

ORDINANCE NO. 7

Series 1999

AN ORDINANCE AMENDING THE TOWN OF BRECKENRIDGE TRAFFIC CODE BY PROHIBITING THE USE OF UNMUFFLED ENGINE BRAKES

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. There is hereby added to Section 7-1-2 of the Breckenridge Town Code a new Paragraph C, which shall read in its entirety as follows:

C. There is hereby added to the Town of Breckenridge Traffic Code a new section 238, to be entitled "Use of Unmuffled Engine Brakes Prohibited", which shall read in its entirety as follows:

Section 238. Use of Unmuffled Engine Brakes Prohibited; Exception. It shall be unlawful for any person to operate a motor vehicle on a street or highway anywhere within the Town and use an unmuffled engine brake; provided, however, that this Section shall not apply if the person uses an unmuffled engine brake in an emergency situation to avoid imminent danger to a person or to property.

Section 2. There is hereby added to Section 7-1-2 of the Breckenridge Town Code a new Paragraph D, which shall read in its entirety as follows:

D. Section 102 of Article II of the Town of Breckenridge Traffic Code is hereby amended by the addition of a new subparagraph (18.5), entitled "Engine "Brake", which shall read in its entirety as follows:

(18.5) Engine brake shall mean a device that converts a power-producing diesel engine into a power-absorbing air compressor, resulting in a net energy loss. An engine brake is commonly referred to by brand names such as "Jacobs Brake", "Jake Brake" or "Dynatard Brake."

Section 3. There is hereby added to Section 7-1-2 of the Breckenridge Town Code a new Paragraph E, which shall read in its entirety as follows:

E. Section 102 of Article II of the Town of Breckenridge Traffic Code is hereby amended by the addition of a new subparagraph (81.5), entitled "Unmuffled Engine Brake", which shall read in its entirety as follows:

(81.5) Use of unmuffled engine brake shall mean the use of an engine brake on a motor vehicle that is not equipped with a muffler which meets the requirements of Section 225 of this Code.

Section 4. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 5. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

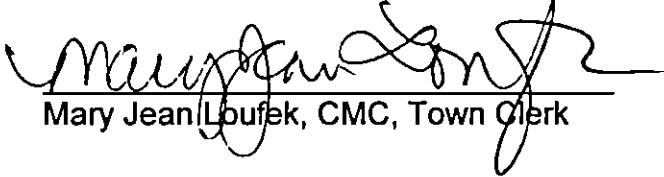
Section 6. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

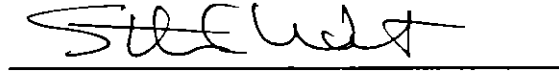
Section 7. This Ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 25th day of May, 1999. A Public Hearing shall be held at the
regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 8TH day of
June, 1999, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the
Town.

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

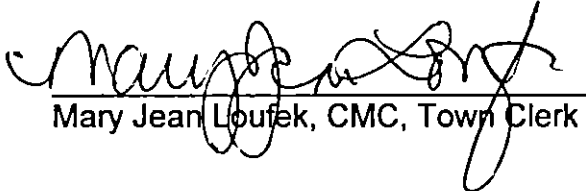
This Ordinance was published in full in The Summit County Journal, a newspaper of general
circulation within the Town of Breckenridge, on June 4, 1999.

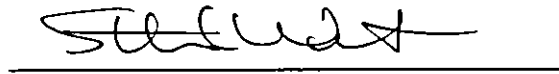
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE
WITH AMENDMENTS this 22nd day of June, 1999.

A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney 6/22/99
Date

This Ordinance was published by title with amendments in The Summit County
Journal, a newspaper of general circulation within the Town of Breckenridge, on July 2, 1999.