



**AGENDA**  
**BIRMINGHAM ENVIRONMENTAL SUSTAINABILITY COMMITTEE**  
**MONDAY, MARCH 24, 2025**  
**BIRMINGHAM CITY HALL, 151 MARTIN ST, ROOM 202-203, BIRMINGHAM MI \***  
**\*\*\*\*\* 5:30 PM\*\*\*\*\***

---

- 1) **Call to Order**
  - 2) **Roll Call**
  - 3) **Review the Minutes**
  - 4) **Review of the Agenda**
  - 5) **New Business**
    - A. **Community Engagement Plan**
  - 6) **Miscellaneous Communications**
    - A. **Sustainability & Climate Action Fund**
    - B. **Long-Range Planning**
    - C. **Environmental Sustainability Committee Ordinance**
    - D. **Leaf Blower Ordinance**
    - E. **Public Comment on SCAP**
  - 7) **Open to the Public for Items Not on the Agenda**
  - 8) **Adjournment**
- 

\*Please note that board meetings will be conducted in person once again. Members of the public can attend in person at Birmingham City Hall, 151 Martin St., or may attend virtually at:

**Link to Access Virtual Meeting:** <https://bhamgov-org.zoom.us/j/84305107066>

**Telephone Meeting Access:** 833 928 4608 US Toll-free

**Meeting ID Code:** 843 0510 7066

*Notice:* Individuals requiring accommodations, such as interpreter services for effective participation in this meeting should contact the City Clerk's Office at [\(248\) 530-5115](tel:2485305115) at least on day in advance of the public meeting.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al [\(248\) 530-5115](tel:2485305115) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

**A PERSON DESIGNATED WITH THE AUTHORITY TO MAKE DECISIONS MUST BE PRESENT AT THE MEETING.**



## **MEMORANDUM**

Planning Department

**DATE:** March 24, 2025

**TO:** Environmental Sustainability Committee

**FROM:** Summer Aldred-Arens, City Planner

**SUBJECT:** Community Engagement Plan Draft

---

Attached is a draft of the Community Engagement Plan for the Birmingham Green Healthy Climate Plan. This framework outlines our strategy for engaging residents, businesses, and community organizations to ensure broad participation in Birmingham's climate action efforts. This draft outlines engagement strategies, including in-person events, digital outreach, partnerships with local organizations, and printed materials to reach as many community members as possible. Additionally, it aims to incorporate inclusive practices to make engagement accessible to all residents.

At this stage, we are seeking your feedback on the overall approach, goals, and engagement methods detailed in the document. We aim to foster inclusive, transparent, and actionable community participation to support the city's carbon neutrality goal by 2050. In the coming weeks, we will provide more detailed engagement proposals, including specific tools such as a social media toolkit and other communication resources.

The Planning Department is requesting feedback on the draft outline of the Community Engagement Plan. Your insights will help refine our outreach efforts and strengthen our ability to connect with diverse stakeholders.



## **SCAP Community Engagement Plan (DRAFT)**

### **Introduction**

#### **Purpose**

The purpose of this document is to provide a comprehensive framework for planning, executing, and monitoring community engagement activities for the Birmingham Green Healthy Climate Plan. The Plan aims to achieve carbon neutrality by 2050 while fostering community ownership and actionable participation to achieve actionable items laid out by the plan by 2030.

This engagement plan emphasizes meaningful two-way communication, inclusivity, and adaptability to ensure alignment with community needs and priorities.

#### **Goals for Engagement**

1. Build trust and transparency among stakeholders and residents.
2. Engage a diverse cross-section of the Birmingham community.
3. Ensure continuous feedback and iterative improvements to the Plan.
4. Translate input into actionable projects and policies that support climate goals.

### **Project Overview**

The Birmingham Green Healthy Climate Plan addresses climate resilience and sustainability by focusing on a variety of key areas including:

- Water & Stormwater
- Natural Resources
- Quality of Life
- Buildings & Facilities
- Waste
- Transportation
- Municipal Operations

# Engagement Framework

## Engagement Objectives

- **Inform:** Share clear, accessible information about the Plan.
- **Consult:** Seek input on priorities, concerns, and proposed solutions.
- **Involve:** Actively involve stakeholders in decision-making processes.
- **Empower:** Enable community members to lead climate initiatives.

## Target Audiences

1. **Residents**
2. **Local Businesses**
3. **Community Organizations:** Nonprofits, schools, and advocacy groups.
4. **Youth and Seniors:** Ensuring engagement across age demographics.
5. **Underserved Communities:** Including low-income households and individuals with disabilities.

# Engagement Approach

## Strategies

1. **In-Person Engagement:**
  - **Public Meetings and Open Houses:** Provide updates, seek input, and share progress.
  - **Focus Groups:** Address specific topics like energy efficiency or public transit.
  - **Pop-Up Events:** Outreach at community hubs like farmers' markets or libraries.
2. **Digital Engagement:**
  - **Interactive Website:** Host resources, surveys, and feedback forms.
  - **Social Media:** Regular updates and event promotions.
  - **Online Workshops:** Virtual participation for broader accessibility.
3. **Printed Materials:**
  - Flyers, brochures, and posters distributed at key locations.
4. **Local/Regional/State/National Participation**
  - Groups like CLC, Healthy Climate Task Force, FOTR, CLWA etc.
  - Bringing important info back to Bham residents
  - Regional leader
  - Recaps?

