

THE CITY OF VICTOR, IDAHO
ORDINANCE O545

AN ORDINANCE OF THE CITY OF VICTOR, IDAHO AMENDING AND REENACTING TITLE 5 CHAPTER 3 OF THE VICTOR CITY CODE REGARDING ENGINE BRAKES AND COMPRESSION BRAKES; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF VICTOR, COUNTY OF TETON, STATE OF IDAHO:

SECTION 1. The following Chapter 3 of Title 5 of the Victor City Code shall be amended as follows:

SECTION:

5-3-1: Engine Brakes and Compression Brakes
5-3-2: Fines

5-3-1: **ENGINE BRAKES AND COMPRESSION BRAKES:** It shall be an infraction for a driver of any vehicle to use or operate or cause to be used or operated within the corporate city limits if the city of Victor, an 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. (Ord. O5XX § 1, 2019, Ord 12-0926, 9-26-12; Ord 05-0804, 8-04-2005, amd, Ord 12-0926, 9-26-12)

5-3-2: **FINES:** ~~Penalties for failure to comply with the provisions of this chapter shall be as follows: (Amend. Ord 15-0325-1, Ord 05-0804, 8-04-2005) A violation of this section is an infraction punishable by a base fine of fifty dollars (\$50.00) for a first offense and one hundred fifty dollars (\$150.00) for each subsequent offense.~~

~~Misdemeanor: Violation of any of the provisions of the chapter or failure to comply with any of its requirements shall constitute a misdemeanor.~~

- ~~A. Fines: Any person, firm or corporation who violates or fails to comply with any part of the provisions of this title shall be subject to administrative fines as provided in Title 1, Chapter 4, regarding the General Penalty of the Victor City Code.~~
- ~~B. Separate Offense: Each day such violation continues shall be considered a separate offense. The person, firm, corporation, or any other person who commits, participates in, or maintains such violation may each be found guilty of a separate offense.~~
- ~~C. Additional Remedies: Nothing herein contained shall prevent the City Council or any other public official or private citizen from taking such lawful action as is necessary to retrain or prevent any violation of this title or of the Idaho Code.~~

(Ord. O545 § 1, 2019; Ord 05-0804, 8-04-2005)

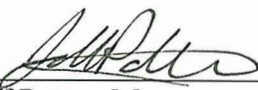
SECTION 2. All ordinances, resolutions or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 3. This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.


PASSED BY THE COUNCIL OF THE CITY OF VICTOR, IDAHO, this 12th day of June, 2019.

APPROVED BY THE MAYOR OF THE CITY OF VICTOR, IDAHO, this 12th day of June, 2019.

ATTEST:



Jeff Potter, Mayor



Michelle Smith, City Clerk

**NOTICE AND PUBLISHED SUMMARY
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

CITY OF VICTOR ORDINANCE NO. 0545

**AN ORDINANCE OF THE CITY OF VICTOR, IDAHO AMENDING AND REENACTING
TITLE 5 CHAPTER 3 OF THE VICTOR CITY CODE REGARDING ENGINE BRAKES
AND COMPRESSION BRAKES; AND ESTABLISHING AN EFFECTIVE DATE.**

The principal provisions of this ordinance are as follows: It shall be an infraction for a driver of any vehicle to use or operate or cause to be used or operated within the corporate city limits if the city of Victor, an 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. A violation of this section is an infraction punishable by a base fine of fifty dollars (\$50.00) for a first offense and one hundred fifty dollars (\$150.00) for each subsequent offense.

A full text of this ordinance is available for inspection at Victor City Hall, City of Victor, 32 Elm Street, Victor, Idaho. This Ordinance shall become effective upon passage and publication.



City of Victor

Mayor and City Council

By: Michelle Smith, City Clerk

First Reading: June 12, 2019

Adopted after first reading pursuant to Idaho Code § 50-902

**STATEMENT OF VICTOR CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY OF ORDINANCE NO. 0545**

The undersigned, Herbert J. Heimerl III, City Attorney of the City of Victor, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No.0545 of the City of Victor, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this 12th day of June, 2019



Herbert J. Heimerl III
City Attorney