

ORDINANCE NO. 1905

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1780 TO PROHIBIT THE USE OF ENGINE STOPS/JAKE BRAKES WITHIN THE CITY LIMITS AND POLICE JURISDICTION IN THE CITY OF TALLADEGA, ALABAMA

WHEREAS, the City Council of the City of Talladega, Alabama, desires to amend Ordinance Number 1780 in part to prohibit the use of engine stops/jake brakes within the City limits and police jurisdiction; thereof;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Talladega, Alabama, as follows:

Section I.

SECTION D:

Section D of Ordinance Number 1903 is hereby amended to read as follows:

D. Restrictions for motor vehicles, moving or parked.

1(a). It shall be unlawful for any person at any time to make, continue, or cause to be made or continued any noise in such a manner as to be plainly audible to any other person a distance of five (5) feet beyond the exterior of the motor vehicle.

1(b). For the purposes of this subsection, Anoise@ shall mean human produced sounds of yelling, shouting, hooting, whistling, singing, or mechanically produced sounds made by radio receiving device, television, stereo, CD player, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing, receiving or amplifying of sound, or any combination thereof.

1(c). For the purposes of this subsection, Amotor vehicle@ shall include but not be limited to: cars, motorcycles, ATVs, recreational vehicles, trailers, buses, vans or semi-tractor trailers.

1(d). There is excepted from this subsection any food vendor trucks or ice cream vendor trucks playing music to attract customers between the hours of 7:00 a.m. through 10:00 p.m. Sunday through Thursday and 7:00 a.m. through 11:00 p.m. on Friday and Saturday.

1(e). It shall be unlawful for any driver of any vehicle so equipped with, to use an engine brake or “jake” brake within the city limits or police jurisdiction.

SECTION II - Severability: all sections of this Ordinance are hereby declared to be severable; and if any word, phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION III - Effective Date: this ordinance shall take effect immediately upon its passage and publication as provided by law. Upon the effective date of this ordinance, except as amended herein, Ordinance Number 1780 and any amendments thereto shall remain in full force and effect.

ADOPTED AND APPROVED on this the 14th day of March, 2022

Council President Horace Patterson

Council Member Vickey Hall

Councilman Joe Power

Council Member Betty Spratlin

Councilman Trae Williams

City Manager Seddrick Hill

Attested to: Joanna Medlen, City Clerk