## Inclusive Practices

- ADA-compliant materials and venues.
- Flexible meeting times to accommodate diverse schedules.
- Language options?

## Roles and Responsibilities

Role	Responsibilities
<b>Project Team</b>	Plan and execute engagement activities.
<b>City Officials</b>	Facilitate communication and promote activities locally.
<b>Community Ambassadors</b>	Act as liaisons to underrepresented groups (youth/seniors).
<b>Stakeholders</b>	Provide feedback and advocate for community priorities.

## Engagement Methods

### Tools and Techniques

- **Progress Tracker:** Live look on progress of action items.
- **Surveys and Polls:** Collect quantitative and qualitative input.
- **Workshops and Panels:** Deep-dive discussions on Plan elements.

### Materials

- ADA-compliant flyers and presentations.
- Social media graphics and content.
- Reports summarizing feedback and next steps.

## Monitoring and Reporting

- Publish quarterly progress updates.
- Share engagement outcomes through newsletters and online portals.
- Reports to ESC & annual report to CC?

## Metrics for Success

Metric	Target
<b>Participation Rate</b>	Engage 50% of Birmingham households by Year 3.
<b>Diversity of Input</b>	Ensure representation from all demographic groups.
<b>Community-Led Initiatives</b>	Launch 10 community-driven projects by 2026.
<b>Satisfaction Rate</b>	80% of participants feel heard and valued.

## Timeline and Milestones

Phase	Activity	Timeline
<b>Phase 1: Preparation</b>	Stakeholder mapping, resource allocation.	0–6 months
<b>Phase 2: Outreach</b>	Public meetings, surveys, and focus groups.	6-12 months

<b>Phase 3: Implementation</b>	Launch pilot community initiatives and track engagement.	12-16 months
<b>Phase 4: Feedback</b>	Evaluate outcomes and refine strategies.	12+ months
<b>Phase 5</b>	Repeat Phases 2-3	2+ years

## **Conclusion**

The Birmingham Green: Healthy Climate Plan's Community Engagement Plan establishes a robust framework for fostering collaboration, inclusivity, and action. By combining in-person and digital engagement strategies, ensuring equitable participation, and maintaining transparent communication, this plan creates opportunities for all community members to shape Birmingham's sustainable future. With ongoing feedback loops and adaptive approaches, the engagement process will empower residents and stakeholders to contribute meaningfully to the city's goal of carbon neutrality by 2050, ensuring a healthier, greener Birmingham for generations to come.



## MEMORANDUM

Planning Department

**DATE:** January 27, 2025

**TO:** Jana L. Ecker, City Manager

**FROM:** Nicholas Dupuis, Planning Director

**SUBJECT:** Sustainability & Climate Action Fund

---

### INTRODUCTION:

For the last 2-3 years, sustainability and climate action planning has been at the forefront of City business and policy making. Several deliberate and progressive policy decisions, such as the adoption of the [Birmingham Plan 2040](#) and [City Commission Goals](#), propagated the creation of the [Birmingham Green: Healthy Climate Plan](#), which is a 10-year plan to reduce carbon emissions by 25% and ultimately guide the City to carbon neutrality.

As is expected, integral to successful implementation of the Birmingham Green plan is the allocation of resources to support plans and projects that reduce carbon emissions. At this time, the Planning Department is requesting that a new fund be created to house funds dedicated towards sustainability and climate action projects. In addition, the Planning Department is requesting seed money in the amount of \$10,000 to jumpstart the fund balance and provide an immediate available balance for use towards grant matching or other projects approved by the City Commission.

### BACKGROUND:

The Birmingham Green: Healthy Climate Plan was adopted on September 23, 2024 ([Agenda – Minutes](#)). Within this plan are several recommendations related to funding future projects and a prioritization matrix that outlines critical enablers of future recommendations. One of the recommendations (MO-3) states that the City should “create a sustainability fund for use by multiple City Departments.”

It is anticipated that this fund and any expenditures therein will be monitored closely by the City Commission, City Manager and Planning Director and that such expenditures should work directly towards meeting the goals of the Birmingham Green Plan or other sustainability and climate action projects deemed appropriate by the City Commission.

### LEGAL REVIEW:

The City Attorney has reviewed this request and has no objections as to form and content.

**FISCAL IMPACT:**

The creation of this new fund will provide a municipal funding source available for specific sustainability and climate action projects, and at the same time will provide a dedicated special revenue fund that will be able to accommodate any potential future revenues. Although the initial \$10,000 seed money requested will come from the General Fund, it is not anticipated that the fund will require regular appropriations from the General Fund in the future. Instead, the Planning Department will be pursuing other funding mechanisms including (but not limited to) grants and philanthropy, but also the new approaches of redistribution and congestion fees that were presented at Long Range Planning on January 25, 2025 ([Agenda](#)).

**SUSTAINABILITY:**

This proposal has a direct tie to the City's sustainability goals. As noted above, this request is a direct effort to complete a recommendation from the Birmingham Green Plan. In addition, this request works towards the City Commissions strategic goal #2:

*The City of Birmingham positions itself for a changing future by instituting policies and practices that protect the natural environment and reduce extreme weather impacts on the community.*

**DESIGN CONSIDERATIONS:**

No design changes proposed.

