

## ORDINANCE NO. 2023-01

### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MORAVIA, IOWA, BY ADDING A NEW SECTION REGARDING COMPRESSION BRAKES

**BE IT ENACTED** by the City Council of the City of Moravia, Iowa:

**SECTION 1. NEW SECTION.** The Code of Ordinances of the City of Moravia, Iowa, is amended by adding a new Section 62.07, entitled ENGINE BRAKES AND COMPRESSION BRAKES, which is hereby adopted to read as follows:

**62.07 ENGINE BRAKES AND COMPRESSION BRAKES.**

1. It is unlawful for the driver of any vehicle to use or operate (or for any person to cause to be used or operated) within the City any engine brake, compression brake, or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle, which results in excessive, loud, unusual, or explosive noise from such vehicle.
2. The usage of an engine brake, compression brake, or mechanical exhaust device designed to aid in braking or deceleration in such a manner so as to be audible at a distance of 300 feet from the motor vehicle shall constitute evidence of a *prima facie* violation of this section.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the 14<sup>th</sup> day of March, 2023, and approved this 14<sup>th</sup> day of March, 2023.

/s/Roy Miller, Mayor

ATTEST:

/s/ Sharla Stogdill, City Clerk/Treasurer

First Reading: January 10, 2023

Second Reading: February 14, 2023

Third Reading: March 14, 2023

I certify that the foregoing was published as Ordinance No. 2023-01 on the 22<sup>nd</sup> day of March, 2023.

/s/ Sharla Stogdill, City Clerk/Treasurer