

Memorandum



CITY OF DALLAS

DATE May 23, 2014

TO Honorable Members of the Quality of Life & Environment Committee: Dwaine R. Caraway (Chair)
Sandy Greyson (Vice Chair), Adam Medrano, Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT Update on Stormwater Pollution Prevention Efforts and Draft Ordinance Consideration

On Tuesday, May 27th, the Quality of Life & Environment Committee will be briefed on the above subject.

Please contact me if you have any questions or need additional information.

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, Interim First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

UPDATE ON STORMWATER POLLUTION PREVENTION EFFORTS AND DRAFT ORDINANCE CONSIDERATION

PRESENTED TO THE QUALITY OF LIFE &
ENVIRONMENT COMMITTEE
MAY 27, 2014



BACKGROUND AND PURPOSE

- **On April 28, 2014, Quality of Life & Environment Committee requested that staff implement a public information campaign to promote proper landscape waste management and develop draft ordinances to strengthen regulations for leaf/grass blowers and lawn mowers**
 - On May 12, 2014, staff provided the committee an update on completed and planned public information actions
- **This briefing will provide the committee an overview of the draft ordinance options developed from the committee's recommendations**

COMMITTEE INPUT FOR DRAFT ORDINANCE

Committee requested that staff evaluate the following options for a draft ordinance:

- Require City contracted companies to cover nearby storm drain inlets while working
- Require business registration for landscape maintenance companies
- Time of day noise restrictions on landscape maintenance activities on weekends
- Require catch bags on lawn mowers

STORM DRAIN COVER REQUIREMENT

Current Regulations and Practice:

- The City requires construction projects greater than 1 acre or larger to provide inlet protection to capture or prevent pollution from stormwater runoff during the duration of the construction
- Trinity Watershed Management will proactively place inlet protection socks for large special events and parades with high levels of anticipated pedestrian activity and associated litter
- While the Dallas City Code currently prohibits blowing lawn clippings into the street and discharging lawn clippings into the storm water drainage system, there is no requirement in the city code that storm inlets be covered while a lawn maintenance company is doing lawn work

STORM DRAIN COVER REQUIREMENT

Pro

- Would help to abate amount of lawn waste carried into storm drains

Con

- The proximity of storm drain inlets varies greatly and a specific distance would need to be established for a requirement to cover the inlet
- Would result in an additional cost to company, may lead to increased cost to City

Option 1

- Require lawn maintenance companies to cover nearby storm inlets while working

Option 2

- No change to city code and continue public information, outreach and enforcement efforts

BUSINESS REGISTRATION REQUIREMENT

Current Regulations and Practice:

- Chapter 52 of the Dallas City Code requires landscape contractors to register with the city in order to obtain a permit from building inspection
 - The typical lawn maintenance company that mows lawns and trims trees does not fall within definition of landscape contractor and is not required to register with the city
 - A separate registration program can be established to capture lawn maintenance companies
- The City regulates similar businesses
 - Motor vehicle repair
 - Electronic repair
 - Wood vendors
 - Home repair vendors
 - Scrap tire vendors

BUSINESS REGISTRATION REQUIREMENT

Pro

- **Enhances city's ability to identify and communicate directly with landscape companies in Dallas**

Con

- **Even enforcement and administration would require increased resources**
- **Difficulty in registering companies not based in Dallas**
- **Increased cost to companies**

Option 1

- **Establish a registration program for lawn maintenance companies**

Option 2

- **No change to city code and continue public information, outreach and enforcement efforts**

TIME OF DAY OPERATING RESTRICTIONS

Current Regulations and Practice:

- Section 51A-6.102(a)(5)(G) restricts the following activities to the hours of 7:00 a.m. to 10:00 p.m. daily:
 - Lawn maintenance
 - Repair of personal use vehicles
 - Home repair of place of residence

TIME OF DAY OPERATING RESTRICTIONS

Pro

- **Reduces early morning noise disruptions in neighborhoods**

Con

- **During summer months, workers would have a shorter window to work during cooler early morning hours**
- **Would be inconsistent with other noise regulations in the Dallas City code, as well as other area cities (Appendix, p. 14)**

Option 1

- **Reduce hours on weekends by moving start time to 8:00 a.m.**

Option 2

- **No change in hours. Maintain 7 a.m. – 10 p.m. daily**

CATCH BAG REQUIREMENT

Current Regulations and Practice:

- The Dallas City Code currently has no requirement that a lawn maintenance company use a catch bag on lawn mowers
- Section 18-8 of the Dallas City Code states that grass cuttings will only be picked up by the city between March 15 and April 15 of each calendar year.
 - This means that if lawn maintenance companies are required to use catch bags on lawn mowers, they need to be responsible for either disposing of the grass cuttings themselves or mulching/composting the grass cuttings onsite

CATCH BAG REQUIREMENT

Pro

- Would help to abate amount of lawn waste blown onto streets and into storm drains

Con

- Bagged lawn debris would increase volume and cost for brush and bulky trash pick-up
- Discourages green efforts to promote mulching and save landfill space
- Increased equipment cost to property owners and/or their landscaper

Option 1

- Require lawn maintenance companies to use catch bags on lawn mowers and make the lawn maintenance company responsible for bagging and removing lawn clippings from the site or mulching/composting the lawn clippings onsite

Option 2

- No change to city code and continue public information, outreach and enforcement efforts

NEXT STEPS

- **Continue implementation of public information efforts briefed to committee on May 12, 2014**
- **Receive committee input for further consideration of draft ordinance**

APPENDIX

PRACTICES OF OTHER CITIES

City	Leaf Blowing Ordinance	Staff Action	Legal time to Operate Lawn Equipment
Mesquite	Yes	If witnessed, cite \$500-\$2000; require them to blow back onto the property	7 a.m. to 10 p.m.
Richardson	Yes	Give verbal warning; seldom are citations issued	Sunrise to Sunset
Plano	Yes	If witnessed, require them to bag it 1 st time violator: education 2 nd time violator: notice of violation 3 rd time violator: citation	7 a.m. to 10 p.m.
Carrollton	Yes	1 st time violator: notice of violation issued to either the property owner, or crew leader if done by a contractor 2 nd time violator OR egregious violation: a citation	7 a.m. to 10 p.m.
Austin	Yes, but through water quality code	Verbal warning and require them to clean up blown debris Egregious problems may be prosecuted	7 a.m. to 10 p.m.