

ORDINANCE NO. 12-15-14
CITY OF CLARKSBURG, TENNESSEE

ORDINANCE REGULATING THE USE OF
ENGINE COMPRESSION BRAKING DEVICES

WHEREAS, Tennessee law provides for visual muffler inspection standards as a means to enforce noise pollution; now

Therefore, **BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF CLARKSBURG** as follows:

Section 1. All truck tractor and semi-trailers operating within the City of Clarksburg shall conform to the visual exhaust system inspection requirements, 40 C.F.R.202.22, of the Interstate Motor Carriers Noise Emission Standards.

Section 2. A motor vehicle does not conform to the visual exhaust system inspection requirements referenced in Section 1 of this ordinance if inspection of the exhaust system of the motor carrier vehicle discloses that the system:

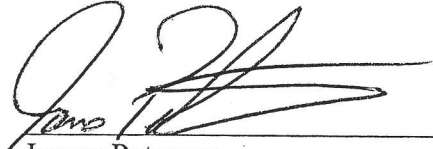
- a. Has a defect that adversely affects sound reduction, such as exhaust gas leaks or alteration or deterioration of muffler elements. (Small traces of soot on flexible exhaust pipe sections shall not constitute a violation);
- b. Is not equipped with either a muffler or other noise dissipative device, such as a turbocharger (supercharger driven by exhaust gases), or
- c. Is equipped with a cut out, bypass, or similar device, unless such device is designed as an exhaust gas driven cargo unloading system.

Section 3. Violations of this ordinance shall subject the offender to a fine of \$50 per offense.

Section 4. This Ordinance shall be supplemental to other noise control ordinances and regulations of the town, and shall be effective upon its final passage, the public welfare requiring it.

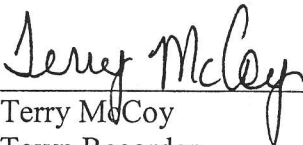
Passed First Reading: Dec. 15, 2014

Passed Second Reading: Jan. 26, 2015



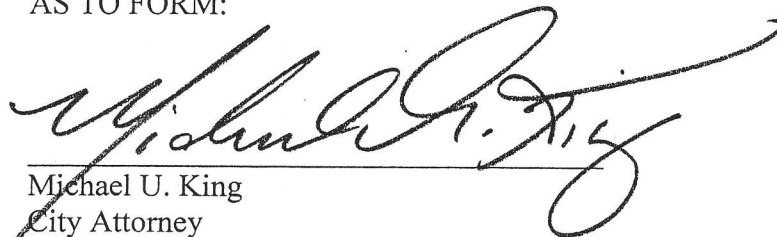
James Peterson
Mayor

ATTEST:



Terry McCoy
Town Recorder

AS TO FORM:



Michael U. King
City Attorney