

ORDINANCE NO. 1067 (2024/2025)

AN ORDINANCE AMENDING CHAPTER 62 (GENERAL TRAFFIC REGULATIONS) OF THE CITY CODE TO PROHIBIT THE USE OF ENGINE AND COMPRESSION BRAKES WITHIN THE CITY LIMITS OF NEVADA

BE IT ENACTED by the City Council of the City of Nevada, Iowa, as follows:

SECTION 1. SECTION ADDED. The Codes of Ordinances of the City of Nevada is amended by adding a new section to Chapter 62 (General Traffic Regulations); Section 62.13 titled The Use of Engine and Compression Brakes Prohibited, is hereby adopted to read as follows:

62.13 THE USE OF ENGINE AND COMPRESSION BRAKES PROHIBITED.

1. Purpose. The purpose of this ordinance is to provide the City of Nevada residents protection from excessive noise caused by the use of engine brakes and compression brakes within the city limits of Nevada.
2. Definitions.
 - a. "Engine retarding brake" means a "Dynamic Brake", "C-Brake", "Compression Brake", transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression in such a manner as to emit more than 80 decibels of noise within/at a distance of/more than 50 feet.
3. 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 Nevada, any engine retarding 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, unless such use is necessary to avoid imminent danger/emergency/to avoid injury or accident.
4. Signage. Signs stating "Vehicle Noise Laws Enforced" or "Engine Brake Ordinance Enforced" may be installed at locations deemed appropriate by the City and adjoining jurisdictions to advise motorists of the prohibitions contained in this ordinance.
5. Exceptions. Emergency vehicles shall be exempt from this application of this ordinance.
6. Penalties. The scheduled fine for violation of this section shall be two hundred dollars (\$200.00).

SECTION 2. REPEALER. All ordinances and resolutions or parts thereof, in conflict herewith are hereby repealed.

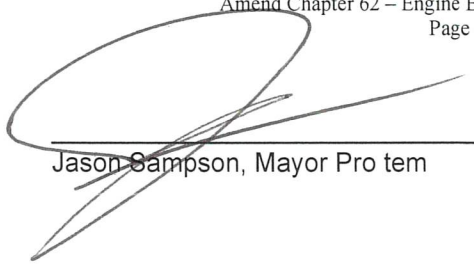
SECTION 3. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved 1st Reading on this 27th day of May, 2025.

Passed and approved 2nd Reading on this 9th day of June, 2025.

Passed and approved 3rd and final Reading on this 23rd day of June, 2025.



Jason Sampson, Mayor Pro tem

ATTEST:



Kerin Wright, City Clerk

1st Reading – May 27, 2025

Motion by Council Member Dane Neilson, seconded by Council Member Luke Spence, to adopt the first reading of Ordinance No. 1067 (2024/2025).

AYES: Neilson, Spence, Corbin, Sampson, Skaggs, Ehrig
NAYS: None
ABSENT: None

2nd Reading – June 9, 2025

Motion by Council Member Jason Sampson, seconded Council Member by Luke Spence, to adopt the second reading of Ordinance No. 1067 (2024/2025).

AYES: Sampson, Spence, Corbin, Neilson, Skaggs, Ehrig
NAYS: None
ABSENT: None

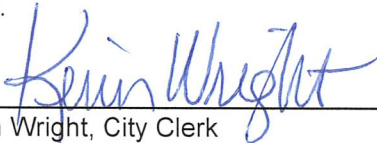
3rd Reading – June 23, 2025

Motion by Council Member Henry Corbin, seconded by Council Member Steve Skaggs, to adopt the third and final reading of Ordinance No. 1067 (2024/2025).

AYES: Corbin, Skaggs, Ehrig, Spence, Sampson
NAYS: None
ABSENT: Neilson

The Mayor Pro tem declared Ordinance No. 1067(2024/2025) adopted.

I certify that the foregoing was published as Ordinance No. 1067 (2024/2025) on the 3rd day of July, 2025.



