise Control, any section except Sec. 20-13 (h)(7)

- ( ) First offense in calendar year ..... Warning
- ( ) Second offense in calendar year ..... \$100.00
- ( ) Third offense in calendar year .....\$200.00
- ( ) Fourth or subsequent offense in calendar year .....\$300.00

Sec. 20-13 (h)(7) Commercial leaf blower operator – operation of leaf blower without a permit ..... \$300.00

- 6. DELETE, in Sec. 17-23(d) POLICE DEPARTMENT, the listing of Sec. 20-13 Noise Control in its entirety and INSERT in place thereof the following language:



Sec. 20-13. Noise Control, any section except Sec. 20-13 (h)(7)

- ( ) First offense in calendar year ..... Warning
- ( ) Second offense in calendar year ..... \$100.00
- ( ) Third offense in calendar year .....\$200.00
- ( ) Fourth or subsequent offense in calendar year .....\$300.00

Sec. 20-13 (h)(7 ) Commercial leaf blower operator – operation of leaf blower without a permit ..... \$300.00

7. This ordinance shall take effect on Labor Day, 2021.

Approved as to legal form and character:

*Alissa O. Giuliani*  
ALISSA O. GIULIANI  
 City Solicitor

Under Suspension of Rules  
 Readings Waived and Adopted  
 23 Yeas 0 Nays 1 Absent (Councilor Gentile)

*NKhan*

(SGD) NADIA KHAN  
 Acting City Clerk

EXECUTIVE DEPARTMENT  
Approved:

*Ruthanne Fuller*

(SGD) RUTHANNE FULLER  
 Mayor

Date: 6/1/2021

**Nathan Giacalone**

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**From:** Nadia Khan  
**Sent:** Monday, September 20, 2021 10:45 AM  
**To:** Nathan Giacalone  
**Subject:** FW: Leaf Blower Response from Commissioner Lojek  
**Attachments:** Landscaper Registration Program Question Responses.docx

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**From:** Lisle Baker <councilorbaker@comcast.net>  
**Sent:** Tuesday, September 7, 2021 3:56 PM  
**To:** City Council <citycouncil@newtonma.gov>  
**Cc:** Nadia Khan <nkhan@newtonma.gov>; Jonathan Yeo <jyeo@newtonma.gov>; Ruthanne Fuller <rfuller@newtonma.gov>; John Lojek <jlojek@newtonma.gov>  
**Subject:** FW: Leaf Blower Response from Commissioner Lojek

**[DO NOT OPEN links/attachments unless you are sure the content is safe. ]**

**Dear colleagues:**

**You may recall I had passed along a number of citizen questions to the Mayor about the revised leaf-blower ordinance. Commissioner Lojek responded to them today. Mr. Yeo indicated I could also share them with the full Council, which I am glad to do. It is good to see this early progress. - LB**

----- Original Message -----

**From:** John Lojek <[jlojek@newtonma.gov](mailto:jlojek@newtonma.gov)>  
**To:** "R. Lisle Baker" <[lbaker@newtonma.gov](mailto:lbaker@newtonma.gov)>, Susan Albright <[salbright@newtonma.gov](mailto:salbright@newtonma.gov)>  
**Cc:** Jonathan Yeo <[jyeo@newtonma.gov](mailto:jyeo@newtonma.gov)>  
**Date:** 09/07/2021 2:49 PM  
**Subject:** FW: Leaf Blower Response

**The following is our present response to leaf blower questions.**

**John D. Lojek, Commissioner**

**Inspectional Services Department**

**1000 Commonwealth Avenue**

**Newton, MA 02459**

**(617) 796-1061**

Councilors,

In response to Councilor Baker's questions regarding the upcoming landscaper registration program, here are the answers, as best we know going into the new program.

1. Has someone been hired as the enforcer of our ordinance?

ISD is working on recruiting the registration surveillance part-time staff person. NPD is assisting with that search. In the meantime, ISD will train current personnel who are out across the city each day to begin the program enforcement. Call-in response to violations will continue to be conducted by NPD.

2. Is the registration process in place to register landscapers?

Yes. See the application at:

[www.newtonma.gov/home/showpublisheddocument/73583/637659119331690373](http://www.newtonma.gov/home/showpublisheddocument/73583/637659119331690373)

3. Who will process the registrations?

ISD personnel will process the applications. It will eventually become part of the OpenGov on-line permitting/licensing system.

4. Might we have a list on the city website listing the landscapers who have registered? For residents to know if their landscaper would be liable, and, also, for residents who would like to hire a green landscaper.

As of today there are 17 registered landscapers. We expect that list to increase quickly. The [list](#) will be update frequently on ISD's leafblower [webpage](#).

5. We have seen no notice to landscapers or residents about the new registration process.

Are flyers or notification going to be sent to Newton residents? Through the Mayor's newsletter, for example?

The Mayor's Update has included a few notes about the new requirement, including [last week](#). Newton Patch has a [story](#) today on it. ISD inspection staff are handing out registration forms to

contractors across the City over the past several weeks. The initial fall 2021 season will undoubtedly be a start-up period that involves getting all landscapers engaged in the registration process year after year. This will be the first time the City obtains contact information (email, addresses, phone) for landscapers.

