

VILLAGE OF OXFORD  
ORDINANCE NO. 414  
OAKLAND COUNTY, MICHIGAN

**Use of Engine Brakes and Exhaust Devices Ordinance**

**AN ORDINANCE OF THE VILLAGE OF OXFORD, OAKLAND COUNTY, MICHIGAN, TO PROHIBIT AND RESTRICT THE USE OF CERTAIN ENGINE BRAKES AND CERTAIN EXHAUST DEVICES ON MOTOR VEHICLES WITHIN THE VILLAGE OF OXFORD LIMITS.**

**THE VILLAGE OF OXFORD ORDAINS:**

The Village of Oxford hereby adopts Ordinance No. 414 to read as follows:

**TITLE.**

This Ordinance shall be known as the "Use of Engine Brakes and Exhaust Devices Ordinance."

**OPERATION OF ENGINE BRAKES DECLARED A NUISANCE.**

The Village of Oxford, Oakland County, Michigan, finds that the operation of an engine, compression brake or a mechanical exhaust device on a gasoline powered or diesel powered motor vehicle not equipped with exhaust mufflers, or equipped with defective or modified exhaust mufflers, so as to create excessive noise through the use of said engine, brake or exhaust device, adversely affects the public health, safety and welfare of the residents of the Village of Oxford, and is a nuisance in fact.

**PROHIBITION.**

No gasoline powered or diesel powered motor vehicle shall be operated on the streets, roads, alleys or highways within the Village of Oxford utilizing, in said operation, an engine, compression brake or a mechanical exhaust device designed to aid in the braking or deceleration of any motor vehicle by altering the normal compression of the engine and subsequently releasing that compression that causes, in the process, excessive noise to be created by said motor vehicle.

**SIGNAGE.**

Signs stating "ENGINE BRAKE ORDINANCE ENFORCED" may be installed at locations deemed appropriate by the Village of Oxford Council to advise motorists of the prohibitions contained in this Ordinance. All signs so installed, if any, shall be with permission of the Oakland County Road Commission.

**USE PERMITTED IN EMERGENCY SITUATIONS.**

1. This Ordinance shall not apply to emergency driving situations requiring the utilization of an engine, brake or mechanical exhaust device as set forth above to protect the safety and property of the residents of the Village of Oxford, other motor vehicle operators, pedestrians, and the operator and passengers of the motor vehicle involved in said emergency situation.
2. This Ordinance shall not apply to emergency vehicles, including, but not limited to fire engines, ambulances, and other emergency responders.

**PENALTY.**

Any violation of this Ordinance, or any part thereof, shall be deemed a Municipal Civil Infraction. Any driver and/or the firm of a corporation by whom the driver is employed and who shall violate any provision of this Ordinance shall be responsible for the payment of a fine not to exceed \$100.00. Each day a violation exists or continues to exist shall constitute a separate offense. The Village of Oxford may seek or employ any and all other remedies and sanctions which may be available to the Village of Oxford under the state law for municipal civil infractions.

**SAVINGS CLAUSE.**

This Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty, forfeiture, or punishment pending or incurred prior to the time of this Ordinance.

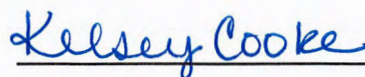
**SEVERABILITY.**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**EFFECTIVE DATE.**

This Ordinance shall take effect 30-days after publication.

**ORDINANCE DECLARED ADOPTED.** October 12, 2021



Kelsey Cooke, Village of Oxford President

## CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the Village of Oxford, Oakland County, State of Michigan, at a regular meeting of the Village Council held on the 12<sup>th</sup> day of October, 2021, and where public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

Members Present: 5

Members Absent: 0

It was moved by Member Cooke and supported by Member Ross to adopt the Ordinance.

Members voting yes: 5. Kemp, Ross, Helmuth, Bourgeau, Cooke.

Members voting no: 0

The Ordinance was declared adopted.



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Teresa L. Onica, Village Clerk  
Village of Oxford, Michigan

INTRODUCED: August 11, 2020; September 14, 2021  
ADOPTED: October 12, 2021  
PUBLISHED: October 20, 2021  
EFFECTIVE: November 19, 2021