

Ord.

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 valves 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: [Signature] DISAPPROVED:

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: February 8, 2011

AT: 2:05 pm RECD BY: [Signature]