**PUBLIC COMMUNICATIONS:**

There are no public communications required for this agenda item.

**SUMMARY:**

The Planning Division requests that the City Commission consider establishing a Sustainability and Climate Action Special Revenue Fund to house funds dedicated towards sustainability and climate action projects. In addition, the Planning Department is requesting that the City Commission consider providing seed money in the amount of \$10,000 to jumpstart the fund balance and provide an immediate available balance for use towards grant matching or other projects approved by the City Commission.

**ATTACHMENTS:**

There are no attachments to this report.

**SUGGESTED COMMISSION ACTION:**

Make a motion adopting a resolution to establish a Sustainability and Climate Action Special Revenue Fund to house funds dedicated towards sustainability and climate action projects and further, to approve the appropriations and amendment to the General Fund budget as follows:

*(This space intentionally left blank)*

**General Fund**

Revenues

Draw from Fund Balance	101.0-000.000-400.0000	\$10,000
------------------------	------------------------	----------

Expenditures

Transfers Out	101.0-999.000-995.0230	\$10,000
---------------	------------------------	----------

**Sustainability & Climate Action Fund**

Revenues

Transfer from General Fund	230.0-000.000-699.0101	\$10,000
----------------------------	------------------------	----------

Draw from Fund Balance	230.0-000.000-400.0000	<u>(\$10,000)</u>
------------------------	------------------------	-------------------

Total		\$0
-------	--	-----



## MEMORANDUM

Planning Department

**DATE:** January 10, 2025

**TO:** Jana L. Ecker, City Manager

**FROM:** Nicholas Dupuis, Planning Director

**SUBJECT:** Long Range Planning – Sustainability

---

For the last 2-3 years, suitability and climate action planning has been at the forefront of City business and policy making. Several deliberate and progressive policy decisions, such as the adoption of the [Birmingham Plan 2040](#) and [City Commission Goals](#), propagated the creation of the [Birmingham Green: Healthy Climate Plan](#), which is a 10-year plan to reduce carbon emissions by 25% and ultimately guide the City to carbon neutrality.

For the purposes of Long Range Planning this year, the Planning Department will review its plans to build the infrastructure necessary to support the aggressive goals of the Birmingham Green Plan focusing on items designated as first steps on the Plan, specifically related funding and community engagement.

### **Funding Sustainability & Climate Action**

As is expected, integral to successful implementation of the Birmingham Green plan is the allocation of enough resources to support plans and projects that reduce carbon emissions. As the Plan recommends, critical resources at the onset of implementation include at least one new staff person and the creation of a sustainability fund to be used by the City for sustainability projects. The two resources are codependent, as the City cannot support a new staff person without funding, and a new staff person cannot adequately achieve carbon reduction to the scale necessary without funding to do so. At this time, the Planning Department is building proposals for three major funding mechanisms:

1. *A Birmingham "Congestion Fee"*

In 2024, the City of Birmingham parked 3 million vehicles in its public parking system, which includes transient garage parking, meter parking, and monthly pass parking. These cars come from all of the region and the state to enjoy the many amenities that Birmingham has to offer. With them, these cars produce carbon dioxide emissions, which

is the third highest level of emissions we experience in Birmingham at 47,470 metric tons of CO<sub>2E</sub>, or 17% of Birmingham’s total community-wide emissions. In addition, gasoline powered vehicle travel contributes to pollution in local waterways, the maintenance of carbon intensive infrastructure and safety concerns.

In an effort to fund projects that offset the carbon emissions of these vehicles, the Planning Department is proposing to build a “congestion fee” into existing parking fees. The term congestion fee is being used as an initial descriptive term to help people understand the concept, as congestion fees have been newsworthy of late in cities like [New York](#) and [London](#). Ultimately, the fee may be termed differently, but the concept will be similar. This fee would be in addition to existing fees which support the public parking system. At this time, based on the large volume of parking transactions, the Planning Department is studying a modest 5 cent fee. To be thorough, a 10 cent and 25 cent fee was also included in the analysis. The fee for monthly parking passes has not been evaluated at this time:

<b>Garage Transient</b>	<b>Meters</b>	<b>Total</b>	<b>¢5</b>	<b>¢10</b>	<b>¢25</b>
986,049	1,496,164	2,482,213	\$124,111	\$248,221	\$620,553

Instituting a congestion fee in the City of Birmingham can supply the City with a robust and consistent fund balance to pull from to jumpstart implementation of the Birmingham Green Plan, and could even support a full time staff person. Beyond the benefits of carbon reduction, this type of novel approach avoids targeting Birmingham residents and taxpayers, unlike a millage or bond, which are other funding mechanisms used by municipalities for this type of work. In this proposal, the burden is shared by all who utilize the system.

2. *Redistribution*

As outlined in the Birmingham Green Plan, another funding mechanism that should be employed is the redistribution of “green savings” into a sustainability fund. That is to say, whatever savings that the City experiences as a result of instituting more sustainable practices will be calculated on an annual basis, and instead of recouping the savings in the General Fund, those savings will be redistributed into a future Sustainability Fund. Easy examples of areas which will experience savings are municipal utility bills (electricity, water, natural gas), but could also be smaller savings recouped from naturalizing city property and no longer requiring mowing/maintenance dollars across thousands of square feet of city property.

