ORDINANCE NO. 6493

AN ORDINANCE TO AMEND CHAPTER 9.72 "OPERATION OF VEHICLES" OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 9.72.280 "BRAKES".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 9.72 "Operation of Vehicles" of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 9.72.280 "Brakes" to read as follows:

9.72.280 Brakes
Every motor vehicle, while in use on the public streets of this city, shall be provided with adequate brakes, as set forth in Iowa Code §§ 321.430 and 321.431.

It shall be unlawful for the driver of any vehicle to use or operate or 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 that results in excessive, loud, unusual, or explosive noise from such vehicle.

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 three hundred feet (300') 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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED AND APPROVED May 23, 2022.

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 5-9-22
Second Consideration: 5-23-22
Public Hearing: n/a
Third Consideration: _____