

ORDINANCE NO. 1055

AN ORDINANCE PROHIBITING THE USE OF COMPRESSION RELEASE ENGINE BRAKING SYSTEMS WITHIN THE CORPORATE LIMITS OF THE CITY OF BELLEVILLE, KANSAS BY AMENDING SECTION 175.1 OF THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," AS CURRENTLY ADOPTED BY THE CITY OF BELLEVILLE, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELLEVILLE, KANSAS:

Section 1: Section 175.1 of the Standard Traffic Ordinance for Kansas Cities as currently adopted by the City of Belleville, Kansas, is hereby amended to read as follows:

Sec. 175.1 Compression Release Engine Braking System.

- (a) It shall be unlawful for the driver of any motor vehicle to use or cause to be used any compression release engine braking system; provided, however, that such brakes may be used in an emergency situation where the use of an engine braking mechanical exhaust device is necessary for the protection of persons or property.
- (b) Upon a first conviction of this section, the defendant shall be mandated to appear in court and shall be fined not less than \$200.00 nor more than \$1,000.00. Upon a conviction of a second offense of this section, within a twenty-four (24) month period, the defendant shall be mandated to appear in court and shall be fined not less than \$350.00 nor more than \$1,000.00. Upon a conviction of a third or subsequent offense of this section, within a twenty-four (24) month period, the defendant shall be mandated to appear in court and shall be fined not less than \$500.00 nor more than \$1,000.00.
- (c) As used in this section, "compression release engine braking system" means a "dynamic brake," "Jake brake," "Jacobs brake," "C-Brake," "Paccar Brake," or any other hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism.

Section 2: This Ordinance shall take effect and be in full force from and after its passage and publication.

Passed and adopted by the Governing Body and signed by the Mayor this 27th day of February 2023.

Adam Robertson, Mayor

ATTEST:

Russell Piroutek, City Clerk