



ST. CHARLES PARISH

PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

MEMORANDUM

DATE: FEBRUARY 22, 2011

TO: MR. V.J. ST. PIERRE, JR.
PARISH PRESIDENT

FROM: PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV *Paul J. Hogan*

RE: JAKE BRAKE RESTRICTION ON WESTBOUND HIGHWAY 90 AT PARADIS

Ordinance No. 11-2-4, attached, adopted by the Parish Council, provides for the installation of an "UNMUFFLED COMPRESSION BRAKES PROHIBITED" sign on westbound Highway 90 just before entering Paradis. Also, attached you will find the Louisiana Department of Transportation and Development requirements for obtaining the permit to install the sign. I have also attached a map, which I prepared that indicates the location at which the sign is to be installed. This is required when obtaining the permit.

Please have the permit secured and the sign fabricated and installed.

Please contact me if you have any questions.

Thanks.

PJH/BJT279:ag

attachments

cc: Parish Council w/attachments
Mr. Sam Scholle, Public Works/Wastewater Director w/attachments
Mr. John "Rusty" Walker, Chief Operations Officer w/attachments
Mr. Greg Schultz, Public Works/Wastewater Engineer w/attachments

Office
St. Charles Parish
P.O. Box 302
Hahnville, LA 70057
(985) 783-5000
Fax: (985) 783-2067
<http://www.stcharlesparish-la.gov>

Residence
222 Down The Bayou Road
P.O. Box 250
Des Allemands, LA 70030
Phone: (985) 306-0085
Fax: (985) 306-0285
Cell: (504) 615-4862
E-mail: phogan@st-charles.la.us
E-mail: phogan@stcharlesgov.net

2011-0034

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

ORDINANCE NO. 11-2-4

An ordinance to amend the Code of Ordinances Chapter 15, Motor Vehicles and Traffic, to add the definition of "Jake Brake" to Sec. 15-1. Definitions and add Section 15-5.1 Engine Brake ("Jake Brake").

WHEREAS, in order to protect public safety, preserve the quality of life and prevent nuisances to residents of the Parish of St. Charles; and,

WHEREAS, the practice of engine braking by diesel trucks (sometimes referred to as "Jake Brake"), creates disturbing, excessive and offensive noise when they are used.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. To amend the Code of Ordinances by adding the definition of "Jake Brake", and Section 15-5.1 Engine Brake ("Jake Brake").

Section 15-1 Definitions

"*Jake Brake*" An engine braking mechanism installed on some diesel engines, when activated, it opens exhaust vales in the cylinders, releasing the compressed air trapped in the cylinders and slowing the vehicle.

SECTION II.

Section 15-5.1 Engine Brake ("Jake Brake")

- (a) It shall be unlawful for any driver of a truck or truck-tractor to activate or use the unit's engine brake ("Jake Brake"), westbound on Highway 90 in preparation for entering and slowing down for the 45 miles per hour speed zone in the town of Paradis in St. Charles Parish except in an emergency situation.
- (b) The term "emergency situation", for the purposes of this ordinance, shall mean one in which there is imminent danger of collision with property, person or animals.
- (c) Any person, or persons, violating or failing to comply with any provision of this ordinance shall be fined, upon conviction, not less than one dollar (\$1.00), nor more than five hundred (\$500.00), for each offense, and each day any violation or noncompliance continues shall constitute a separate offense.
- (d) All provisions of this Ordinance shall be carried out by the St. Charles Parish Sheriff's Office.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, NUSS
NAYS: NONE
ABSENT: LAMBERT

And the ordinance was declared adopted this 7th day of February, 2011 to become effective five (5) days after publication in the Official Journal.

Jake Brake - Paradis PH (10-28-10)

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: February 8, 2011
 APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: [Signature]
 RETD/SECRETARY: February 8, 2011
 AT: 2:05 pm RECD BY: [Signature]

Section 2B.6

UNMUFFLED COMPRESSION BRAKE PROHIBITED SIGNS

2B.6.1 DEFINITION

"Unmuffled compression brake" or (engine brake) means any motor vehicle brake that is operated by the compression of the engine of the motor vehicle. An unmuffled compression brake is also referred to as a "jake brake".

This policy is intended to provide guidance on the issuance of permits to local governments for UNMUFFLED COMPRESSION BRAKE PROHIBITED or NO ENGINE BRAKE signs.

2B.6.2 CONDITIONS FOR PLACING SIGNS

The Department will not install UNMUFFLED COMPRESSION BRAKE PROHIBITED signs. Applications for a Traffic Control Device (TCD) permit may be sent to the District Office to which the requested sign would belong.

To obtain a Traffic Control Device permit:

1. A TCD permit must be signed by an official of the local government requesting the sign
2. The request must specify where the signs will be placed
3. The following must be attached to the request:
 - a. A map illustrating where the signs will be placed
 - b. A copy of the local ordinance banning the use of unmuffled compression brakes specifically (a broad noise ban ordinance will not be accepted)
 - c. Shop drawings illustrating the size of sign, lettering height, font, legend, and type of material (sheeting) to be used

2B.6.3 LOCATION AND PLACEMENT

The UNMUFFLED COMPRESSION BRAKE PROHIBITED signs shall only be placed in an area with a current ordinance prohibiting unmuffled compression brakes that has been passed by the local governing agency requesting the permit for these signs. The sign shall be mounted as an independent sign assembly that meets DOTD current sign installation standards.

2B.6.4 SIGN DESIGN

The UNMUFFLED COMPRESSION BRAKE PROHIBITED signs shall be designed as described below:

1. White background on the sign
2. Black 6 inch lettering spaced 3 inches apart
3. Clearview 1W font shall be used

4. The sign shall be retroreflective to show the same shape and similar color both day and night

The back of UNMUFFLED COMPRESSION BRAKE PROHIBITED signs must have the following information either on a weather proof sticker or written neatly in permanent black marker:

1. The proper agency to call for maintenance
2. The permit number
3. The installation date

2B.6.5 Implementation

All new requests for UNMUFFLED COMPRESSION BRAKE PROHIBITED signs shall follow this policy. All existing signs installed under an approved DOTD permit are grandfathered in.

Figure 2B.6.1 Unmuffled Compression Brakes Prohibited and No Engine Brakes Signs



