

RPB/tw  
RPB005660;0020.160070  
01/14/88

Compression Brakes  
(Jake Brakes)

ORIGINAL

ORDINANCE NO. 1411

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADDING A NEW SECTION 10.40.130 TO THE REDMOND MUNICIPAL CODE TO PROHIBIT THE USE OF COMPRESSION BRAKES; CONTAINING A SEVERABILITY CLAUSE AND SETTING AN EFFECTIVE DATE.

---

WHEREAS, the Redmond City Council finds that prohibiting the use of compression brakes will reduce unnecessary noise in the City, and

WHEREAS, the Redmond City Council finds that this ordinance is in the interests of the public health, safety and welfare, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby added a new section 10.40.130 to the Redmond Municipal Code to read as follows:

- 10.40.130 Compression brakes prohibited.
- A. Except as provided in this section, no person shall use motor vehicle brakes 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. It shall be an affirmative defense to prosecution under this section that said compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.
  - B. This section shall not apply to any member of the Redmond Fire Department operating a Redmond Fire Department vehicle.

Section 2 There is hereby added a new section 10.40.140 to the to the Redmond Municipal Code to read as follows:

10.40.140 Penalties.  
Unless otherwise provided, any person violating any of the provisions of this Chapter shall be guilty of a traffic infraction, punishable by a maximum fine of \$1,000.

Section 3. If any section, sentence, clause or phrase of this ordinance 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.

Section 4. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the attached summary which is hereby approved.

APPROVED:

Doreen Marchione  
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible  
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY: John C. Martini

FILED WITH THE CITY CLERK:	1-18-88
PASSED BY THE CITY COUNCIL:	2-2-88
PUBLISHED:	2-7-88
EFFECTIVE DATE:	2-12-88
ORDINANCE NO. <u>1411</u>	