

**Town of Chevy Chase  
Gasoline-Powered Blower Ordinance (Extension of Exemption)**

Ordinance No.: 25-09  
Introduced: October 8, 2025  
Adopted: October 8, 2025  
Effective: October 8, 2025

**SUBJECT: AN EMERGENCY ORDINANCE TO EXTEND THE EXEMPTION FROM THE BAN ON GASOLINE-POWERED BLOWERS FOR TOWN CONTRACTORS, THROUGH 2025, AND TO TEMPORARILY EXEMPT THE TOWN FROM APPLICATION OF COUNTY CODE SECTION 31B-9 (NOISE CONTROL/LEAF REMOVAL EQUIPMENT)**

WHEREAS, Section 5-202 of the Local Government Article of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Town of Chevy Chase, general power to pass such ordinances not contrary to the Constitution of Maryland or public general law as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the municipality; and

WHEREAS, Section 301(a) of the Charter of the Town of Chevy Chase authorizes the Town Council to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and for such other police or health matters as it may deem necessary; and

WHEREAS, Section 209 of the Charter of the Town of Chevy Chase authorizes the Town Council to pass ordinances on an emergency basis to become effective on the date of passage; and

WHEREAS, on the 26<sup>th</sup> day of September, 2023, the Montgomery County Council enacted Bill No. 18-22, prohibiting the use of handheld, backpack, and walk-behind gas-powered leaf blowers and leaf vacuums, starting July 1, 2025 (per County Code Sec. 31B-9), and although the County Council recently considered allowing an exemption for landscaping companies to use gasoline-powered leaf blowers between October 1 and December 31, for three years, the County Council decided not to allow the exemption; and

WHEREAS, the Town Council has recently learned that the Town's leaf removal contractor would need to use a gas-powered generator, which would be located on a trailer

attached to a service truck, to periodically charge electric-powered blower batteries throughout the day; and

WHEREAS, such generator would create noise that may be just as impactful to residents as the noise created by gas-powered blowers; and

WHEREAS, the Town Council introduced and held a public hearing on the following ordinance in public session assembled on the 8th day of October, 2025; and

WHEREAS, the Town Council finds that the following ordinance is necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town.

NOW, THEREFORE, the Town Council of the Town of Chevy Chase does hereby adopt the following ordinance:

SECTION 1. BE IT ORDAINED AND ORDERED, this 8th day of October, 2025, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter, that the Town Code is amended to read as follows:

\* \* \*

**Sec. 1-7. - Applicability of county legislation within town.**

- (a) Except as provided in this section, the town council exempts the town from all legislation heretofore or hereafter enacted by the county, relating to any subject upon which the town council has heretofore or is hereafter granted legislative authority either by public general law or by the town charter.
- (b) Subsection (a) of this section does not repeal or prohibit any town ordinance that specifically adopts or incorporates by reference any county legislation, and such county legislation adopted or incorporated as of the adoption of this section or incorporated by references into this Code in the future shall have full force and effect to the extent provided in the town ordinance adopting or incorporating the same.
- (c) The following chapters of the Montgomery County Code, or portions thereof, as such may be amended, or relocated, are exceptions to the general exemption set forth in subsection (a) of this section and shall be applicable within the town until such time as the town council shall exempt the town from their application:

\* \* \*

**Chapter 31B, entitled "Noise Control", except that section 31B-9, concerning leaf removal equipment, shall not apply within the town until January 1, 2026, with respect to town contractors, employees, and agents of the town operating within the town.**

\* \* \*

**Sec. 16-1. - Noise restrictions.**

The following provisions shall apply in the Town of Chevy Chase in addition to the provisions of chapter 31B of the Montgomery County Code:

(1) *Construction.* It shall be unlawful to engage in construction activities before 7:00 a.m. on weekdays or 9:00 a.m. on weekends and all federal holidays, or after 7:00 p.m. on all days. As used herein, "construction activities" means temporary activities directly associated with site preparation, assembly, erection, repair, alteration, renovation, construction, or demolition of improvements, or other similar activities including, but not limited to, moving heavy equipment, delivering materials, loading or unloading, operating equipment with audible "back-up" warning devices, and allowing engines to idle.

(2) *Landscaping.*

a. Gasoline-powered.

\* \* \*

3. Contractors, employees, and agents of the town are exempt from these restrictions from the 15th day of October through the 31st day of December, ~~2024~~ 2025.

\* \* \*

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter that, that:

(1) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(2) This ordinance shall take effect immediately, as an emergency per Section 209 of the Charter.

(3) Section 16-1(2)a.3, and the edit to Section 1-7(c) regarding County Chapter 31B, both concerning the exemption for Town contractors, employees, and agents, are adopted as an interim measure and shall automatically expire and be abrogated and of no further force or effect, on the 1<sup>st</sup> day of January, 2026, with no further action being required by the Town Council.

ATTEST:

TOWN OF CHEVY CHASE

  
\_\_\_\_\_  
Rich Brancato, Secretary

  
\_\_\_\_\_  
Barney Rush, Mayor  
Town of Chevy Chase

**Bold and Underline** indicates new material  
~~Strike-through~~ indicates material deleted  
\* \* \* indicates material unchanged