

ORDINANCE NO. 20-07

ORDINANCE REMOVING SECTION 69.09(2) OF THE NORWALK CITY CODE AN ADDING A NEW SECTION 40.06 ADDRESSING TRUCK NOISE WITHIN THE CITY OF NORWALK, IOWA

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

Section 1. Purpose. The purpose of this ordinance is to prohibit the use of engine and compressed air-braking devices and to govern the noise produced by a semi-tractor or similar vehicle within the City of Norwalk, Iowa.

Section 2. Section 69.09(2) removed. Section 69.09(2) of the Norwalk Code is hereby removed. Similar regulations shall be placed in Chapter 40 of the Norwalk Code as shown in this Ordinance.

Section 3. Section 40.06 added. Section 40.06 of the Norwalk Code is hereby added as follows:

40.06 No person shall operate a semi-tractor, semi-trailer, passenger bus used for commercial or school purposes, any vehicle in excess of five (5) tons, or other motor vehicle with trailer attached with total weight in excess of five (5) tons in violation of the following regulations.

1. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the City of Norwalk, any engine brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle.
2. No such vehicle shall be left standing or parked upon any street, public or private parking lot, or drive of any service station between the hours of ten o'clock (10:00) pm and six o'clock (6:00) am with the engine, auxiliary engine, air compressor, refrigerating equipment or other device in operation giving off audible sounds except vehicles parked on private parking lots in areas zoned C-2 Community Commercial District, C-3 Highway Service Commercial District, PC Professional Commerce Park District, IC Industrial Commerce Park District, and M-1 General Industrial District.
3. The scheduled fine for a violation of this section shall be \$100.00.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Severability Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be in full force and effect upon final passage, approval and publication as required by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the 2nd day of April, 2020.

Tom Phillips, Mayor

Attest:

Lindsey Offenburger, City Clerk

First Reading: February 20, 2020

Second Reading: March 5, 2020

Third Reading: April 2, 2020

Clerk's Certificate

I certify that the foregoing was published as Ordinance No. 20-07 on the 9th day of April, 2020.

City Clerk