

TOWN OF LINCOLN

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TOWN CLERK
Valerie Fox

August 19, 2019

The following bylaw from the March 23, 2019 Annual Town Meeting was approved by the Attorney General on August 19, 2019.

Article 33 – Leaf Blowers

A decision on Article 31 – Historic District Bylaw Amendment: Modernist Homes, – has been extended.

Received by the Town Clerk's Office: August 19, 2019

Posted by the Town Clerk's Office: August 19, 2019

Claims of invalidity by reason of any defect in the procedure of adoption or amendment for a zoning bylaw may only be made within ninety days of August 19, 2019. Copies of bylaws may be examined and obtained at the Town Clerk's Office.

Posted at: Bemis Hall, Town Offices, the Lincoln Public Library, and the Lincoln Center and Main Post Offices.

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NOTICE

The following amendment to the General By-Laws adopted under Articles 33, of the Warrant for the Lincoln Annual Town Meeting convened March 23, 2019, was approved by the Attorney General on August 19, 2019.

Claims of invalidity of any of the amendments by reason of any defects in the procedure of adoption may only be made within ninety (90) days of the posting of this notice, said date being November 16, 2019. Copies of the amendments to the by-laws may be examined and obtained at the office of the Town Clerk.

ARTICLE 33 Proposed by the Conservation Commission

Voted: (By majority)

That the Town vote to amend its General Bylaw, by adding a new Section (Article XI, Section 19) titled "Leaf Blowers," for the purpose of limiting the use of leaf blowers to certain seasons and certain hours of the day as follows:

A. Definition

"Leaf blower" means any motorized device whose primary function is to use blowing air to move leaves, dirt, dust, sand, grass clippings, or any other type of litter or debris.

B. Usage Based on Time of Year

1. Electric and battery-powered leaf blowers may be used all year, subject to the Time of Day limitations specified in section C.
2. Gas-powered leaf blowers may be used only from October 1 through December 20 and from March 20 through May 31, subject to the Time of Day limitations specified in section C.

C. Usage Based on Time of Day; Allowed Users

During the times of year when leaf blowers may be used, as specified in Section B, leaf blowers may be used only during these hours:

1. Mondays through Fridays from 7AM to 6PM; all users
2. Saturdays from 9AM to 5PM; all users
3. Sundays and legal holidays from 9AM to 5PM; only residents of the property on which the leaf blower is used.

D. Exclusions

1. Gas-powered leaf blowers may be used in any season for public safety and emergency situations.

2. The Building Inspector may grant one-day exemptions from this By-law for the use of gas-powered leaf blowers for special situations, but not for ongoing routine maintenance. Applications for these exemptions must be applied for in writing to the Building Inspector.

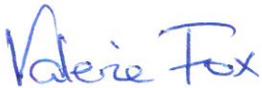
E. Enforcement and Fines

For any violation of this By-law after October 1, 2019, the Lincoln Police or the Lincoln Building Inspector shall have the authority, after a complaint from an identified person or upon the officer's or inspector's own observation, to issue a warning upon the first violation, and a fine of \$100 for each subsequent violation. Warnings and fines shall be issued to the property owner. Each day on which there is a violation will constitute a separate violation.

F. Effective Date

The provisions of this By-law shall be effective starting on the date it is approved by the Attorney General or on May 15, 2019, whichever is later.

Posted Monday, August 19, 2019 at Bemis Hall, Town Offices, the Lincoln Public Library, and the Lincoln Center and Main Post Offices.



Valerie Fox
Town Clerk
August 19, 2019