

MEDARYVILLE TOWN COUNCIL

ORDINANCE NO. 2016-08-01

PROHIBITING THE UNLAWFUL USE OF ENGINE AND COMPRESSION BRAKES
("JAKE BRAKE ORDINANCE")

WHEREAS, the need exists to regulate the noise pollution produced by excessive and loud engine brakes and compression brakes used in braking vehicles.

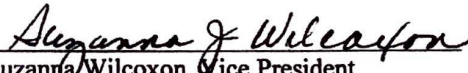
NOW, THEREFORE, BE IT ORDAINED by the Town Council of Medaryville, Indiana, as follows:

1. **PURPOSE.** The purpose of this ordinance is to prohibit the excessive, loud, unusual or explosive use of engine and compressed air-braking devices within Medaryville, Indiana.
2. **DEFINITIONS.** For the purposes of this ordinance the following words and phrases are defined as follows:

"Engine retarding brake" means a "Dynamic Brake," "Jake Brake," "Jacobs Brake," "C-Brake," "Paccar Brake," transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression.
3. **PROHIBITIONS.** It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within Medaryville, Indiana, any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle, unless such use is necessary to avoid imminent danger.
4. **SIGNAGE.** Signs stating "NO ENGINE BRAKE" or "ENGINE BRAKE ORDINANCE ENFORCED" may be installed at locations deemed appropriate by the Town Maintenance Supervisor and the Town Council to advise motorists of the prohibitions contained in this ordinance. The provisions of this ordinance shall be in full force and effect even if no signs are installed.
5. **EXCEPTIONS.** Emergency vehicles shall be exempt from the application of this ordinance.
6. **PENALTY.** Any person in violation of this Ordinance shall be fined in an amount of \$50.00.

Passed by the Town Council of Medaryville, Indiana, this 17th day of August, 2016 by a vote of 3 yes to 0 no.

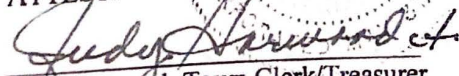

Robert Schultz, President
Medaryville Town Council


Suzanna Wilcoxon, Vice President
Medaryville Town Council


Ray Saltzman, Member
Medaryville Town Council



ATTEST:


Judy Harwood, Town Clerk/Treasurer
Medaryville, Indiana