6. Once a landscaper is registered what do they receive? Is it a sticker on each of their trucks that residents can look for?

Applicants are asked on the registration form how many stickers they need for their trucks. Stickers will be numbered and coded, with an annual color change.

7. How do companies receive fines if the boss is not on the job and the workers do not speak English?

Warnings and fines will be sent to the company address if City personnel (ISD and NPD) are not able to converse with the workers.

8. What if there are multiple houses in a row being blown with illegal blowers from the same company? Who gets the fine? Many Newton residents have this situation.

The fines will be per incident, so that they are fined and not allowed to continue even if there are multiple homes involved. Fines are assessed to the landscape company. See the noise control ordinance [revisions](#) passed by the Council.

9. Do the police give out tickets to the workers? How do they ascertain the address of the company if the workers don't speak English? Do homeowners get fined also?

Enforcement tickets (warnings, fines) will be given out to the staff for the commercial leaf blower operator (the ordinance's term for the landscaping company) or mailed directly to the company depending on the situation. All actions will be logged in and tracked. The ordinance revision made it clear that staff for the landscaping company are not individually liable for violations.

If the company has a registration sticker on the vehicle, and there is a noise violation, then it will be very simple for the ticket to be mailed. If the violation involves a vehicle without a registration sticker the City staff will ascertain the company name and address.

Yes, the final version of the ordinance revisions includes the responsibility of the homeowner, but only in situations where they hire an unregistered landscaping company. In that situation they are co-liable for violations and can be issued warnings and fines. Hopefully it will only be warnings and homeowners will not repeat the mistake of hiring unregistered landscapers. If a homeowner hires a

registered landscaper who then violates the noise ordinances, only the landscaping company is responsible.

**10. Language barrier? What do the police do if a company does not have the sticker (or whatever it is that indicates they have registered) and the workers do not speak English?**

All City employees deal with language barriers on a regular basis and find ways to communicate simple instructions. "Stop" has certainly become a universal word. As noted above, if the landscaping team involved in the situation do not have registration stickers, the City staff will ascertain the company's contact information and contact them directly. We do have the Spanish section of the leaf blower ordinance [flyer](#) and will work to include new Spanish versions of program documents.

**11. Who is the contact person in ISD for violations?**

Kristen Patten ([kpatten@newtonma.gov](mailto:kpatten@newtonma.gov)) in ISD will be the contact for the registration program, but not for responding to immediate violations. She will work with the ISD inspectors, and the seasonal employee, to make sure companies get registered and that registration enforcement actions get followed up on. Immediate response to violations will continue to be conducted by NPD.

**Please let me know if you have any questions.**

**John Lojek**

**Commissioner, ISD**

**When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.**

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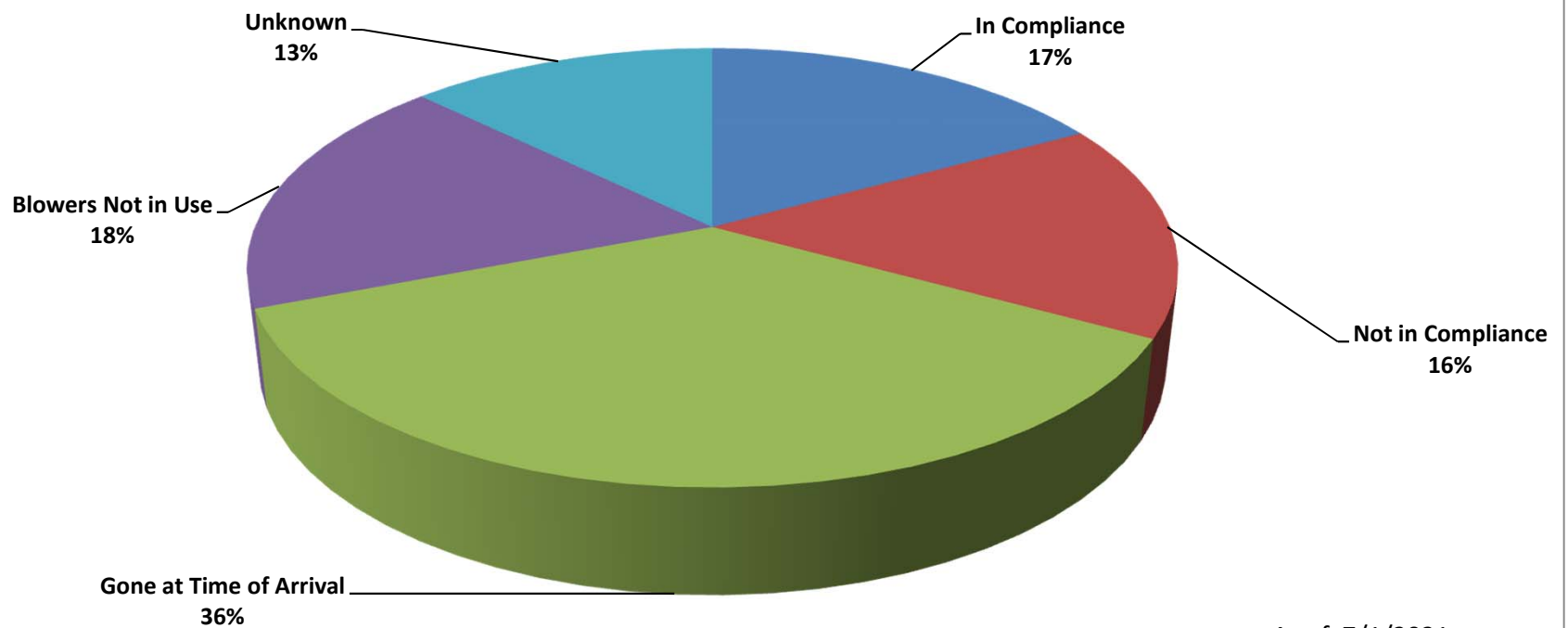
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John Lojek  
Commissioner, ISD