3. *Philanthropy*

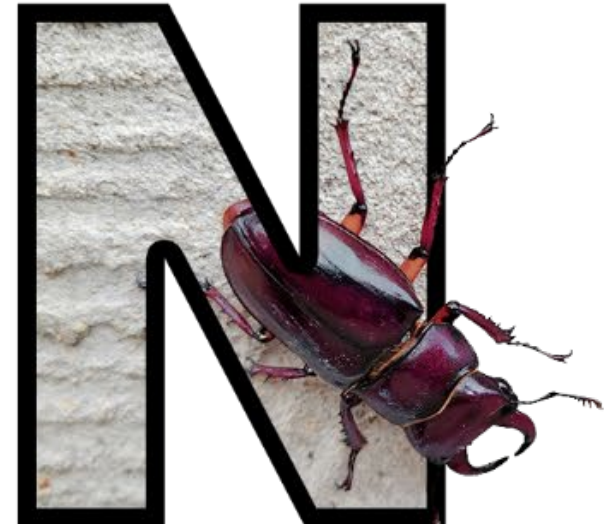
The City recently unveiled a [new system](#) designed to promote and solicit private donations to be used towards various public projects. This type of system may be leveraged for sustainability and climate action projects in the City just as easily as it is used for other popular campaigns such as park improvements or sponsorships. Providing opportunities for philanthropy offers benefits not only to the City and its projects, but also to the persons or groups donating, as it provides better connections to projects and can build a strong sense of community.

## **Community Engagement**

As is emphasized in the Birmingham Green Plan, the City will not reach its goals without its residents, business owners, institutions, and other stakeholders meaningfully and earnestly participating in this process. To foster and grow the necessary engagement, the first task of the Planning Department, together with the Environmental Sustainability Committee, is to produce a Community Engagement Plan (the "Green CEP"). The objectives of the Green CEP are to inform, consult, involve and empower community members towards our common goal. It will outline various approaches and will involve new ways of providing information to the Birmingham community.

Although the Green CEP will be one of the first tasks of the Environmental Sustainability Committee, it is not without long-range implications. An engagement strategy such as this requires constant attention and inputs. To achieve this, the Planning Department will also be working to build an internal system that supports regular interaction with the Green CEP while also supporting manageable workloads and seamless interdepartmental cooperation, especially with the Communications Department. In addition, the Planning Department will be exploring training and other professional opportunities to increase the skillset of City staff.

BIRMINGHAM



Nicholas Dupuis – Planning Director  
Long Range Planning  
January 25, 2025

# UPDATE

- | What has occurred since the adoption of the Birmingham Green: Healthy Climate Plan?
- | What are we working on now?
- | When can you expect to see the first proposals related to the Birmingham Green Plan?



# PROGRESSES

1. Environmental Sustainability Committee Adopted by Ordinance
2. Members of the Environmental Sustainability Committee Seated
3. Budget Proposals Vetted and Constructed
4. First Meeting of the ESC Scheduled – February 17, 2025
5. Residential Rain Garden Program – In Progress
6. Tentative Schedule of Deliverables – In Progress



