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ORDINANCE NO. 349, 1989

An Ordinance prohibiting the use of unmuffled engine compression brakes in the absence of an emergency and providing for penalties.

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Chapter 11.11

Compression Brakes

Sections:

- 11.11.010 Findings
- 11.11.020 Unmuffled Compression Brakes Prohibited
- 11.11.030 Areas of Prohibition
- 11.11.040 Penalty
- 11.11.050 Posting

C.C.C. 11.11.010. Findings. The Board of Clallam County Commissioners finds that there are several areas of the County where unmuffled engine compression brakes are used regularly and that the use of such brakes is not in the best interest of the public health and general welfare of the citizens present in those areas.

The Board further finds that neither the terrain nor road design geometrics warrant the use of engine compression brakes and that the use of such brakes, which brakes are optional and not standard equipment available from motor vehicle manufacturers, is simply an alternate means of braking which saves wear and tear on the standard braking system.

The Board further finds that high volumes of vehicles equipped with unmuffled engine compression brakes travel through those areas described in C.C.C. 11.11.030 and that such volume, coupled with regular use of such brakes, has created an intolerable environment for persons present in those areas.

C.C.C. 11.11.020. Unmuffled Compression Brakes Prohibited. No person shall use motor vehicle brakes which are in any way activated or operated by the compression of the engine of such motor vehicle or any unit or part thereof. Provided that, such prohibition shall not apply if the compression braking system is equipped with a functional muffler; provided further that, such prohibition shall be applicable only to those public highways or portions thereof identified in C.C.C. 11.11.030; provided further that, such prohibition shall not apply if an emergency situation exists and the use of unmuffled engine compression brakes is necessary for the protection of persons or property.

C.C.C. 11.11.030. Areas of Prohibition. The prohibition set forth in C.C.C. 11.11.020 shall apply to the following public highways or portions thereof:

- (a) State Route 101 between milepost 251.68 (Masters Road) and milepost 253.00 (Cedar Park Drive) inclusive.
- (b) State Route 112 between milepost 16.40 (Clallam Cannery) and milepost 16.97 (Weel Road) inclusive.
- (c) State Route 112 between milepost 50.36 ("Entering Joyce" sign) and milepost 51.49 ("Leaving Joyce" sign) inclusive.

C.C.C. 11.11.040. Penalty.

(1) Any person violating the provisions of this ordinance shall have committed a traffic infraction and a penalty of One Hundred Dollars (\$100.00) shall be imposed.

(2) Penalties shall become due and payable thirty (30) days from the date of receipt of the notice of traffic infraction.

(3) Violations shall be enforced by such authorities and in such manner as set forth in RCW 46.63.

C.C.C. 11.11.050. Posting. The Director of the Clallam County Department of Public Works, or his or its successor, is authorized and directed to post appropriate signs consistent with the provisions of this ordinance.

PASSED AND ADOPTED THIS 25th DAY OF April, 1989.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Dorothy Duncan
Dorothy Duncan, Chair

Lawrence Gaydeski
Lawrence Gaydeski

Dave Cameron
Dave Cameron

ATTEST:

Karen Flores
Karen Flores
Clerk of the Board

cc: Sheriff
Prosecutor (2)
Minutes
File