# Newton Police Department 2021 Compliance of Landscapers with the Leaf Blower Ordinance



Data provided by the NPD Crime Analysis Unit

As of 7/1/2021



## 2021 Newton Police Leaf Blower Log

Case#	Date/Time	Location	Landscaper	Notes	Disposition	Officer
21010277	3/8/2021 15:32	0 Jasset St/ Stearns Play	Sami O'Reilly	No Leaf Blowers in Use	N/A	Helms
21011812	3/18/2021 9:02	Avalon Rd	Grazianos Landscaping	Leaf blower not in compliance, over 65db	Verbal Warning	Kane
21011816	3/18/2021 19:29	Forest Ave	Torcasio Landscaping	Landscaper in compliance	No warning or fine	Marini
21011816	3/18/2021 10:25	Forest Ave	Unknown	No Report		Marini
21012507	3/22/2021 12:34	Victoria Cir	Tony Landscaping	Landscaper in compliance	No warning or fine	Boudreau M
21012639	3/23/2021 8:03	Mt Vernon St	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21012699	3/23/2021 14:46	Walnut St	Sunscapes Landscaping	Leaf blower not in compliance, Uknown reason	Verbal Warning	Walsh
21012800	3/24/2021 8:32	Craigie Ter & Lowell Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21012805	3/24/2021 9:30	Avalon Rd	Glenn Pacheco Landscaping	No Leaf Blowers in Use	N/A	Setiabudi
21012851	3/24/2021 15:35	Hammond St & Lawrence Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	March J
21013177	3/26/2021 14:01	Walnut Hill Rd	Jose Lopreto	Landscaper in compliance	No warning or fine	Durickas
21013316	3/27/2021 9:59	Oak St	Indresano Landscaping	No Leaf Blowers in Use	N/A	Hatfield
21013344	3/27/2021 13:07	Plainfield St	RZ Gardener Landscape	No Leaf Blowers in Use	N/A	Setiabudi
21013352	3/27/2021 14:27	Beecher Pl	Byron Landscaping	Landscaper in compliance	No warning or fine	Panica
21013633	3/29/2021 11:19	Crescent Ave & Pelham St	Newton Landscaping	Landscaper in compliance	No warning or fine	Gabriel
21013635	3/29/2021 11:21	Centre St & Clark St	Minuteman Landscaping	Leaf blower not in compliance, over 65db	Verbal Warning	Gabriel
21013818	3/30/2021 14:51	Woodcliff Rd	SRD Landscaping	Landscaper in compliance	No warning or fine	Durickas
21013916	3/31/2021 9:12	Collins Rd & Southwick Rd	Nicolazzo and Son	Landscaper in compliance	No warning or fine	Lazarakis
21013929	3/31/2021 9:44	Woodward St	Nicolazzo and Son	No Leaf Blowers in Use	N/A	Setiabudi
21013961	3/31/2021 13:24	Moulton St	Tong's Pro gardening & Landscape	Leaf blower not in compliance, over 65db	Verbal Warning	Lazarakis
21013983	3/31/2021 16:31	Wyman St	Absolute Landscaping	Leaf blower not in compliance, no sticker	Verbal Warning	Chieu
21014090	4/1/2021 8:56	Upland Rd	Muzzioli Landscaping	Landscaper in compliance	No warning or fine	Tocci
21014254	4/2/2021 8:52	Woodward St	Japanese Garden Design	No Leaf Blowers in Use	N/A	Setiabudi
21014257	4/2/2021 9:00	Allen Ave	MV & Sons Enterprise Inc	Leaf blower not in compliance, over 65db	Verbal Warning	Setiabudi
21014269	4/2/2021 12:46	Brackett Rd & Park Ave	Unknown	No Report		Hagopian
21014310	4/2/2021 16:18	Pine Ridge Rd	Greenspan Landscaping	Landscaper in compliance	No warning or fine	Keefe
21014449	4/3/2021 16:33	Moffat Rd	RZ Gardener Landscape	Unknown if in violation based on officers report	N/A	Fay
21014647	4/5/2021 8:25	Sumner St	Planet Pascale Landscaping	Leaf blower not in compliance, over 65db	Verbal Warning	Coletti
21014812	4/6/2021 8:07	Woodward st	Unknown	No Lanscapers on scene when officers arrived	N/A	Gabriel
21014813	4/6/2021 8:29	Kingsbury Rd	Dr Green Thumb	No Leaf Blowers in Use	N/A	Coletti
21014818	4/6/2021 8:34	Allen Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Gabriel
21014857	4/6/2021 14:24	Sumner St	Greenspan Landscaping	No Lanscapers on scene when officers arrived	N/A	Coletti
21014968	4/7/2021 11:38	Homer St	Bonadio & Sons	No Leaf Blowers in Use	N/A	Mclean
21015105	4/8/2021 7:56	Frederick St & Harvard St	Lima Landscaping	Leaf blower not in compliance, no sticker	Verbal Warning	Ciccione
21015110	4/8/2021 9:15	Avalon Rd	Caira Landscaping	No Leaf Blowers in Use	N/A	Gabriel
21015163	4/8/2021 15:58	Vaughn Ave	Unknown	No Report		Larson
21015682	4/12/2021 9:20	Beethoven Ave	Ciro Carbone & Sons	No Leaf Blowers in Use	N/A	Gabriel
21015853	4/13/2021 10:02	Cherry St	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21015869	4/13/2021 11:38	Stearns St	Garzona Landsape Services	Leaf blower not in compliance, over 65db	Verbal Warning	Setiabudi
21015896	4/13/2021 14:01	Jackson St	Louis Pineda Landscape	No Leaf Blowers in Use	N/A	Iarossi
21015896	4/13/2021 15:39	Arnold Rd & Sharpe Rd	Briamonte Landscaping	Landscaper in compliance	No warning or fine	Sohn
21016084	4/14/2021 15:56	Lake Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Keefe
21016091	4/14/2021 16:03	Miller Rd	Renovos Landscaping	Landscaper in compliance	No warning or fine	Keefe
21016198	4/15/2021 9:46	Stearns St	Fragale & Sons Landscaping	Leaf blower not in compliance, over 65db	Verbal Warning	Lazarakis
21016534	4/17/2021 15:00	0 Jasset St/ Stearns Play	Unknown	No Lanscapers on scene when officers arrived	N/A	Sohn

