

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2007-19 Passed OCTOBER 2, 2007

## **AN ORDINANCE PROHIBITING USE OF AN ENGINE BRAKING OR EXHAUST BRAKING SYSTEMS IN THE CITY OF BROOKVILLE, OHIO.**

**WHEREAS**, the Council of the City of Brookville has received complaints from citizens in the City of Brookville regarding the use of engine braking or exhaust braking systems, commonly known as "Jake Braking"; and

**WHEREAS**, the Council of the City of Brookville has determined that there is a need for regulations in the City of Brookville regarding use of engine braking or exhaust braking systems, commonly known as "Jake Braking" in the City of Brookville.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:**

### **SECTION I:**

The Council hereby enacts and adopts the following regulations regarding use of engine braking or exhaust braking systems in the City of Brookville, Ohio.

#### **337.31 USE OF ENGINE BRAKING OR EXHAUST BRAKING SYSTEMS**

(a) No person shall apply an engine brake and/or use an exhaust braking system (a practice commonly known as "Jake Braking") when operating a motor vehicle upon a street, highway, or other public right of way within the City which results in loud noise from such motor vehicle.

(b) The provisions of subsection (a) above shall not be applicable when the engine brake and/or exhaust braking system is applied in an emergency by the operator of the motor vehicle to maintain control of the vehicle.

(c) This section shall not apply to emergency vehicles of the City of Brookville or other political subdivisions providing mutual aid in the City of Brookville.

(d) Whoever violates this section is guilty of a minor misdemeanor.

### **SECTION II:**

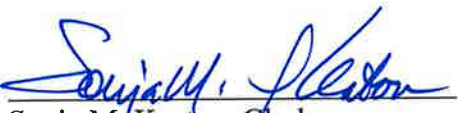
This Ordinance shall repeal or rescind any Ordinances or Resolutions in conflict herewith.


### **SECTION III:**

This Ordinance shall take effect thirty (30) days after passage by Council pursuant to the Charter of the City of Brookville.

PASSED this 2nd day of October 2007.

ATTEST:

  
Sonja M. Keaton, Clerk

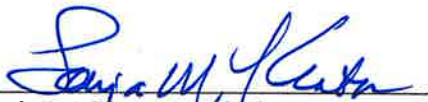
  
David E. Seagraves, Mayor

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CERTIFICATE

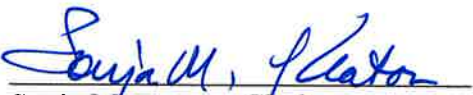
The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2007-19, passed by the Council of the City of Brookville, Ohio, on the 2nd day of October 2007.



Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2007-19 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 3rd day of October 2007 to the 3rd day of November 2007, both days inclusive.



Sonja M. Keaton, Clerk