

MANTUA TOWN ORDINANCE 2017-03-01

AN ORDINANCE PROHIBITING THE USE OF DYNAMIC BRAKING DEVICES.

BE IT ORDAINED BY THE TOWN BOARD OF MANTUA, BOX ELDER COUNTY, STATE OF UTAH, as follows to-wit:

Whereas, Mantua Town received numerous complaints regarding the use and noise of dynamic braking devices, and;

Whereas, Mantua Town deems it is in the best interests, health and safety of the residents of Mantua Town.

Section 1: DYNAMIC BRAKING DEVICE, DEFINITION.

A dynamic braking device, (commonly referred to as Jacob brake, engine brake, or compression brake), means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

Section 2: USE OF DYNAMIC BRAKING SYSTEM PROHIBITED.

It is unlawful for any person to operate any motor vehicle with a dynamic braking device engaged, except for the aversion of imminent danger within the Mantua Town limits.

Section 3: SEVERABILITY

If any term or provision of this Ordinance shall, to any extent, be determined by a court to be void, voidable, or unenforceable, such terms or provision shall not affect any other term or provision of this Ordinance. This ordinance will replace and repeal any and all previous ordinances pertaining to dynamic braking systems.

Section 4: PENALTY

The penalty for violating this ordinance will be an infraction. The fine for violating this infraction shall be \$100 per occurrence.

Section 5: EFFECTIVE DATE

That in the opinion of the Town Board of Mantua, Utah, it is necessary to the health, peace and safety of the inhabitants of said Town, that this ordinance shall become effective upon its first posting and publication.

Adopted and passed by the Mantua Town Council this ____ day of _____, 2017

Attest:

Mantua Town

Town Recorder

Mayor