

VILLAGE OF OBETZ  
RECORD OF ORDINANCES



ORDINANCE: 02-14

PASSED: February 10, 2014

**AN ORDINANCE CREATING SECTION 339.14 OF THE CODIFIED ORDINANCES PROHIBITING THE USE OF ENGINE RETARDERS WITHIN THE CORPORATION LIMITS**

**WHEREAS**, the use of engine retarders creates unacceptable noise levels; and,

**WHEREAS**, the Village desires to prohibit the use of engine retarders within the corporation limits;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ THAT:**

Section 1. Section 339.14 of the Codified Ordinances of the Village of Obetz is hereby created and adopted to read as follows:

**339.14 Use of Engine Retarder Prohibited.**

- (a) No person while operating a motor vehicle shall employ an engine retarder to decelerate the motor vehicle.
- (b) For purposes of this section, "engine retarder" means any device that consists of a valve positioned within the internal combustion engine that temporarily reduces or stops the engine's exhaust gases from exiting through the exhaust system.
- (c) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section shall be guilty of a misdemeanor of the fourth degree. If within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section shall be guilty of a misdemeanor of the third degree.

Section 2. This Ordinance shall take effect and be in force from and after the earliest time permitted by law.

Passed this 10 day of February, 2014.

**ATTESTS:**

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Stacey Boumis, Clerk of Council

D. Greg Scott  
D. Greg Scott, Mayor

Michael R. Flaherty  
Council Pres. Pro-Tem

**APPROVED AS TO FORM**

Eve Ellinger  
Eve Ellinger, Esq., Village Solicitor

**CERTIFICATION OF PUBLICATION**

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 02-14 was duly posted at 1:00 PM (time) on the 11 day of February, 2014, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.



Stacey Boumis  
Stacey Boumis, Clerk

2/11/2014  
Date