# FUNDING

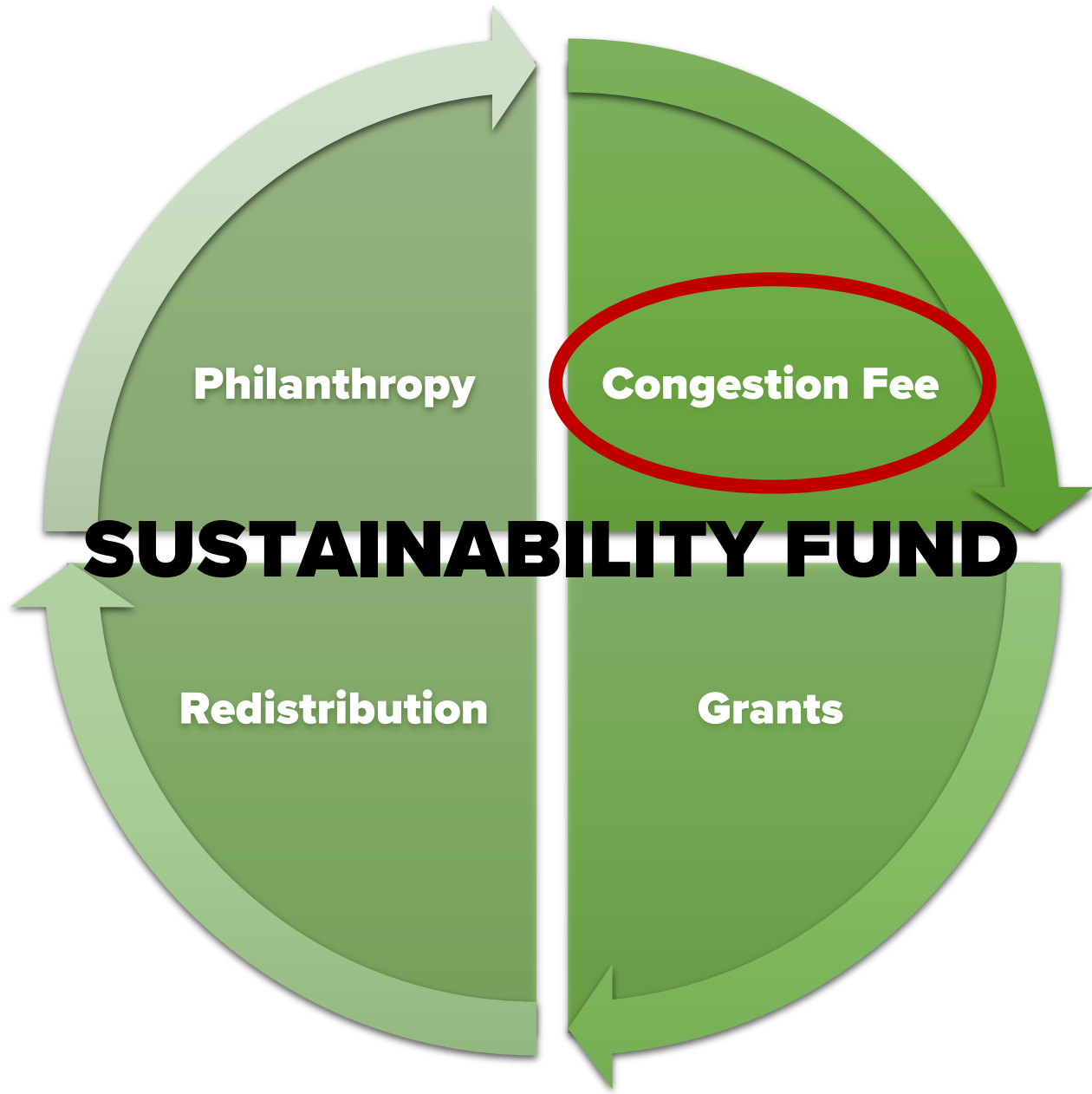


## **Benefits:**

- No Millage or Bond
- Consistent Fund Balance
- Jump Starts the Birmingham Green Plan



# FUNDING



## **Benefits:**

- No Millage or Bond
- Consistent Fund Balance
- Jump Starts the Birmingham Green Plan



# Total Cars Parked



**\$124,111**

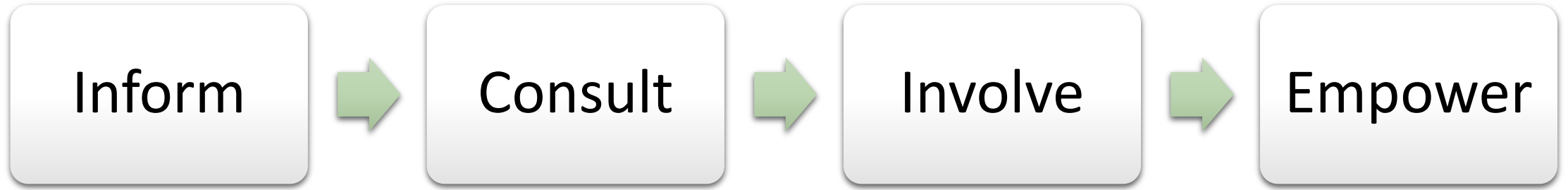


**\$282,221**



**\$680,553**





“The City will not reach its goals without its residents, business owners, institutions, and other stakeholders meaningfully and earnestly participating in this process.”





## MEMORANDUM

Planning Department

DATE: September 30, 2024

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Amendments to Chapter 82 of the Birmingham Code of Ordinances to Create the Environmental Sustainability Committee (*Postponed from September 23, 2024*)

---

### INTRODUCTION:

The Ad Hoc Environmental Sustainability Committee (ESC) was created by the City Commission on January 23, 2023 ([Agenda – Minutes](#)) and seated on March 27, 2023 ([Agenda – Minutes](#)). The specific duties of the ESC were to (1) draft a Sustainability and Climate Action Plan (“SCAP”) and (2) complete a greenhouse gas (“GHG”) inventory for the community. By resolution, the ESC was given 18 months to complete these two large tasks. At this time, the Planning Department and ESC have successfully completed the above tasks and are seeking designation as a standing committee to oversee work related to the Birmingham Green: Healthy Climate plan and other sustainability and climate action based projects.

### BACKGROUND:

Having overseen the drafting of the City’s first sustainability and climate action plan, the current Ad Hoc Environmental Sustainability Committee’s term has expired. Through the seating of the initial committee, a high level of energy and enthusiasm was observed and the City uncovered a vast level of expertise related to sustainability and climate action within its resident base. A formal, public board made up of these energetic and knowledgeable residents who are dedicated to the management of the Birmingham Green plan and any other ancillary duties that stem from this plan will be essential in ensuring that the public has ample opportunity to participate in the implementation process.

In order to formalize the Environmental Sustainability Committee, ordinance amendments have been proposed to Chapter 82 of the Birmingham Code of Ordinances. The language mirrors that of establishing similar boards/commissions in the Code of Ordinances. The language outlines composition, terms/membership, organization and duties of a standing Environmental Sustainability Committee.

