

CITY OF BLOOMFIELD

Staff Summary

**\*\* ACTION ITEM\*\***

**Council Meeting of:** August 20, 2020

**Prepared By:** Councilman Bohi

**Department:** Police Department

**Department Head:** Shawn Armstrong, Police Chief

**City Administrator Approval:** Andrew Morris

**AGENDA TITLE:** Engine/Compression Brakes Prohibition

\*\*\*\*\*

**\*\*Public hearing required if this line is checked.\*\***

**DISCUSSION:** Councilman Bohi is requesting City Council make consideration to change Code 62.11 and establish certain fees for violators that utilize engine/compression brakes.

**RECOMMENDATION:** . Mayor and City Council to reach a policy decision.

Source of Funds: N/A

Budgeted Item: N/A

Budget Amendment Needed: N/A

City Code 62.11  
Engine/Compression Brakes Prohibited

On August 13, 2020 while meeting with Bloomfield Police Chief Shawn Armstrong and Assistant Police Chief Zach Dunlavy I learned that the current Bloomfield City Code 62.11 does not specify a fine when a driver is violating this ordinance. The current version of the code is as follows:

1. All drivers operating trucks within the City shall not use the engine back-pressure braking/compression braking system, commonly known as "jake brakes", and any such use shall be deemed a violation of this section and a simple misdemeanor with a schedule fine as set out in subsection 3.
2. This section is in the interest of protecting citizens from unnecessary noise pollution within the City limits.
3. Penalties for the violation of this section shall be a fine of at least \$50.00, but not more than \$500.00, and or imprisonment up to 30 days in jail.

Due to there not being a "set" fine, the police department has had problems enforcing this code because the police department is not able to arbitrarily "decide" a fine, that is a court responsibility.

It is requested that Bloomfield City Code section 62.11 subsection 3 be modified to read:

4. Penalty for the violation of this section shall be set at \$250.00. For multiple offenses a fine shall be at least \$250.00 not more than \$500.00 per occurrence and or imprisonment up to 30 days in jail.

We are also asking that new signs be posted in accordance to State code North of Bloomfield on Highway 63, East and West of Bloomfield on Highway 2 and East of Bloomfield on J40.