

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2014-10

SUBJECT: Prohibiting Use of Unmuffled Compression Brakes in the City

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 05/21/2014
- (X) Passed by the City Council: 06/04/2014
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 06/13/2014
- (X) Effective: 06/18/2014
- () Recorded:

DISTRIBUTED COPIES AS FOLLOWS:

- (X) NK Herald: Emailed 06/06/2014 by KP
- (X) Code Publishing
- () City Attorney
- () Civil Service Commission and/or Sec/Chief Examiner
- () Clerk's Department:
- () City Council
- () Finance:
- (X) Posted to Library Drive and Website

Kylie Purves
City Clerk

June 6, 2014
Date

ORDINANCE 2014-10

AN ORDINANCE FOR THE CITY OF POULSBO, WASHINGTON, AMENDING TITLE 10 OF THE POULSBO MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 10.26; PROHIBITING THE USE OF UNMUFFLED COMPRESSION BRAKES IN THE CITY, EXCEPT IN EMERGENCY SITUATIONS; PROVIDING FOR PENALTIES THEREFORE; AUTHORIZING CITY PERSONNEL TO POST APPROPRIATE SIGNAGE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Poulsbo finds that the unmuffled use of motor vehicle brakes which are activated or operated by the compression of the engine of a motor vehicle disturbs and disrupts the public peace and quiet and, therefore, finds that it would be in the best interest of the public health, safety and general welfare to prohibit the use of such brakes, except in an emergency situation, now therefore,

THE CITY OF POULSBO DOES HEREBY ORDAIN:

Section 1. New Chapter. A new Chapter 10.26, COMPRESSION BRAKES, is hereby added to Title 10 to read as follows:

10.26.010 UNMUFFLED COMPRESSION BRAKES PROHIBITED. No person shall use motor vehicle brakes within the city limits of the City of Poulsbo which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof, unless the motor vehicle is equipped with an operational muffler, exhaust system or other lawful apparatus that effectively muffles the noise. It shall be an affirmative defense to the prosecution of this section that said unmuffled

compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.

10.26.020 VIOLATIONS – PENALTY. Any person violating the provisions of PMC 10.26.010 shall have committed a traffic infraction and a maximum penalty of \$250.00 shall be imposed.

10.26.030 AUTHORITY TO POST SIGNS. City personnel is authorized and directed to post appropriate signs consistent with the provisions of PMC 10.26.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance or any code section adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or any code section adopted or amended hereby.

Section 3. Effective date. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:



REBECCA ERICKSON, MAYOR

ATTEST/AUTHENTICATED:

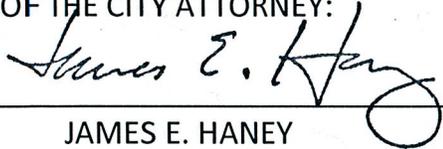


KYLIE PURVES, CITY CLERK

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY



JAMES E. HANEY

FILED WITH THE CITY CLERK: 05/21/2014
PASSED BY THE CITY COUNCIL: 06/04/2014
PUBLISHED: 06/13/2014
EFFECTIVE DATE: 06/18/2014
ORDINANCE NO. 2014-10

SUMMARY OF ORDINANCE NO. 2014-10

of the City of Poulsbo, Washington

On the 4th day of June, 2014, the City Council of the City of Poulsbo, passed Ordinance No. 2014-10. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE FOR THE CITY OF POULSBO, WASHINGTON, AMENDING TITLE 10 OF THE POULSBO MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 10.26; PROHIBITING THE USE OF UNMUFFLED COMPRESSION BRAKES IN THE CITY, EXCEPT IN EMERGENCY SITUATIONS; PROVIDING FOR PENALTIES THEREFORE; AUTHORIZING CITY PERSONNEL TO POST APPROPRIATE SIGNAGE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 6th day of June, 2014.



KYLIE PURVES, CITY CLERK