



**Committee:** T&E

**Committee Review:** At a future date

**Staff:** Ludeen McCartney-Green, Legislative Attorney

**Purpose:** To introduce agenda item – no vote expected

**Keywords:** #LeafBlowers #NoiseControl#complaints

AGENDA ITEM #1  
September 25, 2025

## Introduction

### SUBJECT

Expedited Bill 30-25, Noise Control – Leaf Removal Equipment – Enforcement Procedures

Lead Sponsors: Councilmember Glass, Council President Stewart, and Councilmembers Balcombe and Alborno

### EXPECTED ATTENDEES

None

### COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A; Introduction

### DESCRIPTION/ISSUE

- Expedited Bill 30-25 would:
  - (1) modify enforcement procedures by repealing the requirement for photographic evidence in complaints of gas-powered leaf blower use;
  - (2) clarify that a single complaint may initiate enforcement of the gas-powered leaf blower ban; and
  - (3) generally, amend the law regarding noise control.

### SUMMARY OF KEY DISCUSSION POINTS

- N/A

#### This report contains:

Staff Report  
Expedited Bill 30-25

Pages 1-2  
© 1

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**MEMORANDUM**

September 25, 2025

TO: County Council

FROM: Ludeen McCartney-Green, Legislative Attorney

SUBJECT: Expedited Bill 30-25, Noise Control – Leaf Removal Equipment – Enforcement Procedures

PURPOSE: Introduction – no Council votes required

Expedited Bill 30-25, Noise Control – Leaf Removal Equipment – Enforcement Procedures, sponsored by Lead Sponsors Councilmember Glass, Council President Stewart, and Councilmembers Balcombe and Alborno, is scheduled for introduction on September 30, 2025. A public hearing is tentatively scheduled for October 21 at 1:30 p.m. A Transportation and Environment (TE) Committee worksession will be scheduled at a later date.

Expedited Bill 30-25 would:

- (1) modify enforcement procedures by repealing the requirement for photographic evidence in complaints of gas-powered leaf blower use;
- (2) clarify that a single complaint may initiate enforcement of the gas-powered leaf blower ban; and
- (3) generally, amend the law regarding noise control.

**BACKGROUND**

The ban on the use of gas-powered leaf blowers in the County took effect on July 1, 2025.<sup>1</sup> An individual who witnesses a violation and is disturbed by the leaf blower noise, under Section 31B-9(j) of the Montgomery County Code, may send a complaint to the Director of the Department of Environmental Protection, but the complaint must include photographic evidence of the person violating the noise law. The Director has the discretion whether to proceed with any penalty or citation against the violator.

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<sup>1</sup> The County Council enacted Bill 18-22, Noise Control – Leaf Removal Equipment - Amendments

On July 24, the Transportation and Environmental Committee discussed and deliberated Bill 19-25, Noise Control – Leaf Removal Equipment – Seasonal Exemption.<sup>2</sup> During its deliberation of the bill, the Committee raised concerns about the unintended consequences of requiring a photo to accompany a leaf blower noise complaint. Residents taking photos of workers presented a chilling effect for many landscapers. The Committee’s discussion noted that the requirement of photographic evidence in this political climate was not ideal and suggested that the law should be amended.

The Office of Legislative Oversight (OLO) REJIS for Bill 19-25 explained that:

“A 2011 study commissioned by the U.S. Hispanic Chamber of Commerce found that, nationally, compared to their share of business ownership across all sectors, Latinx-owned business were overrepresented in the landscaping industry. More recent local data suggests Latinx-owned businesses may also be overrepresented in the County’s landscaping industry. As shown in Table A (Appendix) Latinx-owned employer businesses in the County are overrepresented in the Administrative and Support and Waste Management and Remediation Services industry that includes landscaping businesses. Notably, White-owned businesses are also overrepresented in this industry.” Worksession Packet, Page 10.

Many landscapers who are Hispanic would be disproportionately impacted by the current enforcement requirement. The intent of the enforcement process was to facilitate evidentiary proof if the County decided to pursue legal remedies in Court, not to present a chilling effect that would lead to job instability for landscaping employees. Bill 30-25 seeks to address the concerns and the unintended consequences raised by the Committee.

