



Legislation Details (With Text)

File #: 19-0465 **Version:** 2 **Name:** 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).

Type: Ordinance **Status:** Passed

File created: 3/18/2019 **In control:** City Council

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Title: 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) (ORD-19-08)

Sponsors: Ali Ramlawi, Jeff Hayner, Elizabeth Nelson

Indexes:

Code sections:

Attachments: 1. 19-08 Briefed and Approved.pdf, 2. 19-08 Approval Notice.pdf, 3. 19-08 As Amended and Approved 040119.pdf, 4. 19-08 Food and Health Two-Cycle Power Equipment Ordinance Briefed.pdf, 5. 181318 An Ordinance to Amend Title VI New Chapter 73 (Two-Cycle).pdf

Date	Ver.	Action By	Action	Result
4/1/2019	2	City Council	Held and Closed	
4/1/2019	2	City Council	Adopted on Second Reading	Pass
4/1/2019	2	City Council	Reconsidered	Pass
4/1/2019	2	City Council	Amended	
4/1/2019	2	City Council	Adopted as Amended on Second Reading	Pass
3/18/2019	2	City Council	Approved on First Reading	Pass

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) (ORD-19-08)

This ordinance would ban the use of two-cycle power equipment within the Downtown Development Authority area. Two-cycle power equipment included within this ban are equipment 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.

Prepared by: Missy Stults, Sustainability and Innovations Manager

Reviewed by: Kristen D. Larcom, Senior Assistant City Attorney

Reviewed by: Howard S. Lazarus, City Administrator

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

Sponsored by: Councilmembers Ramlawi, Hayner and Nelson