

ORDINANCE NO. ORD-19-08

First Reading: March 18, 2019
Public Hearing: April 1, 2019

Approved: April 1, 2019
Published: April 4, 2019
Effective: July 1, 2019

FOOD AND HEALTH
(TWO-CYCLE POWER EQUIPMENT)

AN ORDINANCE TO AMEND TITLE VI (FOOD AND HEALTH) OF THE CODE OF THE CITY OF ANN ARBOR BY ADDING A NEW CHAPTER 73 (TWO-CYCLE POWER EQUIPMENT)

The City of Ann Arbor Ordains:

Section 1: That Title VI of the Code of the City of Ann Arbor be amended to read as follows:

Chapter 73
Two-Cycle Power Equipment

6:611 - Applicability.

- (1) This Chapter applies only to outdoor power equipment, as defined in this Chapter, and does not apply to equipment powered solely by electricity or equipment used for snow removal.
- (2) This Chapter applies only in the downtown district, as defined in this Chapter, and does not apply outside of the downtown district.
- (3) Other applicable ordinances and laws may also be enforced with respect to outdoor power equipment.

6:612 - Definitions.

For the purposes of this Chapter, the phrases in this section mean the following:

“Downtown district” means the area of the City in which the Downtown Development Authority exercises its powers, as established in Chapter 7 of Title I of the Ann Arbor Code of Ordinances.

“Outdoor power equipment” means outdoor maintenance equipment that is equipped with a two-cycle engine, that is not solely powered by electricity, and that is used for the following or substantially similar purposes:

- (1) To blow leaves, dirt or other debris off sidewalks, driveways, lawns, or other surfaces at any time;
- (2) To collect leaves, dirt or other debris from sidewalks, driveways, lawns or other surfaces at any time;
- (3) To trim hedges, prune trees and bushes, reduce the height of vegetation, or to otherwise maintain landscaping at any time;

6:613 - Use Restricted in Downtown District.

No person shall operate, or direct another person to operate, outdoor power equipment in the downtown district.

6:614 - Exemptions.

This chapter does not apply to the use of a chainsaw under the following circumstances only:

- (a) When the chainsaw is used by a person employed by the City or a person employed by a City contractor or a utility company while the employee is using the chainsaw to prune trees in the regular course of his or her engagement with the City or the utility company.
- (b) When a power lift, bucket truck or other device is required to safely prune trees.

This section 6:614 shall expire on June 30, 2020.

6:615 - Enforcement and violations.

A violation of this chapter is a civil infraction punishable by a civil fine of not less than \$100 plus costs for a first offense, not less than \$250 plus costs for a subsequent offense, and all other remedies available by statute.

Section 2: This Ordinance shall take effect on July 1, 2019.

As Amended and Approved by Ann Arbor City Council on April 1, 2019

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan at its regular session of April 1, 2019.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk’s webpage on April 4, 2019.

Jacqueline Beaudry, Ann Arbor City Clerk