*Jurisdictions with a single-complaint process*

The District of Columbia, the City of Annapolis, and several jurisdictions in California do not require a photo to accompany a complaint, and a complaint may be raised by one witness.

**BILL SPECIFICS**

Expedited Bill 30-25 would repeal the existing enforcement procedure under Section 31B-9(j), which would remove the photo requirement and allow a complaint by at least one witness. This differs from other noise complaints that would require at least two witnesses under Section 31B-12.

This is an expedited bill, which would become effective on the day the Council enacts the bill.

This packet contains:

Expedited Bill 30-25

Circle #

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<sup>2</sup> The Committee voted (2–1) against recommending enactment of Expedited Bill 19-25.

Expedited Bill No. 30-25  
Concerning: Noise Control – Leaf  
Removal Equipment – Enforcement  
Procedures  
Revised: 9/22/2025 Draft No. 1  
Introduced: \_\_\_\_\_  
Expires: \_\_\_\_\_  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. [#], Laws of Mont. Co. [year]

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: Councilmember Glass, Council President Stewart, and  
Councilmembers Balcombe and Alborno

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**AN EXPEDITED ACT** to:

- (1) modify enforcement procedures by repealing the requirement for photographic evidence in complaints of gas-powered leaf blower use;
- (2) clarify that a single complaint may initiate enforcement of the gas-powered leaf blower ban; and
- (3) generally, amend the law regarding noise control.

By amending

Montgomery County Code  
Chapter 31B, Noise Control  
Sections 31B-2, 31B-9, and 31B-12

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Sections 31B-2, 31B-9, and 31B-12 are amended as follows:**

**31B-2. Definitions.**

\* \* \*

*Leaf blower* means any portable device designed or intended to blow, vacuum, or move leaves or any other type of unattached debris or material by generating a concentrated stream of air. [Leafblower] Leaf blower includes devices or machines that accept vacuum attachments.

\* \* \*

**31B-9. Leaf removal equipment.**

- (a) Except as provided in this section, a person must not sell, buy, offer for sale, or use a [leafblower] leaf blower at any time that has an average sound level exceeding 70 dBA at a distance of 50 feet. This requirement is in addition to any other noise level or noise disturbance standard that applies under this Chapter.
- (b) An individual who owns or occupies a residence in a residential noise area may use at the individual's residence a [leafblower] leaf blower bought or manufactured before July 1, 1990, until July 1, 1998, even if it exceeds the standard in subsection (a). After July 1, 1998, a person must not use any [leafblower] leaf blower that violates the standard in subsection (a).
- (c) The Department must apply the standard in subsection (a) in accordance with the most current [leaf-blower] leaf blower testing standard of the American National Standards Institute (ANSI).
- (d) The Department may inspect, and [on] at its request a person must produce, any [leafblower] leaf blower that is sold, offered for sale, or used in the County, to determine whether the [leafblower] leaf blower complies with this section. A person who relies in good faith on a

manufacturer's written representation of the sound level of a [leafblower] leaf blower that has not been modified is not subject to a penalty for violating this section.

(e) *Sale of combustion leaf removal equipment – prohibited.* A person must not sell or offer for sale a combustion engine-powered handheld, backpack, or walk-behind leaf blower or leaf vacuum.

(f) *Use of combustion leaf removal equipment – prohibited.* A person must not use a combustion engine-powered handheld, backpack, or walk-behind leaf blower or leaf vacuum.

\* \* \*

(j) *Complaint and enforcement procedures.* An enforcement officer may issue a civil citation under this Section if: [the Director receives a complaint of a noise disturbance supported by photographic evidence of a violation of subsection (f).]

(1) the Director receives a complaint from at least one witness of a noise disturbance in violation of subsection (f); and

(2) the complaint was received by the Director within 7 days of the alleged violation.

### **31B-12. Enforcement and penalties.**

\* \* \*

(f) Except as provided in Section 31B-9(j), an enforcement officer may issue a civil citation for any violation of this Chapter if the enforcement officer:

(1) witnesses the violation; or

(2) receives complaints from at least 2 witnesses of a noise disturbance. Complaints by 2 witnesses are required to issue a citation under paragraph (2), but are not required to prove that a person violated this Chapter.

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**Sec. 2. Expedited Effective Date.** The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.