

## 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