

ORDINANCE NO. 060-18

AN ORDINANCE ENACTING NAPOLEON CODIFIED
ORDINANCE 339.13 SPECIAL ENGINE OR "JAKE" BRAKES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON,
OHIO:

Section 1. That Part III, Traffic Code, shall be amended by enacting
Napoleon Codified Ordinance 339.13 to read as follows:

339.13 Special engine or "Jake" brakes.

**(a) No person shall drive or operate any motor vehicle which is equipped
with special engine brakes or "Jake" brakes in such a manner that the use of
said brakes is likely to cause inconvenience or annoyance to persons of
ordinary sensibilities.**

(b) This section shall not apply to emergency vehicles of the City.

**(c) Whoever violates any provision of this section is guilty of a minor
misdemeanor.**

Section 2. The City Manager is hereby authorized and directed to have signs
notifying the prohibition of special engine or "Jake" brakes posted at the entrance points
to the City and at other appropriate locations in the City.

Section 3. The City Manager is hereby authorized and directed to forward
copies of this section to all trucking companies regularly operating in the City, with an
appropriate request that all drivers be notified of the new regulation.

Section 4. That, it is found and determined that all formal actions of this City
Council concerning and relating to the adoption of this Ordinance were adopted in open
meetings of this City Council, and that all deliberations of this City Council and any of its
committees that resulted in such formal actions were in compliance with all legal
requirements, including Section 121.22 of the Ohio Revised Code and the Codified
Ordinances of Napoleon, Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in
conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further,
if any portion of this Ordinance is found to be invalid for any reason, such decision shall
not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, upon passage, this Ordinance shall take effect at the earliest
time permitted by law.

Passed: November 19, 2018



Joseph D. Bialorucki, Council President

Approved: November 19, 2018



Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:



Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 060-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director