21016762	4/19/2021 8:22	Bernard St	Outdoor Maintenance Company	Leaf blower not in compliance, over 65db	Verbal Warning	Gabriel
21016771	4/19/2021 9:33	Hammond St	Unknown	No Report		Iarossi
21016767	4/19/2021 9:02	Kingsbury Rd	Peter DiClemente Gargening	Landscaper in compliance	No warning or fine	Iarossi
21016770	4/19/2021 9:26	Lake Ave	Green Forest Landscaping	Leaf blower not in compliance, over 65db	Verbal Warning	Setiabudi
21016796	4/19/2021 13:38	Waban Hill Rd North	Rodrigo Berti Landscaping	Leaf blower not in compliance, no sticker	Verbal Warning	Boudreau M
21017114	4/21/2021 8:36	O Jasset St/ Stearns Play	Resident using blower	Landscaper in compliance	No warning or fine	Lazarakis
21017302	4/22/2021 11:25	Applegarth St	CC & Sons Landscaping	Landscaper in compliance	No warning or fine	Boudreau M
21018025	4/27/2021 12:02	Madison Ave	Unknown	No Report		Nardelli
21018171	4/28/2021 9:07	Trinity Ter	YP Landscaping	No Leaf Blowers in Use	N/A	Iarossi
21018194	4/28/2021 12:00	Elgin St	Ramos Landscapin	Leaf blower not in compliance, Unknown reason	Verbal Warning	Iarossi
21018458	4/30/2021 7:53	Gammons Rd	Cedrone Landscaping	No Leaf Blowers in Use	N/A	Raymond
21018652	5/1/2021 11:04	Copley St	Unknown	No Lanscapers on scene when officers arrived	N/A	Tocci
21018902	5/3/2021 11:20	Woodward St	Unknown	No Lanscapers on scene when officers arrived	N/A	Gabriel
21018910	5/3/2021 12:10	Rowena Rd	Domingo Nicolazzo Landscapers	No Leaf Blowers in Use	N/A	Gabriel
21019089	5/4/2021 14:11	O Jasset St/ Stearns Play	Unknown	No Lanscapers on scene when officers arrived	N/A	Coletti
21019708	5/8/2021 14:01	Upland Rd	Rudy Landscaping	No Leaf Blowers in Use	N/A	Gabriel
21019946	5/10/2021 9:58	Lincoln St	Rubino Landscapers	Landscaper in compliance	No warning or fine	Nardelli
21020935	5/16/2021 8:31	O Jasset St/ Stearns Play	Unknown	No Report		McCarthy
21021083	5/17/2021 11:36	Woodward st	Unknown	No Lanscapers on scene when officers arrived	N/A	Setiabudi
21021281	5/18/2021 13:33	Lawmarissa Rd & Oak Vale	Unknown	No Lanscapers on scene when officers arrived	N/A	Lazarakis
21021291	5/18/2021 14:06	Chestnut Hill Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Mclean
21021938	5/22/2021 10:41	Upland Rd	Tong's Pro gardening & Landscape	Leaf blower not in compliance, over 65db	Verbal Warning	Gabriel
21022585	5/26/2021 13:28	Marshall St	Greenspan Landscaping	Leaf blower not in compliance, Unknown reason	Verbal Warning	Iarossi
21023443	6/1/2021 14:00	Newbrook Cir	Unknown	No Report		Boudrot
21023451	6/1/2021 15:10	Lakeview Ave & Walnut St	Unknown	No Lanscapers on scene when officers arrived	N/A	Kane
21023556	6/2/2021 7:42	Willow St	Unknown	No Lanscapers on scene when officers arrived	N/A	Iarossi
21023574	6/2/2021 10:25	Willow St/ Station 3	Unknown	No Lanscapers on scene when officers arrived	N/A	Iarossi
21023586	6/2/2021 10:49	Prospect St	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21023605	6/2/2021 14:02	Willow St/ Station 3	Unknown	No Lanscapers on scene when officers arrived	N/A	Iarossi
21023734	6/3/2021 11:02	Collins Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Gourdeau
21023771	6/3/2021 15:08	Collins Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Larson
21023876	6/4/2021 8:30	Elinor Rd & Woodcliff Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Raymond
21023886	6/4/2021 8:44	Upland Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Raymond
21023964	6/4/2021 17:47	O Jasset St/ Stearns Play	Unknown	No Report		Healy
21024062	6/5/2021 13:33	Chestnut St & Oak Vale Rd	Unknown	No Report		Gourdeau
21024081	6/5/2021 15:08	Chestnut St & Oak Vale Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Chieu
21024314	6/7/2021 9:02	Westchester Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Tocci
21024325	6/7/2021 9:52	Tamworth Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Lazarakis
21024341	6/7/2021 11:49	Puritan Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Setiabudi
21024513	6/8/2021 11:37	Grove Hill Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21024546	6/8/2021 14:36	Washington St	Unknown	No Lanscapers on scene when officers arrived	N/A	Daly
21025179	6/12/2021 12:53	Lakeview Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21025442	6/14/2021 7:53	Westchester Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Tocci
21025615	6/15/2021 9:47	Graydale Cir & Hancock St	Iemmello Landscapers	No Leaf Blowers in Use	N/A	Nardelli
21025761	6/16/2021 7:03	Crescent Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Gabriel
21025809	6/16/2021 14:21	Mill St & Morton St	Unknown	No Lanscapers on scene when officers arrived	N/A	Lazarakis
21026591	6/21/2021 14:37	Maplewood Ave	Unknown	No Report		Boudrot

