

ORDINANCE NO. 2011-01

ORDINANCE REPEALING AND RECREATING SECTION 495-2 OF THE CODE OF THE TOWN OF BUCHANAN; DISORDERLY CONDUCT WITH A MOTOR VEHICLE AND COMPRESSION BRAKES PROHIBITED

The Town Board of the Town of Buchanan does hereby ordain as follows:

Section 495-2 of the Code of the Town of Buchanan is repealed and recreated to read:

§ 495-2. Disorderly Conduct with a Motor Vehicle and Compression Brakes Prohibited.

- A. Conduct prohibited. No person shall, within the Town of Buchanan, by or through the use of any motor vehicle, including, but not limited to, an automobile, truck, motorcycle, minibike, or snowmobile, engage in, cause or provoke disorderly conduct with a motor vehicle.
- B. Definition. "Disorderly conduct with a motor vehicle" shall mean while operating or in control of a motor vehicle, engaging in conduct or activities which are violent, unreasonably loud, dangerous to persons or property or otherwise against the public peace welfare and safety including, but not limited to, unnecessary, deliberate, or intentional spinning of wheels, squealing of tires, revving or racing of engine, blowing the horn, causing the engine to backfire or causing the vehicle, while commencing to move or while in motion, to raise one or more wheels off the ground. Specifically excluded from this definition are legitimate, scheduled racing events.
- C. No person shall use compression brakes (also known as "jake brakes") or operate a motor vehicle using brakes which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof, unless such brakes are necessarily used in an emergency situation. The prohibition contained in this section shall not apply to fire, police, EMS and/or other emergency vehicles.

Adopted this 22nd day of February, 2011.

TOWN OF BUCHANAN:

Mark McAndrews, Town Chairperson

ATTEST:

Angela Gorall, Town Administrator/Clerk