

CITY OF HOMER  
HOMER, ALASKA

ORDINANCE 88-16

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOMER AMENDING TITLE 7, VEHICLES AND TRAFFIC, OF THE HOMER MUNICIPAL CODE BY THE ADDITION OF CHAPTER 7.28, MISCELLANEOUS VIOLATIONS AND ENACTING SECTION 7.28, MOTOR VEHICLE COMPRESSION/ENGINE BRAKING.

WHEREAS, there is a need for a chapter which compiles miscellaneous traffic violations which may be specifically required by local conditions, and;

WHEREAS, a problem currently exists with regard to the practice of certain vehicle operators to use a method known as "engine braking," "compression braking," or "jake braking," on vehicles which are being operated on level roads and highways, as opposed to the use of this method in descending steep grades;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Chapter 7.28, Miscellaneous Violations, of the Homer Municipal Code is hereby enacted to read as follows:

Chapter 7.28

Miscellaneous Violations

Sections:

7.28.010 Certain traffic violations prohibited  
a. Compression braking.

7.28.010 Certain traffic violations prohibited. The following shall be unlawful:

a. Compression braking. No person shall operate a motor vehicle over 7,000 MGWV so as to use "engine braking," "compression braking" or "jake braking" to decrease the speed of said vehicle within the limits of the City of Homer, in the following locations:

1. Pioneer Avenue (from the intersection of Sterling Highway to the intersection of Lake Street/East End Road);
2. Lake Street (from intersection of Pioneer Avenue/East End Road to the intersection of the Sterling Highway);
3. Sterling Highway (from intersection of West Hill Road to the Lake Street Street intersection);

Exceptions, Emergency Use: In an emergency situation if the regular vehicle brakes are inadequate to prevent an accident. If



**RECEIVED**

**AUG 31 1988**

**City of Homer  
City Manager**

88-126

M E M O R A N D U M

DATE: TUES AUG 30, 1988  
TO: PHIL SHEALY, CITY MANAGER *PCS*  
FROM: MICHAEL DAUGHERTY, *MD* DIRECTOR PUBLIC SAFETY  
REF: PROPOSED COMPRESSION BRAKE ORDINANCE

Under separate cover I have submitted to you a proposed ordinance to prohibit the use of compression brakes, commonly called "Jake Brakes" in the business area of town.

I am recommending this ordinance due to an increasing number of complaints about the loud noise that is made when the compression brakes are used, mainly on Pioneer Avenue.

The streets which the proposed ordinance addresses are Pioneer Avenue in it's entirety, Lake Street from Pioneer Avenue to the Sterling Highway from West Hill to Lake Street. With the exception of a slight grade on Lake Street these streets are relatively flat and should not require compression braking provided the conventional brakes are in good working order.

The ordinance would be enforced the same as any other traffic violation and the streets would be properly posted to warn truckers of the ordinance.

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1. The Sterling Highway north of its junction with West Hill Road;
2. West Hill Road in its entirety;
3. East Hill Road in its entirety;
4. In an emergency situation if the regular vehicle brakes are inadequate to prevent an accident. If "compression braking" is used under this sub-section (emergency use) the vehicle may not be driven within the City of Homer until the regular braking system has been inspected and repaired.

