

STATE OF SOUTH CAROLINA

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TOWN OF KERSHAW

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Ordinance # 2021-011

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COUNTY OF LANCASTER

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**An Ordinance To Adopt A Revision of Article II. "Moving Traffic" Of Chapter 34 Section 34-42 Of The Town Of Kershaw Code Of Ordinances Related To The Establishment of Prohibiting The Use Of "Jake Breaks" Within The Town Limits Of Kershaw, Section 34-43.**

BE IT ORDAINED by the Mayor and Council of the Town Of Kershaw, in lawful assembly, that:

**Section 1. Establishing an Ordinance Sec. 34-43 - "JAKE BREAKS" PROHIBITED**

Engine Brakes. This chapter applies to the use or operation of an auxiliary or compression engine brake (also known as "jake brake") which produces any noise in addition to the normal operating engine noise is prohibited within the city limits. This provision is not intended to prohibit the passage of vehicles equipped with engine brakes or "jake brakes" in posted areas but rather prohibit the use of such equipment in posted areas.

(a) It shall be unlawful for any driver of a truck or truck-tractor to activate or use the unit's engine brake within the city limits except in an emergency situation.

(b) The term "emergency situation", for the purposes of this chapter, shall mean one in which there is imminent danger of collision with property, persons, or animals.

(c) Emergency vehicles will be exempt from the jake brake ordinance.

**Section 2. Conflicting Ordinances**

All ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed to the extent of such conflict or inconsistency.

**Section 3. Severability**

Any chapter, article, section or subsection, sentence, clause, or phrase of this ordinance is for any reason declared to be unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

**Section 4. Implementation**

The provisions of this ordinance shall become effective upon its final adoption.

First Reading: October 18, 2021

Final Reading: November 15, 2021

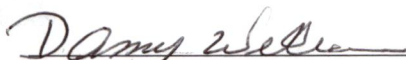


Mayor Mark Dorman

Attest:



Town Clerk Alicia DeBruhl

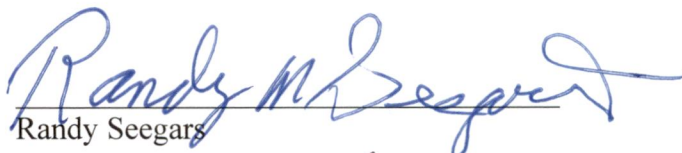


Danny Williams

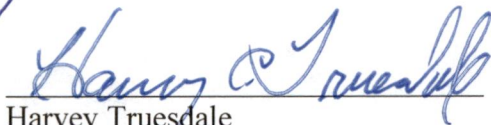
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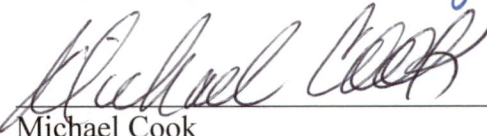
John S. Connell III



Randy Seegars



Harvey Truesdale



Michael Cook