

**VINEYARD
ORDINANCE 2023-24**

**AN ORDINANCE OF THE VINEYARD CITY COUNCIL AMENDING THE
MUNICIPAL CODE TO ADD SECTION 8.08.050 RESTRICTION ON
COMPRESSION RELEASE ENGINE BRAKING SYSTEMS IN RESIDENTIAL
AREAS**

WHEREAS, The Vineyard City Council has the authority under the Utah Code 10-3 to amend the municipal code; and

WHEREAS, the City Council has determined a need to amend the Municipal Code Chapter 8.08 Nuisances; adding Section 8.08.050 Restriction on Compression Release Engine Braking Systems in Residential Areas.

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “8.08.050 Restriction On Compression Release Engine Braking Systems In Residential Areas” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

8.08.050 Restriction On Compression Release Engine Braking Systems In Residential Areas(*Added*)

- A. Purpose and Scope: This ordinance is enacted to regulate the use of compression-release engine braking systems within the City and its adjacent residential areas. The purpose is to minimize noise disturbances caused by such braking systems, ensuring residents' peaceful and comfortable environment.
- B. Definitions:
 - 1. Compression Release Engine Braking System: Any mechanical device designed to slow the speed of a vehicle by turning the engine into an air compressor, commonly known as a jacobs brake, jake brake, engine brake, or compression brake.
 - 2. Residential Areas: Areas designated for residential purposes, including neighborhoods, streets, and roadways adjacent to residential zones.
- C. Prohibition: It shall be unlawful for any person to use, operate, or engage a compression release engine braking system within the City or its adjacent residential areas. The intent is to prevent the use of such systems that generate excessive noise and disrupt the tranquility of residential neighborhoods.
- D. Exceptions: The restrictions outlined in this Section shall not apply to fire engines or other emergency vehicles. This exception is granted to ensure emergency services' safety and prompt response within the city and its residential areas.

E. Enforcement and Penalties:

1. Enforcement of this section shall be the responsibility of the City's law enforcement agencies.
2. Violation of this section shall be a class C misdemeanor.

SECTION 2: **AMENDMENT** “8.08.050 Administrative Notice; Hearings; Disposal Of Nuisance; Lien; Penalty For Violation” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

8.08.~~050~~060 Administrative Notice; Hearings; Disposal Of Nuisance; Lien; Penalty For Violation

SECTION 3: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

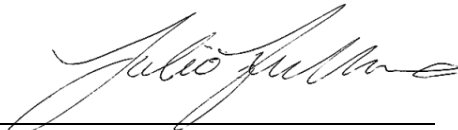
SECTION 5: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from July 12, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL JULY 12, 2023.

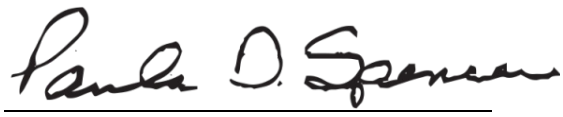
	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Tyce Flake	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Amber Rasmussen	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Mardi Sifuentes	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Cristy Welsh	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Julie Fullmer, Mayor, Vineyard



Pamela Spencer, City Recorder,
Vineyard



CERTIFICATE OF POSTING

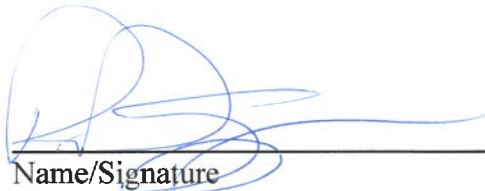
I, THE DULY APPOINTED AND ACTING CITY RECORDER FOR VINEYARD, UTAH, HEREBY CERTIFY THAT COPIES OF THE FOREGOING **ORDINANCE SUMMARY** FOR ORDINANCE 2023-24 WERE POSTED AT THE FOLLOWING PUBLIC PLACES WITHIN THE MUNICIPALITY ON THE 13th DAY OF JULY 2023. WHICH PUBLIC PLACES ARE:

POSTED:

1. VINEYARD CITY OFFICES; 125 SOUTH MAIN
2. VINEYARD CITY WEBSITE; www.vineyard.utah.gov
3. UTAH PUBLIC NOTICE WEBSITE

AND THAT SAID NOTICE REMAINED SO POSTED AND AVAILABLE UNTIL THE 14th DAY OF AUGUST 2023.




Name/Signature

City Recorder
Title