

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 00-11
Series of 2000

00-11
Series of 2000

TITLE: A BILL FOR AN ORDINANCE ADDING A NEW SECTION 8-7 TO THE TOWN OF HUDSON MUNICIPAL CODE PROHIBITING THE USE OF JAKE BRAKES BY COMMERCIAL MOTOR VEHICLES WITHIN THE TOWN LIMITS

WHEREAS, the jake brake is a device mounted on the engine of a commercial motor vehicle which, when employed, reduces engine speed and causes the vehicle to slow without the use of the vehicle's braking system;

WHEREAS, the employment of a jake brake makes a loud and startling noise considered offensive to motorists and residents of the Town of Hudson;

WHEREAS, the offensive noise resulting from the employment of a jake brake is hereby declared to be a nuisance and a hazard to the health, safety, and welfare of the citizens of the Town of Hudson; and

WHEREAS, the Board of Trustees of the Town of Hudson desires to ban the use by commercial motor vehicles of jake brakes upon any public street of the Town.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Section 8-7 of the Town of Hudson Municipal Code is hereby added to read as follows:

Sec. 8-7. Jake Brakes Prohibited.

A. It shall be unlawful for the operator of a vehicle driven upon any public street within the Town to use, or employ the use of, a jake brake.

B. For purposes of this Section 8-7, a jake brake means any device mounted on or adjacent to the engine of a commercial motor vehicle which, when employed, reduces engine speed and causes the vehicle to slow without use of the vehicle's braking system.

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 27th day of May, 2000.



TOWN OF HUDSON, COLORADO

A handwritten signature in blue ink, appearing to read "Donald B. Litton".

Donald B. Litton, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Judy Larson".

Judy Larson, Town Clerk

PASSED ON SECOND AND FINAL READING this 28th day of June, 2000, AND ORDERED PUBLISHED ONCE IN FULL.



A handwritten signature in blue ink, appearing to read "Donald B. Litton".

Donald B. Litton, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Judy Larson".

Judy Larson, Town Clerk

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Corey Y. Hoffmann".

Corey Y. Hoffmann, Town Attorney