

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 12-1 TO PROHIBIT THE USE OF AN ENGINE BRAKE OR RETARDER IN THE CITY'S EXTRATERRITORIAL AND LIMITED-PURPOSE JURISDICTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS.

- (A) Residents in the full-purpose corporate limits of the City can be directly impacted by traffic noise which emanates from roadways that are located outside, but close to, the full-purpose corporate City limits.
- (B) The City Council should have the same authority to prohibit engine braking on roadways that are in the City's limited-purpose jurisdiction and extra-territorial jurisdiction as it has in areas that are in the full-purpose corporate City limits.
- (C) A City Code amendment is required to extend the City Council's jurisdiction in the limited-purpose jurisdiction and extra-territorial jurisdiction.

PART 2. Subsection 12-1-33(A) (*Use of Engine Brake or Retarder Prohibited*) of the City Code is amended as follows:

- (A) This section applies to a roadway or street within the corporate limits, limited-purpose jurisdiction, and extra-territorial jurisdiction of the City, including a state maintained roadway.

PART 3. This ordinance takes effect on _____, 2015.

PASSED AND APPROVED

_____, 2015 § _____
 § _____
 § _____
 Steve Adler
 Mayor

APPROVED: _____
 Anne L. Morgan
 Interim City Attorney

ATTEST: _____
 Jannette S. Goodall
 City Clerk

DRAFT