**LEGAL REVIEW:**

The City Attorney has reviewed the proposed ordinance and has no concerns as to form and content.

**FISCAL IMPACT:**

There is no fiscal impact for this agenda item.

**SUSTAINABILITY:**

A standing Environmental Sustainability Committee is proposed to provide oversight and recommendations to the City Commission regarding sustainability and climate action planning in the City.

**DESIGN CONSIDERATIONS:**

There are no design considerations for this agenda item.

**PUBLIC COMMUNICATIONS:**

There are no required public communications for this agenda item.

**SUMMARY:**

The Planning Department requests that the City Commission consider amendments to Chapter 82 – Planning, to add Article VI, to create a standing Environmental Sustainability Committee and establish its composition, terms/membership, organization and duties.

**ATTACHMENTS:**

Please see the attached documents for review:

- Proposed amendments to Chapter 82 – Planning

**SUGGESTED COMMISSION ACTION:**

Make a motion adopting an ordinance to amend Chapter 82 – Planning, to add Article VI, to create a standing Environmental Sustainability Committee and establish its composition, terms/membership, organization and duties.

**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 82. – PLANNING, TO ADD ARTICLE VI. – ENVIRONMENTAL SUSTAINABILITY COMMITTEE.**

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 82. – Planning, Article VI. – Environmental Sustainability Committee:

**ARTICLE VI. – ENVIRONMENTAL SUSTAINABILITY COMMITTEE**

Sec. 82-107. – Composition.

- a) The Environmental Sustainability Committee shall consist of seven (7) regular members. Each member of the committee shall reside within the City limits. Members of the Committee shall have a clearly demonstrated interest or knowledge in sustainability and/or climate action. In appointing regular members, the City Commission shall maintain a Committee composition that represents a diverse area of expertise related to sustainability and climate action including, but not limited to, renewable energy, buildings and construction, water and stormwater, solid waste, and environmental law.
- b) The City Commission may appoint two (2) alternate members to serve as needed on the Environmental Sustainability Committee during their term of appointment. An alternate member may be called on a rotating basis to sit as a regular member of the Environmental Sustainability Committee in the absence of a regular member. An alternate member shall have the same voting rights as a regular member of the Environmental Sustainability Committee when seated in the place of a regular member.
- c) The Planning Director and the City Manager, or their authorized representatives, shall be ex officio members of the Environmental Sustainability Committee and shall have all rights of membership thereon, except the right to vote.

Sec. 82-108. – Terms.

- a) Members of the Environmental Sustainability Committee shall be appointed by the City Commission for terms of office of three (3) years; except that two members of the first board shall be appointed to serve for a term of one year, two for terms of two years, and three for terms of three years. All members shall hold office until their successors are appointed. A vacancy occurring in the membership of the Environmental Sustainability Committee for any cause shall be filled by a person appointed by the City Commission for the duration of the unexpired term.

Sec. 82-109. – Organization and meetings.

- a) The Committee shall, from its appointed members, elect a chairperson and vice-chairperson. Each officer will serve a one-year term and may be re-elected. The chairperson shall preside over the Committee and shall have a right to vote. The vice-chairperson shall, in the case of absence or disability of the chairperson, perform the duties of the chairperson. The Planning Director or an authorized representative shall act as secretary of the Committee and shall keep a record of all its proceedings.

- b) At least four (4) members of the Environmental Sustainability Committee shall constitute a quorum for the transaction of its business.
- c) All meetings of the Environmental Sustainability Committee shall be open to the public, and any person or their duly constituted representative shall be entitled to appear and be heard on any matter applicable to the business at hand before the Environmental Sustainability Committee makes its decision.
- d) The concurring affirmative vote of four (4) members of the Environmental Sustainability Committee shall be required for approval of any resolution, motion or other action by the Environmental Sustainability Committee.
- e) The Environmental Sustainability Committee shall hold meetings at such time and place as may be established by the Committee.

Sec. 82-110. – Scope of authority.

- a) The Environmental Sustainability Committee is a non-administrative board serving solely in an advisory capacity. In that capacity, the committee may make recommendations to the City Commission but may not assume any legislative or administrative authority of the City Commission or any department or board established by the City Commission except as specifically provided in this chapter. The Environmental Sustainability Committee is not authorized to expend City funds.

Sec. 82-111. – Purpose and duties.

The purpose of the Environmental Sustainability Committee shall be to assist in instituting policies and practices that enhance the natural & built environment, improve quality of life, and foster equity & resiliency in the City and to advise the City Commission on the implementation of the Birmingham Green: Healthy Climate Plan, including reviewing project phasing and budgeting. In furtherance of its purpose, the Committee shall endeavor to provide the following:

- 1) Support to the Planning Board, Multi-Modal Transportation Board, Historic District Commission, or other boards or commissions regarding the sustainable development of the City.
- 2) Perform reviews and updates of the Birmingham Green: Healthy Climate Plan.
- 3) When requested by the City Manager or Planning Director, an objective and technical evaluation of public development projects.
- 4) When requested by the City Commission or Planning Board, an objective and technical evaluation of private development plans.
- 5) Updated greenhouse gas inventories.
- 6) Education and training opportunities for Birmingham residents and stakeholders.
- 7) Not later than April 1 of each year, the Environmental Sustainability Committee shall prepare and submit to the City Manager a tentative outline of its program for the ensuing year.