21026718	6/21/2021 10:56	Oak Vale Rd	Unknown	No Report		Gourdeau
21026855	6/23/2021 8:00	Thaxter Rd	Unknown	No Leaf Blowers in Use	N/A	Healy
21027204	6/25/2021 10:11	Prince St	Moniz Landscaping	No Leaf Blowers in Use	N/A	Walsh
21027224	6/25/2021 13:07	Floral St	Unknown	No Lanscapers on scene when officers arrived	N/A	Setiabudi
21027614	6/28/2021 11:25	Maplewood Ave	Don Luiz Pineda Landscaping	Leaf blower not in compliance, Gas Powered	Verbal Warning	Setiabudi
21028134	7/1/2021 10:21	Kingsbury Rd	Dr Green Thumb	No Leaf Blowers in Use	N/A	Iarossi
21028145	7/1/2021 11:22	Suffolk Rd	O&A Mariano Landscaping	No Leaf Blowers in Use	N/A	Iarossi
21028483	7/3/2021 9:20	Watertown St	T&S Landscaping	No Leaf Blowers in Use	N/A	Walsh
21028896	7/6/2021 7:25	Garland Rd	Middlesex Asphalt Services	No Leaf Blowers in Use	N/A	Setiabudi
21029106	7/7/2021 13:33	Puritan Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Setiabudi
21029213	7/8/2021 7:55	Kingman Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Gaudet
21029540	7/10/2021 11:20	Prince St	Moniz Landscaping	Leaf blower not in compliance, Gas Powered	Verbal Warning	Fay
21029843	7/12/2021 12:06	Puritan Rd	Moniz Landscaping	Leaf blower not in compliance, Gas Powered	Verbal Warning	Sohn
21030004	7/13/2021 10:35	OakDale Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Durickas
21030204	7/14/2021 14:49	Sun Hill La	Fragale & Sons Landscaping	No Leaf Blowers in Use	N/A	Iarossi
21030348	7/15/2021 11:39	Puritan Rd	RZ Landscaping	No Leaf Blowers in Use	N/A	Gabriel
21030363	7/15/2021 13:17	Lakeview Ave & Walnut St	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21030516	7/16/2021 8:32	Prince St	Moniz Landscaping	No Leaf Blowers in Use	N/A	Roche
21030543	7/16/2021 11:19	Moffat Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Jellinek
21030753	7/17/2021 15:23	Needham st	Waverly Develpers	No Leaf Blowers in Use	N/A	Emmanuel
21030881	7/18/2021 13:54	Trinity Ter	Elmer Paiz	Leaf blower not in compliance, Gas Powered	Verbal Warning	March J
21031017	7/19/2021 9:09	Washington Pk	Unknown	No Lanscapers on scene when officers arrived	N/A	Dragone
21031059	7/19/2021 13:13	Pine Ridge Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Marini
21031219	7/20/2021 10:42	Washington St	Mariano Landscaping	No Leaf Blowers in Use	N/A	Claflin
21031220	7/20/2021 10:46	Oak Vale Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Hatfield
21031415	7/21/2021 9:49	Prince St	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21031416	7/21/2021 10:01	Plainfield St	Unknown	No Lanscapers on scene when officers arrived	N/A	Coletti
21031460	7/21/2021 14:10	Oak Vale Rd	Unknown	No Report		Gourdeau
21031801	7/23/2021 14:25	Callahan Path	Unknown	No Report		Helms
21032368	7/27/2021 10:31	Puritan Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Coletti
21032548	7/28/2021 13:16	Washington St	Haynes Management	No Leaf Blowers in Use	N/A	Gourdeau
21032728	7/29/2021 17:32	Crescent Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Bergdorf
21033121	8/1/2021 17:59	Washburn Ave	Unknown	No Lanscapers on scene when officers arrived	N/A	Mildner
21033215	8/2/2021 10:23	Tamworth Rd	Moniz Landscaping	Leaf blower not in compliance, Gas Powered	Verbal Warning	Lazarakis
21033227	8/2/2021 12:05	Lakeview Ave & Walnut St	Unknown	No Lanscapers on scene when officers arrived	N/A	Walsh
21033368	8/3/2021 10:37	Oak Vale Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Coletti
21033366	8/3/2021 10:51	Puritan Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Coletti
21033383	8/3/2021 14:05	Washington St	Unknown	No Lanscapers on scene when officers arrived	N/A	Lazarakis
21033525	8/4/2021 12:51	Collins Rd	Proia Landscaping	No Leaf Blowers in Use	N/A	Lazarakis
21033521	8/4/2021 12:51	Fenwick Rd	Cataldo Landscape & Masonry	Leaf blower not in compliance, Gas Powered	Verbal Warning	Lazarakis
21033688	8/5/2021 15:34	Washington St	Unknown	No Lanscapers on scene when officers arrived	N/A	Sullivan
21033798	8/6/2021 8:57	Kingsbury Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Iarossi
21033985	8/7/2021 14:56	Bristol Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Roche
21034190	8/9/2021 9:02	Caroline PK	Unknown	No Lanscapers on scene when officers arrived	N/A	Gourdeau
21034352	8/10/2021 11:02	Puritan Rd	Unknown	No Lanscapers on scene when officers arrived	N/A	Keefe
21034640	8/12/2021 8:58	Cottage St	Unknown	No Lanscapers on scene when officers arrived	N/A	Raymond
21034856	8/13/2021 13:21	Sun Hill La	Unknown	No Lanscapers on scene when officers arrived	N/A	Gabriel

