

ORDINANCE 2026-_____

AN ORDINANCE AMENDING SECTION 22-37(15), LEAF BLOWERS, OF ARTICLE II, NUISANCES, OF CHAPTER 22, ENVIRONMENT, OF THE CODE OF ORDINANCES, CITY OF NAPLES, FLORIDA TO COMPLY WITH CHAPTER 2026-3, LAWS OF FLORIDA; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, on October 21, 2020, the City Council adopted Ordinance 2020-14542 adding Section 22-37(15), Leaf Blowers, to prohibit the operation of gas powered leaf blowers\; and

WHEREAS, on March 23, 2026, Governor Desantis signed SB 290 into law (Chapter 2026-3, Laws of Florida, with an effective date of July 1, 2026, which prohibits municipalities from enacting or enforcing legislation that restricts or prohibits the use of gasoline-powered leaf blowers.

WHEREAS, adoption of this Ordinance is in the best interests of the health, safety, and welfare of the residents of the City of Naples.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That the City Council of the City of Naples hereby adopts and incorporates into this Ordinance the above "Whereas" clauses as legislative findings of the City Council, as if fully set forth in this Section.

Section 2. That Section 22-37(15), Leaf Blowers, of Article II, Nuisances, of Chapter 22, Environment, of the Code of Ordinances, City of Naples, is hereby amended to read as follows:

Chapter 22 – ENVIRONMENT

* * *

ARTICLE II – NUISANCES

* * *

Sec.22-37. Noise.

* * *

- (15) *Leaf blowers.* The use of gasoline-powered leaf blowers is ~~prohibited~~ permitted within the city. ~~This prohibition will become effective one year from the date approved by Council.~~ The use of battery- or electric-powered leaf blowers is recommended.

- a. Gasoline-, ~~B~~attery- and electric-powered leaf blowers may be used operated within the city provided ~~they do not exceed a~~ that the decibel level of 65 dBA as shown specified in Section 22-37 is not exceeded, as indicated on the manufacturer's label affixed to the leaf blower.
- b. Gasoline-, ~~B~~attery- and electric-powered leaf blowers that do not have a manufacturers label affixed to it that reflects its dBA rating may not be used within the city.

Section 3. This Ordinance shall be codified in the Code of Ordinances of the City of Naples, Florida.

Section 4. All ordinances and parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

Section 5. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

Section 7. This Ordinance is to be liberally construed to accomplish its objectives.

Section 8. This Ordinance shall be published in accordance with the requirements of law.

Section 9. This Ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 2ND DAY OF SEPTEMBER 2026.

ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS ____ DAY OF _____ 2026.

Attest:

Patricia L. Rambosk, City Clerk

Teresa Lee Heitmann, Mayor

Approved as to form and legal sufficiency:

Matthew McConnell, City Attorney

Date filed with City Clerk: _____