



11B1

Agenda Bill No.: 24-1353

Assembly Meeting Date: 02/13/24

Business Item Description:	Attachments:
Subject: Townsite Prohibition of Engine (Jake) Brakes	1. Ordinance 24-02-664
Originator: Assembly Member Craig Loomis	
Originating Department: Assembly	
Date Submitted: 12/12/23	

Full Title/Motion:
Motion: Introduce Ordinance 24-02-664 and schedule it for its first public hearing 2/27/24 and its second public hearing 3/12/24.

Administrative Recommendation:

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$ 0	\$ 0	N/A

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
Assembly Member Craig Loomis has asked that this Ordinance be introduced and scheduled for public hearing.

Referral:	
Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:	
Meeting Date(s): 2/13/24	Public Hearing Date(s): 2/27/24 and 3/12/24 Postponed to Date:

**An Ordinance of the Haines Borough Assembly Amending Haines
Borough Code Title 10.09.090 Prohibiting the Use of Engine (Jake)
Brakes in the Townsite.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Addition of Section 10.09.090. Section 10.09.090 shall be added as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

10.09.090 Use of engine (or jake) brakes prohibited in the townsite.

No person may use engine or Jake brakes while operating a motor vehicle within the Townsite, except for emergency vehicles, unless the vehicle is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation, with no cutout, bypass, or similar device. For the purpose of this section, the term "engine brake" means a hydraulic engine attachment which converts a diesel engine into an air compressor and when engaged operates to slow the vehicle. The first violation of this section results in a \$100 fine; if there is a second violation within six months of the first violation, the fine shall be \$200 plus satisfactory commercial vehicle inspection; if there is a third violation within six months of any prior violation, the fine shall be \$300 plus proof of satisfactory commercial vehicle inspection.

Section 5. Amendment of Section 10.06.030. Section 10.06.030 shall be amended to add to the table:

10.09.090	Use of jake brake in townsite	100	first offense
		200	second offense within 6 months plus vehicle inspection
		300	third offense within six months plus vehicle inspection

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____
DAY OF _____, 2024.

ATTEST:

Thomas C. Morphet, Mayor

Aleka Fullerton, MMC, Borough Clerk

Date Introduced: 02/13/24
Date of First Public Hearing: 02/27/24
Date of Second Public Hearing: 03/12/24