21035231	8/16/2021 13:41	Pine Ridge Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Guarino
21035368	8/17/2021 10:30	Oak Vale Rd		No Report		Gourdeau
21035386	8/17/2021 13:00	Tamworth Rd	Moniz Landscaping	No Leaf Blowers in Use	N/A	Sohn
21035763	8/20/2021 9:39	Kingsbury Rd	Dr Green Thumb	No Leaf Blowers in Use	N/A	Iarossi
21036445	8/25/2021 9:07	Moulton St	Unknown	No Landscapers on scene when officers arrived	N/A	Gourdeau
21036470	8/25/2021 14:01	Washington St	Unknown	No Landscapers on scene when officers arrived	N/A	Gourdeau
21036884	8/28/2021 13:55	Waltham St	Unknown	No Landscapers on scene when officers arrived	N/A	Acuna
21037284	8/31/2021 10:54	Oak Vale Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Lazarakis
21037317	8/31/2021 15:45	Prescott St	Torcasio Landscaping	Landscaper in compliance	No warning or fine	Vazhenin
21037558	9/2/2021 10:05	Hammond St & Lawrence Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Durickas
21038289	9/7/2021 15:43	Sun Hill La	Unknown	No Landscapers on scene when officers arrived	N/A	Bergdorf
21039201	9/13/2021 13:56	Chestnut Hill Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Iarossi
21039216	9/13/2021 16:04	Suffolk Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Guarino
21039644	9/16/2021 9:16	Cotswold Ter & Sumner St	Unknown	Call Canceled by reporter	N/A	Iarossi
21039825	9/17/2021 14:17	Kingsbury Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Iarossi
21039839	9/17/2021 14:36	River St	Unknown	No Landscapers on scene when officers arrived	N/A	Dragone
21040344	9/21/2021 8:37	Miller Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Setiabudi
21040547	9/22/2021 11:18	Sumner St	Bonadio & Sons	Landscaper in compliance	No warning or fine	Iarossi
21040704	9/23/2021 11:33	Plainfield St	Unknown	No Landscapers on scene when officers arrived	N/A	Setiabudi
21040828	9/24/2021 8:01	Woodward St	Unknown	No Landscapers on scene when officers arrived	N/A	Gabriel
21040864	9/24/2021 14:51	Lawrence Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Iarossi
21040964	9/25/2021 8:07	O Jasset St/ Stearns Play	Resident using blower	Woman using Blower 65DB to dry off tennis court	No warning or fine	Newton
21041417	9/28/2021 8:32	Suffolk Rd	Oscars Landscaping	Landscaper in compliance	No warning or fine	Iarossi
21041589	9/29/2021 9:28	Chestnut Hill Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Iarossi
21041627	9/29/2021 13:26	Chestnut Hill Rd	R&D Landscaping	Leaf blower not in compliance, Unknown reason	Verbal Warning	Iarossi
21041921	10/1/2021 12:16	Suffolk Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Mclean
21042059	10/2/2021 11:14	Hammond St & Old Orchard	Cutting Edge Landscaping	No Leaf Blowers in Use	N/A	Setiabudi
21042299	10/4/2021 10:06	Ward St	Unknown	No Landscapers on scene when officers arrived	N/A	Boudreau M
21042450	10/5/2021 8:56	Blithedale St	Unknown	No Landscapers on scene when officers arrived	N/A	Walsh
21042446	10/5/2021 8:22	Chestnut Hill Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Iarossi
21042631	10/6/2021 11:38	Marshall St & Sumner St	Tong's Pro gardening & Landscape	Landscaper in compliance	No warning or fine	Boudreau M
21042764	10/7/2021 10:07	Stearns St	Unknown	No Landscapers on scene when officers arrived	N/A	Gabriel
21043043	10/9/2021 9:45	Upland Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Sullivan
21043444	10/12/2021 8:32	Park St	Unknown	No Landscapers on scene when officers arrived	N/A	Tocci
21043449	10/12/2021 8:34	Suffolk Rd	Unknown	No Landscapers on scene when officers arrived	N/A	Iarossi

