

AN ORDINANCE CREATING A NEW SECTION OF CITY CODE REGARDING UNMUFFLED ENGINE COMPRESSION BRAKES

WHEREAS, unmuffled engine brakes, commonly used on large commercial vehicles, emit loud noises which can be a nuisance to residents living along major roadways; and

WHEREAS, modern technologies have allowed this type of braking device to either be muffled or deactivated by a switch; and

WHEREAS, the City desires to promote a peaceful and tranquil environment for our residents, free of noises which are easily preventable.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Aldermen of the City of Plattsburg, Missouri as follows:

SECTION 1: That the City Code, Chapter 380 – Vehicle Equipment, is hereby amended by the creation of a new section, entitled 380.100 Unmuffled Engine Braking Devices, which shall read as follows:

No person shall operate a motor vehicle upon any road or highway of this City while utilizing an engine compression braking device (A.K.A. engine retarder brake) which is not equipped with a properly functioning noise muffler, except in emergency situations to protect life or property.

The provisions of this section shall not apply to fire apparatus, rescue trucks, or other similar large emergency vehicles.

SECTION 2: City staff shall be directed to install signage, as appropriate, cautioning motorists that the operation of unmuffled engine braking devices is prohibited. Signage shall not contain reference to any particular brand names or registered trademarks.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval.

SECTION 4: The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

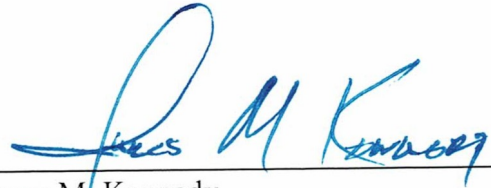
SECTION 5: The City Clerk is hereby authorized to correct any scribes' errors made in amending the City Code.

SECTION 6: All existing ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

BILL # 1548

ORDINANCE # 2506

READ TWICE BY TITLE ONLY, PASSED, APPROVED, & ADOPTED THIS
9th DAY OF OCTOBER IN THE YEAR 2023 BY THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF PLATTSBURG, MISSOURI
BY A VOTE OF 6 IN FAVOR, 2 OPPOSED, AND 2 ABSTAINING.



James M. Kennedy,
Mayor

ATTEST:



Lisa A. Read,
City Clerk