

**AN ORDINANCE OF MAYOR AND COUNCIL OF THE CITY OF MAYSVILLE,
GEORGIA TO REGULATE ENGINE BRAKES WITHIN THE CITY, ESTABLISH
PENALITES FOR VIOLATIONS AND FOR OTHER PURPOSES.**

WHEREAS, excessive and disturbing sound is a serious hazard to the public health and welfare, safety and quality of life; and

WHEREAS, the City of Maysville finds that the unregulated use of engine brake devices in the City jeopardizes the continued peaceable and quiet nature of the City, and the use of such devices without justification creates excessive noise harmful and otherwise detrimental to individuals and to the community on the enjoyment of life and in the conduct of business; and

WHEREAS, the City of Maysville is authorized to regulate the operation of motor vehicles; to define a nuisance and provide for its abatement; and to provide for the general health, safety, and welfare by definition, regulation, and prohibition of any act, practice, conduct, or use of property detrimental to the health, welfare, and safety of the City’s inhabitants.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Mayor and Council of the City of Maysville, by the lawful authority vested in them, that Chapter 42 is hereby amended as adding the following:

- I. **[See Chapter 42 ordinance as attached.]**
- II. All ordinances or parts of ordinances in conflict with this ordinance are repealed.
- III. Should any provision of this ordinance be rendered invalid by a court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the City Council.
- IV. This Ordinance shall take effect _____, 2024.

ADOPTED this ____ day of _____, 2024.

ATTEST

Kim Jackson, City Clerk

Kimberly Wilmoth, Council Member

Amanda Farley, Council Member

City of Maysville

Richard Presley, Mayor

Richard Parr, Council Member

Brodrich Jackson, Council Member

SECTION 42-200 Engine brakes.

(1) No person shall operate or cause to be operated a motor vehicle and utilize an unmuffled engine brake or other similar engine compression retarding devices to slow or stop the vehicle, except in an emergency situation to avoid imminent danger to a person or property.

(a) An “engine brake” for purposes of this ordinance is a device that retards the motion of a motor vehicle by using the compression of the motor vehicle engine.

(b) The Mayor, or the Mayor’s designee, is authorized to place signs along the roadways at the corporate limits of the City stating “Unmuffled Engine Brakes Prohibited” and citing this Ordinance.

(c) This ordinance does not apply to emergency response vehicles operated by a government entity.

(2) No person shall operate or cause to be operated any motor vehicle unless the exhaust system of such motor vehicle is:

(a) Free from defects which affect sound reduction;

(b) Equipped with a muffler or other noise-dissipative device; and

(c) Not equipped with any cutouts, bypass, or similar device.

(2) Any person violating this Ordinance shall be punished by a fine not to exceed \$1,000.00.