Ordained this \_\_\_\_\_ day of \_\_\_\_\_, 2024. Effective upon publication.

\_\_\_\_\_  
Elaine McLain, Mayor

\_\_\_\_\_  
Alexandria D. Bingham, City Clerk

I, Alexandria D. Bingham, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held \_\_\_\_\_, 2024 and that a summary was published \_\_\_\_\_, 2024.

\_\_\_\_\_  
Alexandria D. Bingham, City Clerk



## MEMORANDUM

Planning Department

DATE: September 10, 2024

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Amendments to Chapter 50 of the Birmingham Code of Ordinances to Create Regulations for Leaf Blowers

---

### INTRODUCTION:

Over the last 2 years, the City Commission has discussed the issue of leaf blowers numerous times both formally and informally. In these conversations, it was suggested that leaf blowers could be considered detrimental to the public health, safety and welfare and that the City should consider banning the use of such. Ultimately, the City Commission passed a resolution in 2023 in support of a ban eliminating the use of two-stroke gas powered leaf blowers by July 1, 2026. At this time, the Planning Department has begun drafting ordinance language related to this proposed ban and is seeking direction on next steps.

### BACKGROUND:

On October 3, 2022 ([Agenda – Minutes](#)), the City Commission held a workshop in which the topic of leaf blowers was discussed. A high level discussion regarding the goals of any future study into leaf blowers was had, and there was much discussion about the issues experienced by the use of leaf blowers and the potential challenges in considering a ban.

On August 14, 2023 ([Agenda – Minutes](#)), the Planning Department presented a more in-depth review of the problems that leaf blowers pose, specifically two-stroke gas powered leaf blowers and distilled the issues down to three main categories: emissions, noise and environment. In addition, the Planning Department provided some research into other communities nationwide that are implementing leaf blower bans. Ultimately, the City Commission moved to direct the Planning Division, through the City Manager, to study a phased approach to eliminating the use of two-stroke, gas powered leaf blowers in the City of Birmingham.

On September 11, 2023 ([Agenda – Minutes](#)), the City Commission moved to adopt a resolution to phase out the use of two-stroke gas powered leaf blowers by July 1, 2026. This phase approach included policy actions, educational actions, and regulatory actions. Since the resolution was passed, the City has provided an education campaign that involved newsletters and various press engagements.

**LEGAL REVIEW:**

The City Attorney has reviewed the documentation and has no concerns as to form and content.

**FISCAL IMPACT:**

As stated in previous reports, two-stroke leaf blowers are easier to maintain and have a lifespan that could exceed 10 years. Because of this, the City may incur an additional cost to replace gas-powered leaf blowers with electric leaf blowers. This cost may be offset by the sale of the City's existing leaf blowers, as well as the reduction in gas/oil consumption over time.

**SUSTAINABILITY:**

As stated in previous reports, this agenda item has a direct tie to the City's sustainability goals. As noted in several places above, two-cycle leaf blowers have a uniquely detrimental effect on the environment, and the phased transition to electric or manual leaf removal will significantly reduce the effects on the environment and public health.

**DESIGN CONSIDERATIONS:**

There are no design considerations for this agenda item.

**PUBLIC COMMUNICATIONS:**

There are no required public communications for this agenda item. However, the subject was advertised in this agenda, as well as the agendas for October 2, 2022, August 14, 2023, and September 11, 2023. In addition, the topic has been discussed in several newsletters, media engagements, and email contacts over the course of the last year. As the phase-out progresses, the City will continue to advertise the issue at public meetings, and use communication tools including (but not limited to) newsletters, the City website, e-blasts, social media, and in-person engagements where possible.

**SUMMARY:**

The Planning Department requests that the City Commission consider amendments to Chapter 50 – Environment, to add Article VI to add regulations for leaf blowers including a phase out date of July 1, 2026.

**ATTACHMENTS:**

Please see the attached documents for review:

- Proposed amendments to Chapter 50 – Environment

**SUGGESTED COMMISSION ACTION:**

Make a motion adopting an ordinance to amend Chapter 50 – Environment, to add Article VI to add regulations for leaf blowers including a phase out date of July 1, 2026.

**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 50. – ENVIRONMENT, TO ADD ARTICLE VI. – LEAF BLOWERS.**

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 50. – Environment, Article VI. – Leaf Blowers:

ARTICLE VI. – LEAF BLOWERS

Sec. 50-211. – Purpose.

The purpose of this chapter is to protect the peace, health, safety, and welfare of persons in the City of Birmingham and to promote the City’s sustainability goals by reducing noise, pollution, and other negative effects from leaf blowers.

Sec. 50-212. – Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Gas powered* means powered by an internal combustion engine, including gasoline, kerosene, diesel, propane, or other volatile fuel.

*Leaf Blower* means a powered portable, handheld, or backpack vacuum or blower used outdoors for the purpose of blowing or vacuuming light materials, such as dust, dirt, leaves, grass or plant clippings, stones, trash, or debris. It does not include snow blowers.

*Electric* means not Gas-Powered and powered from an electrical outlet or from batteries.

