

ORIGINAL

ORDINANCE NO. 57

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, PROHIBITING THE USE OF COMPRESSION BRAKES IN THE CITY EXCEPT IN CASES OF EMERGENCY, ESTABLISHING PENALTIES FOR VIOLATION OF THIS ORDINANCE, AUTHORIZING THE CITY TRAFFIC ENGINEER TO POST APPROPRIATE SIGNS, AND ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, the City Council finds that prohibiting the use of compression brakes will reduce unnecessary noise in the City; and

WHEREAS, the City Council finds that this ordinance contributes to the public health, safety and welfare of residents of the City; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Compression Brakes Prohibited.

A. Except as provided in this section, no person shall use motor vehicle brakes which are in any way activated or operated by the compression of the engine of any such motor vehicle or any part thereof. It shall be an affirmative defense to prosecution under this section that said compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.

B. This section shall not apply to any member of Fire Protection District No. 4 operating a Fire Protection District vehicle.

Section 2. Establishing a Penalty. Any person who violates this ordinance shall have committed a traffic infraction. The maximum penalty for such a violation shall be \$1,000. The bail forfeiture schedule amount shall be set by the King County District Court.

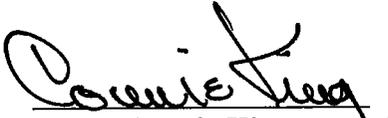
Section 3. Authorizing the City Traffic Engineer to post signs. The City Traffic Engineer is authorized to post appropriate signs consistent with the provisions of this Ordinance.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

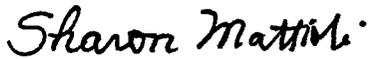
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Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after publication.

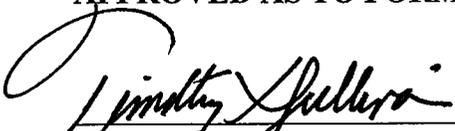
PASSED BY THE CITY COUNCIL ON SEPTEMBER 25, 1995.


Mayor Connie King

ATTEST:


Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:


Timothy X. Sullivan
Interim City Attorney

Date of Publication: September 27, 1995
Effective Date: October 2, 1995