ORDINANCE NO. 2009-5

AN ORDINANCE AMENDING TOWN OF CORUNNA PROHIBITING THE USE OF ENGINE COMPRESSION BRAKES

WHEREAS, the Town of Corunna, DeKalb County, Indiana, has highways, streets and roads running through it which carry truck traffic; and

WHEREAS, said highways, streets and roads primarily SR 327 and U.S. 6 are heavily traversed by trucks; and

WHEREAS, said highways, streets and roads pass through residential areas in the Town; and

WHEREAS, some trucks use engine compression brakes which make loud, obnoxious and excessive noise which bothers and annoys persons who reside along said highways, streets and roads, causing a nuisance and preventing said residents from enjoying the peaceable use and occupation of their property;

IT IS, THEREFORE, ORDAINED by the Town Council of the Town of Corunna, DeKalb County, Indiana, as follows:

1. No vehicle shall use engine compression brakes or an engine retarder system to stop or slow down said vehicle if said system causes the vehicle's motor to race in such a manner as to cause the exhaust system to omit a loud, cracking, backfiring or chattering noise unusual to its normal operation, said practice being commonly known as "jake braking".

2. Violation of this Ordinance may be punishable by a fine not to exceed Five Hundred Dollars ($500.00).

3. This Ordinance shall not apply to fire fighting equipment provided such equipment is being operated in the course of responding to a fire or other legitimate emergency.

4. The Town shall post appropriate signs placed at or near the Town limit or other such places as determined by the Town Council.

5. The DeKalb County Sheriff and any members of the Sheriff's Department and the Indiana State Police are authorized to enforce the terms of this ordinance.

6. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND ADOPTED by the Town Council of the Town of Corunna, DeKalb County, Indiana, on the 25th day of Aug., 2009.

Jay Christian

Steve Faulkner

Phillip C. Arnett

ATTEST:

Casandra Lynch, Clerk-Treasurer