



City Of Scio, Oregon



ORDINANCE NO. 599

AN ORDINANCE PROHIBITING THE UNLAWFUL USE OF ENGINE AND COMPRESSION BRAKES (“Jake Brake Ordinance”) AND DECLARING AN EMERGENCY

WHEREAS, the City desires to protect the health, safety and well-being of the citizens of Scio and that it is in the public interest to minimize the negative effects of excessive noise.

WHEREFORE, THE CITY OF SCIO DOES ORDAIN AS FOLLOWS:

Section 1. Title.

This Ordinance shall be known as the “Jake Brake Ordinance” of the City of Scio, Oregon.

Section 2. Purpose.

The purpose of this Ordinance is to prohibit the excessive, loud, unusual or explosive use of engine and compressed air-braking devices within the City of Scio.

Section 3. Definitions.

For the purpose of this ordinance the following words and phrases are defined as follows:

1. “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.

Section 4. Prohibitions.

It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the City of Scio any Engine Retarding Brake that results in excessive, loud, unusual or explosive noise from such vehicle, unless such use is necessary to avoid imminent danger.

Section 5. Signage.

Signs stating “VEHICLE NOISE LAWS ENFORCED” or “ENGINE BRAKE ORDINANCE ENFORCED” may be installed at locations deemed appropriate by the City of Scio 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.

Section 6. Exceptions.

Emergency vehicles shall be exempt from the application of this ordinance.

Section 7. Enforcement

Each violation of any provision of this Chapter constitutes a violation under the ordinances of the City of Scio, subject to a maximum penalty of a fine of up to two hundred fifty dollars (\$250.00) for each occurrence.

Section 8. Effective Date

As a result of immediate and increased use of Engine Retarding Brakes within the City of Scio, an emergency is declared to exist and this Ordinance shall become effective upon passage.

This Ordinance was read for the first time by title only March 9, 2015.

This Ordinance was read by title only for the second time on March 9, 2015.

Date: 3/11/15 By: Gary C. Weaver
Gary C. Weaver

Date: 3/11/15 Attest: Virginia Griffith
VIRGINIA GRIFFITH, City Manager