

1st reading  
2nd reading  
3rd reading

ORDINANCE NO. 01-2025

BE IT ENACTED BY THE TOWN OF FOUNTAIN LAKE, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

“AN ORDINANCE CONCERNING NOISE PREVENTION AND PROHIBITING THE PRACTICE KNOWN AS "JAKE-BRAKING" (MOTOR-BRAKING), PROVIDING FOR PENALTIES FOR SUCH,

**WHEREAS**, it is the finding of the Town Council of the Town of Fountain Lake, 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 local businesses and residents with homes situated near the City's major streets and highways.

**WHEREAS**, it is the finding of the Town Council of the Town of Fountain Lake, Arkansas that an Ordinance needs to be enacted to protect the public health and safety of its community.

**NOW THEREFORE**, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FOUNTAIN LAKE, ARKANSAS, as follows:

**SECTION 1:** It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the Town of Fountain Lake, Arkansas 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, personal injury, or injury to third parties.

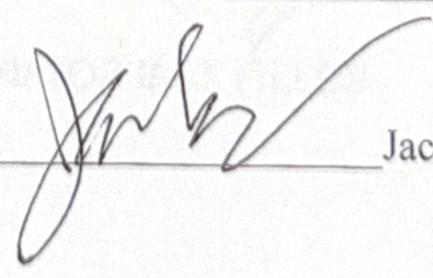
**SECTION 2:** Any person, firm or corporation violating this Ordinance shall be guilty of a misdemeanor and upon conviction hereof shall pay a fine not exceeding \$200.00 for each offense.

**SECTION 3:** Enforcement of this ordinance shall be delayed until signs have been posted on major roadways entering or bypassing the Town of Fountain Lake, Arkansas. Said signs shall be posted on or near said roadways stating in language similar to:

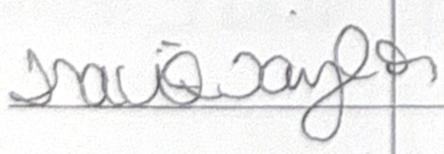
"NO JAKE-BRAKING BY ORDER OF ORDINANCE NO. 0-05-19, UNLESS FOR EMERGENCY PURPOSES"

**SECTION 4: SEVERABILITY:** If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the Ordinance which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Ordinance are declared to be severable.

THIS ORDINANCE PASSED AND ADOPTED on this 10<sup>th</sup> day of March, 2025



Jack Fields, Mayor



Tracie Taylor, City Clerk

