

ORDINANCE NO. 2021- 11

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK, ARKANSAS, AN ORDINANCE ENTITLED:

“AN ORDINANCE PROHIBITING THE USE OF COMPRESSION RELEASE ENGINE BRAKES (COMMONLY REFERRED TO AS JAKE-BRAKES), WITHIN THE CORPORATE LIMITS OF THE CITY OF OZARK, ARKANSAS, AND FOR OTHER PURPOSES”

Section 1. It is unlawful, and punishable as provided hereafter, for any operator of a motor vehicle to utilize a compression release engine brake (commonly referred to as a Jake-Brake) within the corporate limits of the City of Ozark, Arkansas.

Section 2. The terms “a compression release engine brake” shall include without limitation any switch, lever, pedal or the like that releases engine compression, converting a power producing engine into a power absorbing or retarding mechanism with a correspondingly increased amount of noise emission, including those that are hydraulically operated.

Section 3. It is an affirmative defense to any traffic or criminal charge under this ordinance that such braking mechanism was employed in response to a bona fide emergency to avoid a collision with another vehicle, object or pedestrian. Such bona fide emergency shall not include an emergency created by the operator of the offending vehicle.

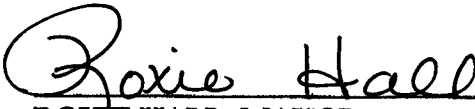
Section 4. Upon a violation hereof and conviction therefore, such operator shall be guilty of an unclassified misdemeanor and subject to a fine in an amount not to exceed Five Hundred Dollars (\$500.00).

Section 5. The Ozark Street Department shall, in consultation with a permission of the Arkansas Department of Transportation, post signs concerning this ordinance at the entrance to the corporate limits on all state highways.

Section 6. This ordinance being necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.


PASSED this 12 day of July, 2021.

APPROVED:



ROXIE HALL, MAYOR
Approved Date: _____

ATTEST:



SUSAN STEVENS, CLERK
Attest Date: _____

SEAL