

AN ORDINANCE ENACTING SECTION 339.12 OF THE TRAFFIC CODE PROHIBITING THE USE OF SPECIAL ENGINE BRAKES OR "JAKE BRAKES" ON ANY MOTOR VEHICLE OPERATED IN THE VILLAGE OF RICHFIELD

WHEREAS, the Village of Richfield has a significant amount of commercial and heavy vehicle traffic which is often equipped special brakes or "Jake" brakes which, when utilized, can create excessive and distracting noise creating a public nuisance; and

WHEREAS, Council has determined that the use of special engine brakes, or "Jake" brakes, creates a public nuisance and in order to preserve the general health and safety of the inhabitants of the Village of Richfield, that the use of said equipment within the Village should be prohibited.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That a new Section 339.12 in the Traffic Code be enacted to read as follows:

"339.12 SPECIAL ENGINE OR "JAKE" BRAKES.

(a) No person shall drive or operate any motor vehicle which is equipped with special engine brakes or "Jake" brakes in such a manner that the use of said brakes is likely to cause inconvenience or annoyance to persons of ordinary sensibilities.

(b) This ordinance shall not apply to emergency vehicles of the Village of Richfield.


(c) Any person who is convicted or pleads guilty to a violation of this section shall, upon the first offense, be found guilty of a misdemeanor of the third degree and, if within one year of the offense, the offender has previously been convicted or pled guilty to one or more violations of this Ordinance, then upon subsequent plea of guilty or conviction, shall be found guilty of a misdemeanor of the first degree."

SECTION 2. That the Mayor be, and he hereby is, authorized and directed to have signs notifying the prohibition of special engine or "Jake" brakes posted at appropriate locations on Brecksville Road, Broadview Road, State Route 303 and Wheatley Road.

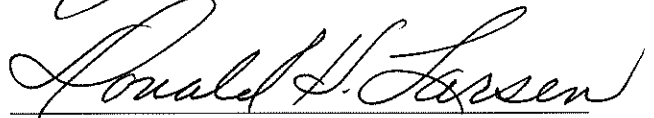
SECTION 3. That the Mayor be, and he hereby is, authorized and directed to forward copies of this Ordinance to all trucking companies having facilities in the Village with an appropriate request requesting that all drivers be notified of this new regulation.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: November 4, 1997



President of Council



Mayor

Dated: 11/5/97

ATTEST:



Clerk of Council