Date Stamp

# City of Newton, Massachusetts

Inspectional Services Department

1000 Commonwealth Avenue  
Newton, Massachusetts 02459

Registration No.: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Date Received: \_\_\_\_\_

## ANNUAL PERMIT FOR LEAF BLOWER OPERATORS

**IMPORTANT: OPERATORS MUST COMPLETE ALL ITEMS ON THIS PAGE  
INCOMPLETE APPLICATIONS WILL BE RETURNED WITH PERMIT FEE AND PERMITS WILL NOT BE ISSUED**

### IDENTIFICATION (PLEASE TYPE OR PRINT CLEARLY)

Name of Company: \_\_\_\_\_

D.B.A (Doing Business As): \_\_\_\_\_

Business Owner Name: \_\_\_\_\_

Business Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Permit sticker must be clearly visible and affixed to the rear bumper on any vehicle it uses  
to conduct business in Newton**

Number of requested permit stickers: \_\_\_\_\_

I hereby certify under the pains and penalties of perjury that I have read and understand the ordinance pertaining to leaf blower restrictions and will inform all employees of the restrictions.

### SIGNATURE

\_\_\_\_\_  
SIGNATURE OF BUSINESS OWNER

\_\_\_\_\_  
DATE

**PERMIT FEE: PAYABLE TO CITY OF NEWTON - \$50.00**

**\*NOTE: ANNUAL PERMIT FOR 2021- \$25.00**

Check No.: \_\_\_\_\_

Receipt No.: \_\_\_\_\_

### THE FOLLOWING SECTION IS FOR OFFICE USE ONLY

Permit Sticker No.:	
Permit Sticker No.:	
Permit Sticker No.:	
Permit Sticker No.:	
Permit Sticker No.:	

Permit Sticker No.:	
Permit Sticker No.:	
Permit Sticker No.:	
Permit Sticker No.:	
Permit Sticker No.:	

## Ordenanza sobre sopladores de hojas

Ordenanza No. A-100

### ¿Por qué el cambio?

En el 2017, el consejo de la Ciudad de Newton pasó La Ordenanza de Sopladores de Hojas, para regular el uso y controlar el ruido asociado con estas máquinas.

### Importancia de la regla

El uso de todos los sopladores de hojas marcados a más de 65 decibeles están prohibidos en la ciudad de Newton. No hay excepciones.

Las fechas y las horas del uso de los sopladores bajo el requisito están estrictamente reguladas.

Aquellos que violen la ley serán multados.

### Prohibición temporal para todos los sopladores de gas

Fechas prohibidas: Los meses de verano. De Memorial Day hasta Labor Day.

Fechas Permitidas: Los sopladores de hojas de gasolina, eléctricos y de batería que están marcado a 65 decibeles o menos están permitidos 9 meses del año, esto es después de Labor Day hasta el día antes de Memorial Day.

Solo un soplador de electricidad o de batería es permitido por terreno de tierra entre Memorial Day y Labor Day. Los sopladores de gas están prohibidos en el verano.

### Horas de uso permitidas

De Lunes a Viernes: de 7:00 a.m. a 5:00 p.m.

Sábados: de 8:00 a.m. a 5:00 p.m.

