

ORDINANCE NO. 532

AN ORDINANCE RELATING TO vehicle engine compression brakes; prohibited noises;

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CHAPPELL, NEBRASKA:

A new Section is added to the Municipal Code of Chappell, Nebraska, is amended to read as follows:

Sec. 131.09 Vehicle engine compression brakes; prohibited noises.

It shall be unlawful for any person in any part of the City to make or cause to be made loud or disturbing noises with any vehicle or mechanical devices operated by compressed air and used for purposes of assisting braking on any vehicle, including semitractors, commonly referred to as jake braking. This prohibition shall not apply to any other type of vehicle braking devices and shall not apply to vehicles owned by governmental agencies or to contractors actually performing contracted work for governmental agencies. The City Council shall cause notices to be posted, or erect signs indicating such prohibition. It shall be an affirmative defense to any alleged violation of this section that the operator of the vehicle used such brakes to reasonably avoid a collision that would likely result in personal injury.

Any person convicted as having violated this section shall be punished as provided generally in the municipal code.

Passed and approved this 19<sup>th</sup> day of March, 2018.

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Steve Brott, Mayor

ATTEST:

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Ashlea Jepsen  
City Administrator/Clerk