



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Police

CM/ DCM/ ACM: Todd Hileman, City Manager

DATE: June 6, 2017

SUBJECT

Receive a report, hold a discussion, and give staff direction regarding an ordinance prohibiting the use of Engine Compression Brakes within the City of Denton.

BACKGROUND

Council Member Bagheri requested information concerning an ordinance prohibiting the use of Engine Compression Brakes (commonly referred to as “Jake Brakes”) within the City of Denton. This type of braking, used by drivers of semi-truck tractors, utilizes the truck’s diesel engine to provide additional braking power. It creates a distinctive sound at a considerable volume. Because of the amount of noise generated, the use of engine brakes is prohibited in a number of communities.

As with most traffic-related city ordinances, there will be some portion of drivers that will readily adhere to the law based on the posted warning signs. Enforcing the ordinance will be somewhat difficult. The violation must be detected by a police officer who can readily determine that the violation was committed by a specific truck. On crowded or congested roadways, such as the I35 corridor, this may prove to be problematic given the high volume of semi-truck traffic. For identified violators, the officer would have discretion to issue a warning or a citation for the violation. Based on the language of the proposed ordinance, violations could result in a fine of up to \$2,000. In addition to an exemption for official Fire Department apparatus, there is also a provision allowing for a defense to prosecution for emergency use of this braking system.

OPTIONS

1. Council can direct staff to bring the draft ordinance back at a future meeting for consideration.
2. Council can direct staff to make additional changes to the draft ordinance.
3. Council can opt to take no action at this time.

RECOMMENDATION

Staff recommends adoption of the proposed draft ordinance.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

April 14, 2017 – Council Status Report

April 28, 2017 – Council Status Report

FISCAL INFORMATION

In order to enforce the ordinance, the City would need to post adequate signage advising of the prohibition on engine braking. Given the number of roadways where commercial truck traffic can legally operate, staff estimates a similar number of signs necessary as were planned for the wireless communications ordinance. That total included approximately 28 signs for TXDOT roadways, and 42 signs for local “high-volume” roads. The cost to acquire and place these 60 signs is estimated to be \$10,000.

STRATEGIC PLAN RELATIONSHIP

The City of Denton’s Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Safe, Liveable & Family-Friendly Community

Related Goal: 4.2 Seek clean and healthy neighborhoods in Denton

EXHIBITS

1 – Draft Ordinance

Respectfully submitted:
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Chief of Police

Prepared by:
Lenn Carter
Deputy Chief