Domingos y Días Feriados: Prohibidos excepto a los residentes dueños de su propiedad de 9:30 a.m.-5:00 p.m. Dueños de 30 o más hectáreas pueden usar el soplador de 9:30 a.m.- 12:00 p.m.

### Penalidades

- 1ra ofensa: advertencia escrita
- 2da ofensa: \$100.00
- 3ra ofensa: \$200.00
- 4ta ofensa: \$300.00
- Cada ofensa subsecuente: \$300.00

Las violaciones pueden ser reportadas a Servicios de Inspección al (617) 796-1063 o al departamento de Policía de Newton al (617) 796-2100.

## CONTACT US

For more information about leaf blower use in Newton, visit [newtonma.gov/leafblower](http://newtonma.gov/leafblower)



## LEAF BLOWER BEST PRACTICES

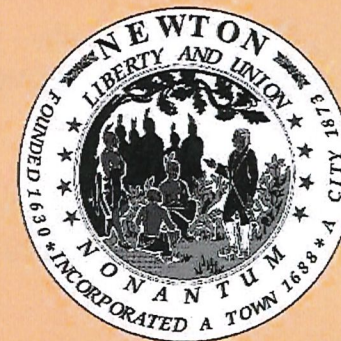
- Don't point a blower towards people, property, or pets.
- Make sure bystanders are at least 50 feet away.
- Work carefully. Be safe, courteous, and responsible.

CITY OF NEWTON

# NEW LEAF BLOWER ORDINANCE



Please read carefully to find out how the new regulations affect you and how violations will be handled.



## WHY THE CHANGE?

In 2017, the Newton City Council passed a Leaf Blower Ordinance (law) to regulate the use and to control the noise associated with these machines.

## KEY PROVISIONS OF THE LAW

The use of all leaf blowers above **65 decibels** is prohibited in the City of Newton. There are no exceptions.

**65** dB(A) **Category I**  
Measured at 50ft (15m) per ANSI B175.2

Dates and hours of permitted use of leaf blowers meeting the noise requirement are strictly regulated.

Violators will be fined.



## SEASONAL BAN FOR ALL GAS-POWERED LEAF BLOWERS

**Dates Prohibited:** The Summer Months Memorial Day through Labor Day.

Only **one** electric or battery-powered leaf blower per lot is allowed to be used **between Memorial Day and Labor Day**. Gas-powered leaf blowers, regardless of decibel levels, are prohibited during the summer.

## DATES OF ALLOWED USE



Gas, electric or battery-powered leaf blowers labeled at or below 65 decibels are allowed for nine months a year from the **day after Labor Day to the day before Memorial Day**.

## HOURS OF ALLOWED USE

**Mon - Fri:** 7:00 a.m. to 5:00 p.m.

**Saturdays:** 8:00 a.m. to 5:00 p.m.



**Sundays and Legal Holidays:** Prohibited except by residents on their own property between 9:30 a.m. and 5:00 p.m., and by owners of 30 or more contiguous acres of property between 9:30 a.m. and noon.

## ENFORCEMENT

Leaf blower violations should be reported to Inspectional Services at (617) 796-1061

and/or

To the Newton Police Department at (617) 796-2100. Wait for the prompt for dispatch.



## PENALTIES

**1ST VIOLATION:** Written warning will be given to the person or company using the leaf blower.

**2ND VIOLATION:** \$100 fine

**3RD VIOLATION:** \$200 fine

**4TH VIOLATION:** \$300 fine

**EACH SUBSEQUENT VIOLATION:** \$300 fine

Property owners will be notified of the penalties.



City of Newton



Ruthanne Fuller  
Mayor

## Inspectional Services Department

John D. Lojek, Commissioner  
1000 Commonwealth Avenue  
Newton, MA 02459  
www.newtonma.gov

Telephone  
(617) 796-1060  
Fax  
(617) 796-1086  
Email  
ISD@newtonma.gov

# Permitted Leaf Blower Operators

(As of September 30, 2021)

Name of Company
A. Bonadio & Sons
AD & Nelson Landscaping Services
Antonio Arcuri & Sons Landscaping
Allan Landscaping
Blessing of Blessings Landscape
Boteo Irrigation Services
Boteo Landscaping Corp
C & P Carbone, Inc
Corrado Landscaping Co
David Sauro Landscaping, Inc
F & R Leone, Inc
Faria Landscape Inc
Glenn A Pacheco Landscaping, Inc
Gold Landscaping Service, LLC
J.A Crowdle Corp
Japanese Garden Design, Inc
J C Neto Landscape Inc
Jon Sneider Corporation
Keltic Landscaping Inc
Landscape Collaborative Inc
Lebrun & Sons Landscape Construction, LLC
Lenny Deluca Landscaping
Madrona Bros Inc
Mario Carbone Landscaping, Inc
MJ Enterprise Inc
NatureWorks Landscape
Newton Wellesley Landscaping
Nicola Paola
Park Landscape Associates, Inc
Romo Landscaping and Snowplowing CO
Ruiz Landscaping
S. Lombardi & Son
The Narrow Lane Landscape Company
T.J. Collins Landscaping LLC