

ORDINANCE NO. 5075

**AN ORDINANCE PROHIBITING THE USE OF ENGINE RETARDING
COMPRESSION BRAKES IN THE CITY OF GRAND JUNCTION**

RECITALS:

The City of Grand Junction ("City") is charged with protecting the health, welfare, and safety of its citizens. City Council has considered whether the use of engine retarding compression brakes is inconsistent with the public health safety and welfare and with and after due deliberation finds that the use of a vehicle brake system that alters the normal compression of the vehicle's engine, commonly known as a "jake brake", disturbs and disrupts the public peace and quiet as the usage of such a vehicle brake system causes loud and/or unusual noise, and further that such noise adversely affects City residents' peace and enjoyment of their property. Therefore, City Council finds and determines that it is in the best interest of the public health, welfare, and safety of the City and its residents to prohibit the use of engine retarding compression brakes within the City limits.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
GRAND JUNCTION THAT:**

The following definition is added to the Grand Junction Municipal Code ("GJMC") in Section 10.04.020.

Engine retarding brake. Any engine retarding brake system, transmission brake, or any other retarding brake system that alters normal compression, including but not limited to DYNAMIC BRAKE, JAKE BRAKE, JACOBS BRAKE, C-BRAKE, PACCAR BRAKE, or any other make or model of engine braking system, or other braking system(s) that is(are) activated or operated to alter the normal compression of the engine and subsequently release that compression.

and

Section 10.04.223 of the Grand Junction Municipal Code is hereby amended to include the following:

(3) Engine Retarding Brake.

(a) It shall be unlawful on any public street or highway for the driver of any vehicle to use or operate or cause to be used or operated within the City any engine retarding brake, compression brake or mechanical exhaust device designed to aid in the braking or

deceleration of any vehicle unless such use is necessary to avoid immediate physical harm to persons or property.

(b) Signage. The City shall erect signs at such intervals and locations as deemed appropriate by the City Manager, which signs shall state "ENGINE RETARDING BRAKE ORDINANCE ENFORCED" to advise drivers of the prohibitions established by this section. No sign stating "ENGINE RETARDING BRAKE ORDINANCE ENFORCED" shall be installed on a state highway without the approval from the Colorado Department of Transportation.

(c) Exceptions. Emergency vehicles shall be exempt from the application of the prohibition on use an of engine retarding rake.

All other provisions of Chapter 10.04 shall remain in full force and effect.

Introduced on first reading this 18th day of May 2022 and ordered published in pamphlet form.

Adopted on second reading this 1st day of June 2022 and ordered published in pamphlet form.



Anna M. Stout
President of City Council

ATTEST:



Amy Phillips
City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5075 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 18th day of May 2022 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 1st day of June 2022, at which Ordinance No. 5075 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 2nd day of June 2022.



Deputy City Clerk

Published: May 20, 2022
Published: June 3, 2022
Effective: July 3, 2022

