

**Clerks Note:** The effective date for this bill has been updated to January 8, 2024. Under Section 2 of this Act, subsection (e) of Section 31B-9 (added under Section 1 of this Act) will be effective as of July 1, 2024, and subsection (f) of Section 31B-9 (added under Section 1 of this Act) will be effective as of July 1, 2025.

**CORRECTED COPY**

Bill No. 18-22  
Concerning: Noise Control – Leaf  
Removal Equipment - Amendments  
Revised: 09/27/2023 Draft No. 5  
Introduced: June 28, 2022  
Enacted: September 26, 2023  
Executive: October 9, 2023  
Effective: January 8, 2024  
Sunset Date: None  
Ch. 31, Laws of Mont. Co. 2023

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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**AN ACT** to:

- (1) prohibit the sale and use of combustion engine-powered leaf blowers and leaf vacuums by a certain date;
- (2) authorize a grant program to partially offset the cost of replacing a combustion engine-powered leaf blower or leaf vacuum with an electric leaf blower or leaf vacuum;
- (3) exempt from the prohibition against use of gas leaf removal equipment for agricultural producers;
- (4) require an annual report by the Department of Environment; and
- (5) generally[[, revise]] amend the law regarding noise control.

By amending

Montgomery County Code  
Chapter 31B, Noise Control  
Sections 31B-9, 31B-10, and 31B-12

**Boldface**

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

\* \* \*

*Heading or defined term.*

*Added to existing law by original bill.*

*Deleted from existing law by original bill.*

*Added by amendment.*

*Deleted from existing law or the bill by amendment.*

*Existing law unaffected by bill.*

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



27 (k) Annual reporting. By February 1 of each year, the Director must submit  
28 to the Council an annual report for the preceding year on the successes or  
29 challenges of the reimbursement program, outreach activities, statistical  
30 data related to enforcement, new technology trends for electrification of  
31 lawn care equipment, and any recommended changes to the law or  
32 operating budget. The Council may request the Director to provide  
33 additional information, as needed.

34 **31B-10. Exemptions.**

35 \* \* \*  
36 (c) Section 31B-9 of this Chapter does not apply to agricultural producers  
37 located on agriculturally assessed properties where farming or  
38 agricultural use and activities are permitted under Article 59, Section  
39 3.2.6 of the Zoning Ordinance.

40 **31B-12. Enforcement and penalties.**

41 \* \* \*  
42 (f) Except as provided in Section [[31B-9(h)]] 31B-9(j), [An] an  
43 enforcement officer may issue a civil citation for any violation of this  
44 Chapter if the enforcement officer:

- 45 (1) witnesses the violation; or
- 46 (2) receives complaints from at least 2 witnesses of a noise  
47 disturbance.


48 Complaints by 2 witnesses are required to issue a citation under  
49 paragraph (2), but are not required to prove that a person violated this  
50 Chapter.

51 \* \* \*  
52 **Sec. 2. Effective date; staggered implementation.** The prohibition against  
53 sales under subsection (e) of Section 31B-9, added under Section 1 of this Act, must

54 take effect ~~[[6 months after the Act becomes law]]~~ on July 1, 2024. The prohibition  
55 against use under subsection (f) of Section 31B-9, added under Section 1 of this Act,  
56 must take effect ~~[[1 year after the Act becomes law]]~~ on July 1, 2025. ~~[[Subsection (g)~~  
57 ~~of Section 31B-9, under Section 1 of this Act, must apply reimbursement only for~~  
58 ~~purchases of combustion engine-held leaf blowers or leaf vacuums made before this~~  
59 ~~Act becomes law.]]~~

60 **Sec. 3. Required notices.** On or after the effective date of this Act and before  
61 the effective date of the prohibition against sales under this Act, a person who sells, at  
62 retail, a combustion engine-powered handheld, backpack, or walk-behind leaf blower  
63 or leaf vacuum in the County must provide conspicuous notice to the consumer that  
64 the leaf blower usage will be prohibited in the County.

*Approved:*

  
Evan Glass, President, County Council

September 26, 2023

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Date

*Approved:*

  
Marc Elrich, County Executive

October 9, 2023

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Date

*This is a correct copy of Council action.*

  
Sara R. Tenenbaum, Clerk of the Council

October 9, 2023

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Date