

RECORDING FEE \$	NO FEE	FILED FOR RECORD THE	<u>28</u>	DAY OF	STATE OF IOWA, BUTLER COUNTY:
			<u>August</u>	20 <u>07</u>	BY <u>Craig J. Jensen</u> RECORDER
TRANSFER FEE \$		O'CLOCK	<u>P</u>	AT <u>130</u>	DEPUTY
		M.		INSTRUMENT NO. <u>2007-3433</u>	

BUTLER COUNTY ORDINANCE TITLE V, NO. 12
 ENGINE NOISE REDUCTION ORDINANCE
 (JAKE BRAKE ORDINANCE)

PREPARER INFORMATION:

Butler County Board of Supervisors, 428 6th St, Allison, IA 50602

RETURN DOCUMENT TO:

Butler County Board of Supervisors, 428 6th St, Allison, IA 50602

ORDINANCE TITLE V, NO. 12
ENGINE NOISE REDUCTION ORDINANCE
(JAKE BRAKE ORDINANCE)

AN ORDINANCE REGARDING ENGINE NOISE REDUCTION WITHIN BUTLER COUNTY, IOWA

BE IT ENACTED BY THE BOARD OF SUPERVISORS, BUTLER COUNTY, IOWA:

- A. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the County of Butler, State of Iowa, any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle.
- B. The usage of an engine brake, compression brake or mechanical exhaust devise designed to aid in breaking or deceleration in such a manner as to emit more than 80 decibels of noise when it drives by, as measured at 50 feet, shall constitute evidence of a prime facie violation of this section.
- C. The scheduled fine for a violation of this section shall be one hundred dollars (\$100.00).
- D. All Ordinances or part of ordinances in conflict with the provisions of this ordinance are hereby repealed.
- E. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.
- F. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND ADOPTED by the Board of Supervisors on this 28th day of August, 2007.

ATTEST:


Holly A. Fokkena, Auditor


John Zimmerman, Chair


Larry Backer


Ken Oldenburger

STATE OF IOWA

COUNTY OF BUTLER

On this 28 day of August, 2007, before me the undersigned, a Notary Public in and for said County and State, personally appeared **John Zimmerman** and **Holly A. Fokkena**, to me personally known, who, being duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor of Butler County, Iowa, respectively; that the seal affixed hereto is the seal of said County; that said instrument was signed and sealed on behalf of the said Butler County, Iowa, by authority of its Board of Supervisors and pursuant to Ordinance I, No. 1, of said Board; and that said **John Zimmerman** and **Holly A. Fokkena** as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said County, it and by them voluntarily executed.

Amy Stanbrough
Notary Public In and For Said County
And State of Iowa

