

BILL NO. 10-22

ORDINANCE No. 881

AN ORDINANCE OF THE CITY OF FORISTELL, MISSOURI, PROHIBITING ENGINE BRAKING WITHIN THE CITY LIMITS OF FORISTELL.

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FORISTELL, MISSOURI AS FOLLOWS:

WHEREAS, pursuant to Section 79.450,RSMo., The Board of Aldermen shall also enact ordinances to restrain and prohibit noises (or) disturbances of the peace in any street, house, or place in the city, and

WHEREAS, the board of Aldermen of the City of Foristell finds and determines that it is in the best interest of the City and its residents to regulate the noise caused by engine braking;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FORISTELL, MISSOURI, AS FOLLOWS:

SECTION I. Unmuffled Engine Braking Prohibited, exceptions.

A. Definitions

1. "Engine-braking" is defined as the use or operation by commercial vehicles, including but not limited to, tractors, semi-trucks, motor carriers and buses, of any mechanical exhaust device designed to aid in the braking, decompression, or deceleration of any motor vehicle that utilizes engine compression release or engine retarders as a means of slowing or braking the speed of the vehicle in lieu of applying the clutch or brakes."
2. "Emergency situation" is defined as when there is imminent danger of a collision with property, persons, and/or animals and/or what is necessary for the health, safety, and welfare of the community."

B. A person commits the offense of engine braking if the person is operating a motor vehicle on any streets, roads or highways within the limits of the City of Foristell and uses an unmuffled engine brake.

C. Exceptions.

1. The provisions of this section shall not apply in emergency situations.
2. Emergency vehicles are exempt from this section.

D. Signs prohibiting engine-braking shall be installed on the public streets, roads.


SECTION 2: This ordinance shall be in full force and take effect from and after the date of its final passage and approval

SECTION 3: That should any provisions or section of this ordinance be determined by a court of competent jurisdiction to be unenforceable, the remaining sections and provision shall remain in full force and effect.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF FORISTELL, MISSOURI, THIS 7TH DAY OF NOVEMBER 2022.


Mark Meyerhoff, Mayor

ATTEST:


Sandra L. Stokes, City Clerk

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF FORISTELL, MISSOURI, THIS 7TH DAY OF NOVEMBER 2022.


Mark Meyerhoff, Mayor

ATTEST:


Sandra L. Stokes, City Clerk