

**ORDINANCE No. 08-13**

**ROLL CALL**

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor (votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
BRANDON B. GORDON <i>Council member</i>	X	
STEVE LEIFSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this ordinance be adopted: Council member Dart  
I SECOND the foregoing motion: Council member Gordon

**ORDINANCE No. 08-13**

**AN ORDINANCE PROHIBITING COMPRESSION ENGINE BRAKES IN THE CITY LIMITS IN ORDER TO REDUCE NOISE**

WHEREAS, Spanish Fork City has adopted a municipal code which contains a section on noise, with the intent that loud and intolerable noises are restricted in certain areas and are eliminated in other areas in order to preserve the peace and tranquility of the City; and

WHEREAS, the City has recently received some complaints about compression engine brakes, commonly known as jake brakes, which are used to stop large trucks without wearing on the wheel brakes, but which are very loud; and

WHEREAS, due to the noise generated by compression engine brakes, it is

appropriate to prohibit them within the city, except for emergency vehicles and emergency situations;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

I.

Spanish Fork City Municipal Code §9.32.020 is hereby amended to include the definition of dynamic breaking device as follows:

**Dynamic breaking device** (commonly referred to as a "jake brake") means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

II.

Spanish Fork City Municipal Code §9.32.065 compression engine brakes, is hereby enacted as follows:

**9.32.065 Compression Engine Brakes**

- A. It shall be unlawful for the operator of any vehicle equipped with a dynamic breaking device to use or otherwise apply such a device when traveling upon any street within the city limits.
- B. This section does not apply to emergency vehicles.
- C. This section does not apply in cases of bona fide emergencies when using an engine brake is reasonably necessary for public or personal safety.

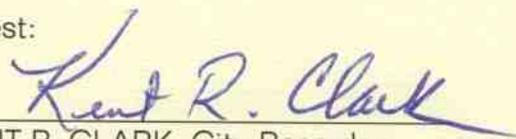
III.

This ordinance shall be effective twenty days after passage and publication.

Dated this 4th day of June, 2013

  
G. WAYNE ANDERSEN, Mayor

Attest:

  
KENT R. CLARK, City Recorder

