

ORDINANCE NO. 23-922

AN ORDINANCE PROHIBITING THE USE OF EXHAUST BRAKES/JAKE BRAKES, WITHIN THE CITY OF CLARKSVILLE, ARKANSAS, AND ESTABLISHING A FINE FOR SUCH VIOLATIONS

WHEREAS, the purpose of this Ordinance is to help preserve the peace and tranquility of the City of Clarksville, Arkansas residents by prohibiting the excessive amount of noise produced by the use of exhaust brakes/jake brakes by truck operators within the city limits of the City of Clarksville.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF CLARKVILLE, ARKANSAS:

Section 1: It shall be unlawful for the operator of any truck to intentionally use an exhaust brake, "jake brakes" or similar device on any public street within the city limits of the City of Clarksville, except in emergency situations.

Section 2: This ordinance shall not apply to Fire Protection Equipment or other emergency vehicles.

Section 3: All non-truck route marked routes and streets generally utilized by trucks equipped with exhaust brakes/jake brakes shall be posted with appropriate signs.

Section 4: Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and punished by a fine of not less than \$150.00 for each occurrence.

Section 5: Should any part of this ordinance be adjusted invalid by a court of law having competent jurisdiction, all other parts shall remain in full force and effect.

Section 6: Any ordinance or section of an ordinance in conflict with this ordinance is hereby repealed.

Section 7: The City of Clarksville shall, in consultation with permission of the Arkansas Department of Transportation, post signs concerning this ordinance at the entrance to the corporate limits on all state highways.

Section 8: EMERGENCY CLAUSE: Whereas present traffic regulations noise and traffic in areas covered by this ordinance and it is of the utmost importance to provide for the health, safety and are inadequate to control peace of the citizens of Clarksville, Arkansas, an emergency is declared to exist. Therefore, this ordinance shall be in full force and effect from and after its adoption and publication.

PASSED AND ADOPTED ON THIS 9TH DAY OF OCTOBER 2023.

APPROVED:



David Rieder, Mayor

ATTEST:



Barbara Blackard, City Clerk