

AN ORDINANCE AMENDING CHAPTER 24  
OF MONTICELLO CITY CODE,  
CONCERNING TRAFFIC; PROHIBITING  
THE PRACTICE KNOWN AS "JAKE-  
BRAKING"; PROVIDING FOR PENALTIES  
FOR THEREOF; AND DECLARING AN  
EMERGENCY.

WHEREAS, it is the finding of the City Council of Monticello, Arkansas that numerous complaints have been made regarding the practice of "jake-braking" by large trucks and that the noise created by this process is disruptive to residential neighborhood situated near the city's major highways.

NOW THEREFOR BE IT ORDAINED, by the City Council of the Monticello, Arkansas, that Chapter 24 of Monticello City Code, concerning traffic, is amended to reads as follows:

**"Sec. 24-37. Prohibiting Jake-Braking.**

(1) It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within city limits any mechanical exhaust device, or motor brake, designed to aid in the braking or deceleration of any vehicle which results in the excessive, loud, unusual or explosive noise from such vehicle, or otherwise engage in what is known as "jake-braking. However, it is an affirmative defense to a violation of this ordinance that motor-braking was used on an emergency basis to avoid damage to property, or a personal injury.

(2) Any person, firm or corporation violating this Ordinance shall be guilty of a misdemeanor and upon conviction hereof shall pay a fine not exceeding \$150.00 for each offense.

(3) Enforcement of this ordinance shall be delayed until signs have been posted on all major roadways entering or bypassing the City of Monticello, Arkansas. Said signs shall be

posted on or near said roadways stating in language similar to:  
"NO JAKE-BRAKING BY ORDER OF ORDINANCE NO. 1415, UNLESS FOR  
EMERGENCY PURPOSES"

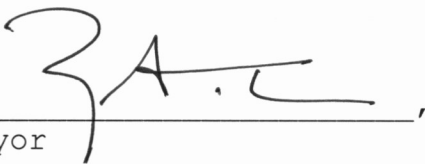
**EMERGENCY CLAUSE.**

BE IT ALSO ORDAINED by the City Council of the City of  
Monticello, Arkansas, that:

The City Council having determined that there is a great public  
need to prohibiting the practice known as "jake-braking" in the  
City of Monticello, Arkansas; and that a large number of public  
are desirous and in need of prohibition; and that because it has  
been found the public welfare and safety has being in jeopardy  
because of an inadequate to control peace of the citizens of  
Monticello, Arkansas, an emergency is hereby declared to exist  
and this ordinance shall be in full force and effect and after  
its passage and publication.

(End of Ordinance)

ADOPTED on this 26 day of May, 2015.

  
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Mayor

ATTEST:

  
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City Clerk