

ORDINANCE NO. 330

**AN ORDINANCE AMENDING TITLE 8 OF THE  
GREENLAND MUNICIPAL CODE**

**WHEREAS**, there has been from time to time, a significant increase in large trucks and similar vehicles traveling the highways and streets of Greenland;

**WHEREAS**, many of these vehicles use engine brakes while driving within the City of Greenland; and,

**WHEREAS**, the noise emitted by use of the engine brakes within the City of Greenland causes alarm in many cases and is, at the least, very disturbing to the people who travel, work or live near the city streets and highways.

**BE IT ORDAINED BY THE CITY COUNCIL OF GREENLAND, ARKANSAS,**  
**that:**

**SECTION 1:** That **TITLE 8, VEHICLES AND TRAFFIC**, the listing of Chapters shall hereafter read as follows:

**“CHAPTER 8  
VEHICLES AND TRAFFIC”**

**Chapters:**

- 8.04 Adoption of State Laws
- 8.08 Truck Routes
- 8.10 Engine Braking
- 8.12 Emergency Vehicles
- 8.16 Abandoned or Inoperative Vehicles”

**SECTION 2:** That **CHAPTER 8.10** shall hereafter read as follows:

**“CHAPTER 8.10  
ENGINE BRAKING”**

**Sections:**

- 8.10.01 Prohibited acts
- 8.10.02 Approved procedure
- 8.10.03 Penalty
- 8.10.04 Priority over conflicting language

**8.10.01 Prohibited Acts.** Any use or operation of engine brakes, or engine-retarding devices which cause excessive noise, disturbance or alarm within the city limits of Greenland is prohibited, except when used in emergency situations to avoid damage to property or personal injury, or when used by emergency vehicles.

**8.10.02 Approved Procedure.** From and after passage of this Ordinance all large trucks and other vehicles featuring engine brakes, or engine-retarding devices shall operate in such a manner as to preclude the necessity of using said devices while in the city limits of Greenland, Arkansas.

**8.10.03 Penalty.** Violation of this Ordinance is punishable by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for a first offense. Subsequent offenses shall carry the following minimum and maximum fines:

	<u>Min.</u>	<u>Max.</u>
2nd offense	\$50.00	\$200.00
3rd offense	\$75.00	\$350.00
4th offense and beyond	\$100.00	\$500.00

In addition to such fines the Clerk of the Court shall collect costs upon each conviction, plea of guilty or no contest and/or forfeiture of bond. All fines collected shall be paid to the Greenland Police Department.

**8.10.04 Priority Over Conflicting Language.** All Ordinances, parts of Ordinances, and any portions of Greenland's Municipal Code, contrary to 8.10.01 and 8.10.02 hereof are hereby repealed to the extent of such conflict."

**SECTION 3:** That the listing of Chapters under the heading **TITLE 8, VEHICLES AND TRAFFIC** as it appeared in the Greenland Municipal Code on May 31, 2018, is hereby repealed effective at midnight on July 31, 2018.

**SECTION 4:** That **CHAPTER 8.10, JAKE BRAKES**, as it appeared in the Greenland Municipal Code on May 31, 2018, in its entirety, is hereby repealed effective at midnight on July 31, 2018.

**SECTION 5:** The index at the rear of the Greenland Municipal Code is amended to remove the term "Jake Brakes" under the "J" Section thereof and to add "Engine Braking" under the "E" Section thereof to include appropriate changes to the Section and Page listings in both Section "J" and Section "E".

**SECTION 6:** That this Ordinance shall be effective on the 1<sup>st</sup> day of August, 2018, and

thereafter.

**PASSED AND APPROVED** this 11 day of June, 2018.

  
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BILL GROOM, Mayor

ATTEST:

  
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STEPHANIE SHARP, Recorder/Treasurer