

**ORDINANCE NO. 20-3****AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROWAN, IOWA, BY ADDING SUBSECTION 62.13 ENGINE BRAKING TO CHAPTER 62 GENERAL TRAFFIC REGULATIONS.**

BE IT ENACTED by the City Council of the City of Rowan, Iowa:

SECTION 1. Chapter 62 Section 62.13 of the Code of Ordinances of the City of Rowan, Iowa, 2018 is hereby Added:

**62.13 ENGINE BRAKES AND COMPRESSION BRAKES (“JAKE BRAKE”).**

1. It is 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. Violations of this section will be considered a non-moving violation.
2. 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. Severability**

1. All Ordinances or parts of ordinances in conflict herewith are hereby repealed.
2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

**SECTION 3. Ordinance in Force**

1. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council this 6<sup>th</sup> day of July, 2020.

Mayor declaration: [Signature] 7/18/2020  
Mayor Date

Attest: [Signature] 7-6-20  
City Clerk Date

I certify that the foregoing was published as Ordinance No. 20-3 on the 6<sup>th</sup> day of July, 2020.

[Signature] 7-6-20  
City Clerk Date

Roll Call Vote:

<u>Mark Bruns</u>	<u>(Y)</u>	N
<u>Virgil Park</u>	<u>(Y)</u>	N
<u>Dale Hollman</u>	<u>(Y)</u>	N
<u>Lennea Groom</u>	<u>(Y)</u>	N
<u>Marcos Hurtado</u>	<u>(Y)</u>	N