*Turbine Blower* means a towed or wheeled Leaf Blower powered by a four-stroke internal combustion engine.

Sec. 50-213. Regulation of gas powered leaf blowers.

- 1) *Seasonal use and phase-out.* The use of Gas-Powered Leaf Blowers is permitted from October 1 to May 30 annually. Beginning July 1, 2026 the use of Gas Powered Leaf Blowers is prohibited at all times in the City.

Sec. 50-214. – Regulation of leaf blowers generally.

- 1) *Blowing off-property prohibited.* It is prohibited to blow or sweep debris, trash, leaves, plant clippings, or yard waste into a neighboring property, street, sidewalk, drain, or public right-of-way.
- 2) *Noise.* The operation of leaf blowers shall comply with the noise limits set by Chapter 50, Article II, Division 4 of this ordinance.
- 3) *Operation.* The operation of leaf blowers shall be in a manner that is safe, courteous and responsible.

Sec. 50-215. – Penalties.

Violations of this article shall be punishable under section 1-9. Each day on which a violation of this article exists shall be deemed to constitute a separate offense.

Ordained this \_\_\_\_\_ day of \_\_\_\_\_, 2024. Effective upon publication.

\_\_\_\_\_  
Elaine McLain, Mayor

\_\_\_\_\_  
Alexandria D. Bingham, City Clerk

I, Alexandria D. Bingham, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held \_\_\_\_\_, 2024 and that a summary was published \_\_\_\_\_, 2024.

\_\_\_\_\_  
Alexandria D. Bingham, City Clerk

To: The Ad Hoc Environmental Sustainability Committee, Nick Dupuis ACIP Planning Director, Leach Blizinski ACIP City Planner

Subject: The Birmingham Sustainability and Climate Action Plan (SCAP) Draft Final 9-19-2024 (The Healthy Climate Plan)

I have read the SNAP DRAFT Final 9-19-2024 document and appreciate the significant efforts of everyone involved. I strongly believe that the implementation of the Healthy Climate Plan is very important. The following are my concerns about the draft document:

As the City of Birmingham has considerable vegetative cover and a number of older buildings located close together, **fire safety** components should be included in the Plan.

According to the SCAP, the city has a significant amount of seniors and children and breathing problems can affect them significantly according to many studies. The responses of citizens to a survey indicated that water quality, the natural environment and **air quality** are the most important concerns with regards to sustainability and natural environment. This indicates that the air quality monitoring station in the city and connect to the EAGLE network (QL-4) should be given more priority and placed into operation in 1-3 years rather than 3-5 years as presently planned as first steps of the present SCAP. Any monitoring should include particulate matter as well as other substances. Present lawn cutting practices and equipment need to be updated because of the emissions and noise, especially in the neighborhoods.

“Over 130 million vehicle miles traveled in Birmingham every year translate to significant greenhouse gases.” (SCAP pg. 139). Birmingham plans to reduce car emissions 15% by 2035 (SCAP pgs. 118, 140). Yet the Electric Energy Institute (EEI) estimates that the percentage of U.S. EV vehicles will be 26% by 2035. Travel by EV costs ½ of gasoline or diesel vehicles (SCAP pg. 151). Birmingham needs to pursue Federal funding aide as there are supposedly no public chargers and incentivize drivers to purchase or rent EVs by providing fast chargers with low charging costs and other benefits such as free parking until robust quotas are met. It is not clear why the SCAP states that EVs are not easy to procure (SACP pg. 152) and this should be addressed. It is not clear why grant funding is thought to be spotty (SCAP pg. 154) and this should explained.

Reduction of storm water runoff is a significant issue for Birmingham. Public and private entities including Birmingham under some circumstances have used permeable concrete, blacktop and pavers for roads, sidewalks driveways and pavers to improve storm water infiltration. There can be problems with pervious pavement and it is expensive. But it could make a significant difference because of the many imperious surfaces in Birmingham. The structural method needs to advertised and incentivized.

There may have been one successful Storm Water Utility Credit application (SCAP pg.75) in the City. The process needs to be modernized (AI). There should trainings made available so that citizens can use the process to compliment overall sustainability goals and reduce their storm water charges. The availability of the credit can include replacement of impervious surfaces with pervious surfaces to help make the credit application successful. The significant vegetative cover for the city indicates that there is significant storm water infiltration and infiltration needs to be increased in as many ways as possible to protect the canopy and for general sustainability.

The statement that the benefits of geothermal energy are expected to be small needs to be clarified for some readers (SCAP pg. 117). According to the Department of Energy, the payback for geothermal energy is 5-10 years. This is an acceptable payback time. Our neighbor has a geothermal unit.

Surveys should be performed to determine if building owners have had energy audits and a list should be provided that includes all of the items that need to be evaluated (SCAP pg. 116). Energy audits should be incentivized.

Again, I wish to thank all of the individuals who worked so hard to put the Healthy Climate Plan together. Please forward my concerns to those individuals that would be interested as I have only e-mailed these concerns to Mr. Nick Dupuis and Ms. Leach Blizinski. I would appreciate a response.

Frederick E, Simms Ph.D.

1486 Dorchester Rd.

Birmingham, Michigan

248 990-2537