Kerin Wright, City Clerk

Kerin Wright

From: Jane Page <jeburner324@icloud.com>
Sent: Thursday, May 1, 2025 6:07 PM
To: Kerin Wright
Subject: Jake brake ordinance

Warning: Unusual sender <jeburner324@icloud.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

I am Jane Page, I live at 324 Lake View Ct and since the overpass has been built the traffic noise on the overpass and Highway 30 is so loud inside our home it is something unbearable. It seems the Hwy 30 traffic noise is being caught by the overpass and sending it back to our addition. One situation is the semis, when they come the RR overpass and use the Jake Brake process to slow down, their super loud truck the sound is like it is in our living-room. I have seen other jurisdictions that have a no Jake Brake ordinance and I am wondering if that is something Nevada would be willing to implement and process it would take to initiate it.

I have reached out to the DOT regarding the increase in the noise level in our home since the overpass has been built. And I will work with them on dealing with that.

Respectfully
Jane Page

Please acknowledge receipt of this correspondence. Thank you in advance.
Sent from my iPhone

LOCALiQ

Ames Tribune

PO Box 631851 Cincinnati, OH 45263-1851

AFFIDAVIT OF PUBLICATION

CITY CLERK'S OFFICE
City Of Nevada
1209 6Th ST

Nevada IA 50201-1536

STATE OF WISCONSIN, COUNTY OF BROWN

The Nevada Journal, a weekly newspaper printed and published at Ames, Story County, Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspaper in the issues dated:

07/03/2025

and that the fees charged are legal.

Sworn to and subscribed before on 07/03/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

| | | |
|-------------------|-------------|--------------|
| Publication Cost: | \$56.40 | |
| Tax Amount: | \$0.00 | |
| Payment Cost: | \$56.40 | |
| Order No: | 11440177 | # of Copies: |
| Customer No: | 842186 | 0 |
| PO #: | LIOW0323622 | |

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

AMY KOKOTT
Notary Public
State of Wisconsin

ORDINANCE NO. 1067 (2024/2025)

AN ORDINANCE AMENDING CHAPTER 62 (GENERAL TRAFFIC REGULATIONS) OF THE CITY CODE TO PROHIBIT THE USE OF ENGINE AND COMPRESSION BRAKES WITHIN THE CITY LIMITS OF NEVADA

BE IT ENACTED by the City Council of the City of Nevada, Iowa, as follows:
SECTION 1. SECTION ADDED. The Codes of Ordinances of the City of Nevada is amended by adding a new section to Chapter 62 (General Traffic Regulations); Section 62.13 titled The Use of Engine and Compression Brakes Prohibited, is hereby adopted to read as follows:

62.13 THE USE OF ENGINE AND COMPRESSION BRAKES PROHIBITED. Purpose. The purpose of this ordinance is to provide the City of Nevada residents protection from excessive noise caused by the use of engine brakes and compression brakes within the city limits of Nevada.

Definitions. "Engine retarding brake" means a "Dynamic Brake", "C-Brake", "Compression Brake", transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression in such a manner as to emit more than 80 decibels of noise within/at a distance of/more than 50 feet.

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 Nevada, any engine retarding 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, unless such use is necessary to avoid imminent danger/emergency/to avoid injury or accident.

Signage. Signs stating "Vehicle Noise Laws Enforced" or "Engine Brake Ordinance Enforced" may be installed at locations deemed appropriate by the City and adjoining jurisdictions to advise motorists of the prohibitions contained in this ordinance.

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

Penalties. The scheduled fine for violation of this section shall be two hundred dollars (\$200.00).

SECTION 2. REPEALER. All ordinances and resolutions or parts thereof, in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. 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.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved 1st Reading on this 27th day of May, 2025.

Passed and approved 2nd Reading on this 9th day of June, 2025.

Passed and approved 3rd and final Reading on this 23rd day of June, 2025.

July 3 2025

L1OW0323622