

SCOTT COUNTY ORDINANCE NO 24- 06

AN ORDINANCE TO AMEND CHAPTER 13, OF THE SCOTT COUNTY CODE RELATIVE TO PROHIBITING THE UNLAWFUL USE OF ENGINE AND COMPRESSION BRAKES WITHIN DESIGNATED AREAS OF SCOTT COUNTY.

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

SECTION 1.

Re-number Sec. 13-113, RECORD FORWARDED to Sec. 13-114, RECORD FORWARDED.

Re-number Sec. 13-112, CIVIL PENALTY to Sec. 13-113, CIVIL PENALTY.

Re-number Sec. 13-111, VIOLATIONS: COUNTY INFRACTIONS to Sec. 13-112, VIOLATIONS: COUNTY INFRACTIONS.

SECTION 2.

Add Sec. 13-111 - to read:

Sec. 113-111, PROHIBITING THE UNLAWFUL USE OF ENGINE AND COMPRESSION BRAKES

A. Purpose.

1. The purpose of this ordinance is to prohibit the excessive, loud, unusual or explosive use of engine and compressed air-braking devices within designated areas in Scott County.

B. Definitions.

1. "Engine Brake" or "Compression Brake" means a "Dynamic Brake," "Jake Brake," "Jacobs Brake," "C-Brake," "Paccar Brake," transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression.

C. Prohibitions.

1. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within designated areas in unincorporated areas of the County of Scott, 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, unless such use is necessary to avoid imminent danger. Such prohibition shall be applicable only to those public highways or portions specifically identified in this Chapter.

D. Areas of Prohibition.

1. The prohibition set forth herein shall apply to the following public ways in Scott County, Iowa, or portions thereof:
 - a. State Highway 61 (140th Street) between the Scott/Muscatine County (west) corporate limit

line and the Scott County/City of Davenport
(east) corporate limit line.

E. Signage.

1. Signs stating "Vehicle Noise Laws Enforced" or "Engine Brake Ordinance Enforced" may be installed at locations deemed appropriate by the Board of Supervisors to advise motorists of the prohibitions contained in this ordinance, except that no sign stating "Vehicle Noise Laws Enforced" or "Engine Brake Ordinance Enforced" shall be installed on a state highway without a permit from the Iowa Department of Transportation. The provisions of this ordinance shall be in full force and effect even if no signs are installed.

F. Exceptions.

1. Emergency vehicles shall be exempt from the application of this ordinance.

SECTION 3.

Amend Sec. 13-113, CIVIL PENALTY, C, 4, third paragraph to read: For violations of traffic signs and signals, and for failure to obey an officer under sections 13-7, 13-29(C), 13-46, 13-57, 13-58, 13-89, 13-97, 13-111 the civil penalty is twenty dollars.

SECTION 4.

The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 5. SEVERABILITY CLAUSE

If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

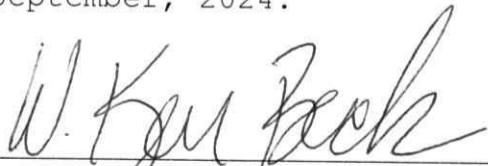
SECTION 6. REPEALER

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7. EFFECTIVE DATE

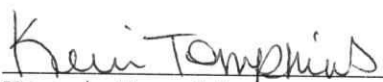
This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

APPROVED this 26th day of September, 2024.



Ken Beck, Chairperson
Scott County Board of Supervisors

ATTESTED BY:



Kerri Tompkins
Scott County Auditor