



CITY OF  
**REXBURG**  
*America's Family Community*

**ORDINANCE NO. 906**

**AN ORDINANCE DEFINING NUISANCE; ENTITLED "UNLAWFUL USE OF ENGINE BRAKES AND COMPRESSION BRAKES" PROHIBITING THE UNLAWFUL USE OF ENGINE BRAKES AND COMPRESSION BRAKES IN THE CITY OF REXBURG, IDAHO; PROVIDING PENALTIES FOR FAILURE TO ABATE NUISANCE; AND PROVIDING WHEN SAID ORDINANCE SHALL TAKE EFFECT.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OR REXBURG, IDAHO:

**SECTION I:** Unlawful use of Engine Brakes and Compression Brakes. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the corporate city limits of the City of Rexburg, any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual, or explosive noise from such vehicle.

**SECTION II:** Severability. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof, not adjudged invalid or unconstitutional.

**SECTION III:** The scheduled fine for a violation of this Ordinance shall be fifty (50) dollars.

**SECTION IV:** This ordinance shall take effect and be in full and effect from and after its passage, approval and due publication as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 17<sup>th</sup> day of September, 2003.

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Bruce Sutherland, Mayor

(SEAL)

ATTEST:

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Blair D. Kay, City Clerk

STATE OF IDAHO)

