

ORDINANCE NO. 2018-01-23-01

AN ORDINANCE OF THE CITY OF ASHLAND, ALABAMA, PROHIBITING THE USE OF ENGINE BRAKES AND COMPRESSION BRAKES EXCEPT WHERE NECESSARY FOR THE PROTECTION OF THE SAFETY OF PERSONS OR PROPERTY.

WHEREAS, the City of Ashland, Alabama, has determined that the use of engine brakes or compression brakes causes unnecessary and offensive noise which should be prohibited within the City of Ashland, except where emergency conditions require the use of those brakes in order to preserve public safety.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHLAND, ALABAMA AS FOLLOWS:

SECTION I. It shall be unlawful for the driver or any person to activate or engage, or to have activated or engaged, any compression release engine braking system within the City Limits of the City of Ashland, Alabama, unless such engine braking system is connected to a lawful muffler or sound-muffling system which is adequate to and does prevent the emission of noise which is substantially louder than normal and lawful engine operating noise. Violation of this ordinance shall be punishable in addition to any violation of any other law, ordinance or regulation governing lawful muffler or sound-muffling systems.

SECTION II. Appropriate signs shall be posted at entrances to the City and at other locations determined by the Chief of Police to be reasonable in order to give notice of the prohibition of the use of engine and compression brakes.

SECTION III. The fine for a violation of this section shall be Fifty Dollars (\$50.00) on a first offense and shall be not less than Fifty Dollars (\$50.00) or more than Five Hundred Dollars (\$500.00) on any second or subsequent offense.

SECTION IV. This Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED and APPROVED this the 23rd day of January, 2018.

ATTEST:

CITY OF ASHLAND, ALABAMA



CHELSEY WYNN
Its Clerk/Administrator

by: 

LARRY J. FETNER
Its Mayor