

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1204

BEING AN ORDINANCE AMENDING ORDINANCE NO. 511, AND ALL AMENDMENTS THERETO, THE SAME BEING AN ORDINANCE REGULATING TRAFFIC, AND ESTABLISHING FINES AND PENALTIES FOR VIOLATIONS OF TRAFFIC REGULATIONS IN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, on the 9th day of April, 1979, passed and adopted Ordinance No. 511, the same being an ordinance regulating traffic, and establishing fines and penalties for violations of traffic regulations in the Town of St. John, Lake County, Indiana; and

WHEREAS, the foregoing ordinance has been amended on numerous occasions in order to protect the health, safety, and welfare of the citizens of the Town of St. John; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has been advised by the St. John Police Department that the use of compression release engine brakes by motor vehicles creates noise problems substantially interfering with the quiet enjoyment of residential and commercial properties; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that the use of compression release engine brakes by motor vehicles creates a nuisance and unnecessary noise substantially interfering with the quiet enjoyment by the residents of the Town of St. John, Lake County, Indiana, of their residential and commercial property; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that it is necessary and appropriate and in the best interest of the citizens of the Town of St. John to prohibit the use of compression release engine brakes by motor vehicles in the corporate boundaries and limits of the Town of St. John, Lake County, Indiana; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, now finds that Ordinance No. 511 should be amended and that signs should be placed throughout the Town prohibiting the use of compression release engine brakes by motor vehicles at the locations set forth below.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana that Ordinance No. 511 shall be amended as follows, to-wit:

- Sec. 1. "Compression release engine brakes" shall be defined as and shall mean for purposes of this ordinance a hydraulically operated device that converts a power producing diesel engine into

a power absorbing retarding mechanism.

Sec. 2. All motor vehicles are prohibited from using compression release engine brakes within the corporate boundaries of the Town of St. John, Lake County, Indiana, except in the case of the failure of the regular service brake system.

Sec. 3. Each violation of this ordinance shall be punished by a fine or penalty in accordance with the penalty provisions of Ordinance No. 511.

BE IT FURTHER ORDAINED that there shall be an additional schedule in Ordinance No. 511 of locations throughout the Town of St. John where signs shall be posted reflecting the prohibition against compression release engine brakes as set forth herein and shall be at the following locations:

At the entrance to the Town of St. John from the North (at the North Town boundary) on Wicker Avenue (U.S. 41).

At the entrance to the Town of St. John from the South (at the South Town boundary) on Wicker Avenue (U.S. 41).

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 511, as amended, when not in conflict herewith shall remain in full force and effect.

BE IT FURTHER ORDAINED that if any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

BE IT FURTHER ORDAINED that this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 22nd day of March, 2001.

Aye 5

Nay 0

TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA

Kathleen J. Willman
KATHLEEN J. WILLMAN

Kristie L. Aldridge
KRISTIE L. ALDRIDGE

William M. Winterhaler
WILLIAM M. WINTERHALER

Michael S. Forbes
MICHAEL S. FORBES

Jerome J. Rudy
JEROME J. RUDY

ATTEST:

Judith L. Companik
JUDITH L. COMPANIK
Clerk-Treasurer