

ORDINANCE 2025-12

AN ORDINANCE AMENDING CHAPTER 95, SPECIFICALLY IN REFERENCE
TO NOISE CONTROL, OF TITLE IX OF THE CODE OF ORDINANCES
OF THE CITY OF COLUMBIA CITY, INDIANA

WHEREAS, truck drivers often rely on compression release engine brakes, known as “Jake Brakes,” to slow their vehicles without excessive wear on traditional braking systems; and

WHEREAS, while Indiana does not have a statewide ban on compression release engine brakes, their use is subject to noise regulation; and

WHEREAS, while the Indiana Code does not explicitly prohibit Jake Brakes, Indiana Code §9-19-5-1 mandates that all motor vehicles have a functioning muffler to prevent excessive noise; and

WHEREAS, Jake Brakes can produce loud noises that are disruptive to communities and violate noise ordinances in effect to help limit and control unreasonable, unnecessary, excessive and offensive noise from all sources subject to the City’s police power; and

WHEREAS, it is determined that, above certain levels, noise is detrimental to the health, welfare, safety, comfort and repose of the citizenry and in the public interest shall be systematically regulated and proscribed by the city; and

WHEREAS, the City Council of the City of Columbia City has determined that regulation of Jake Brakes is important for the health, welfare, safety, comfort and repose of its citizens and is in its public interest.

NOW, THEREFORE, BE IT ORDAINED, ORDERED AND ESTABLISHED by the Common Council of the City of Columbia City, Indiana, that Chapter 95 of the City’s Code of Ordinances is amended as follows:

Section 1. §95.071, Definitions, is amended to add the following definitions:

EXCESSIVE NOISE. *Excessive noise is deemed to be unreasonable noise that is of a volume, frequency, or pattern that prevents, disrupts, injures, or endangers the health, safety, welfare, prosperity, comfort or repose of reasonable persons or ordinary sensitivities.*

JAKE BRAKES. *Compression release engine brakes used to slow vehicles without excessive wear on traditional braking systems. In addition, as used in this section, Jake Brakes or a “compression release engine brake” means a hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism.*

Section 2. The following prohibition shall be added to §95.072(C):

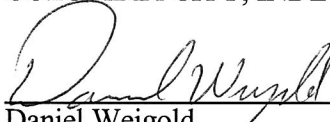
(5) It shall be a violation of this section to use Jake Brakes within the Columbia City jurisdictional limits, except in the case of failure of the service brake system. However, this subsection does not apply to a motor vehicle that has compression release engine brakes with a factory installed muffler or an equivalent after market muffler. A person may not drive a motor vehicle equipped with compression release engine brakes unless the motor vehicle is equipped with a muffler in good working condition so that excessive noise is prevented. The finding that an operator does not have a properly functioning muffler or that an operator’s Jake Brakes produce unreasonable noise or excessive noise for whatever reason, shall be prima facie evidence of a violation of this section.


Section 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance in which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 4. This Ordinance shall be of full force and effect from and upon its adoption and in accordance with Indiana law.

9 PASSED AND ADOPTED by the Common Council of the City of Columbia City, Indiana, this
day of September, 2025.

COMMON COUNCIL OF THE CITY OF
COLUMBIA CITY, INDIANA, BY:


Daniel Weigold


Theodore J. Varga, Jr.


Brent Bockelman



Jennifer B. Zarman-Romano


Jennifer Middleton

Attest:


Leslee R. Robinson, Clerk-Treasurer

Approved this 9 day of September, 2025.


Ryan L. Daniel, Mayor
City of Columbia City