

ORDINANCE 2026-22

AN ORDINANCE AMENDING CHAPTER 70
OF TITLE VII AND CHAPTER 95 OF TITLE IX OF THE CODE OF ORDINANCES
OF THE CITY OF COLUMBIA CITY, INDIANA

WHEREAS, it has been determined that the current City of Columbia City Code addressing “Jake Brakes” in Chapter 95 of Title IX would be better placed under the traffic rules of Chapter 70 of Title VII; and

WHEREAS, it has been determined that given the disruption to citizens and communities that often results from the unreasonable, unnecessary, excessive and offensive noise emanating from the use of Jake Brakes, the penalty from such use shall be increased to \$100; and

WHEREAS, the City Council of the City of Columbia City continues to believe and 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 and Chapter 70 of the City’s Code of Ordinances are amended as follows:

Section 1. §70.01(A) shall be amended to state (emphasis added for amendment language):

(A) No person having charge of or operating an automobile or other vehicle on the streets or alleys within the city shall cause, by the operation of the vehicle, any loud or offensive noise, sound, disorder, or tumult to the disturbance of peace, health, safety, and quietude of the city, or to the annoyance of any of its inhabitants. *Loud or offensive 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.*

Section 1. §95.071, Definitions, is amended to remove 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. §70.01(B) shall now include the following:

(6) *The use of “Jake Brakes”, which are defined to be compression release engine brakes used to slow vehicles without excessive wear on traditional braking systems. 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. It shall be a violation of this title 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 vehicle that has compression release engine brakes with a factory installed muffler or an equivalent after market muffler. A person may not drive a vehicle equipped with compression release engine brakes unless the 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. 70.99, Penalty, is amended to state:

(A) Whoever violates §70.01(B)(6) of this title shall be fined \$100 for each violation of §70.01(B)(6).

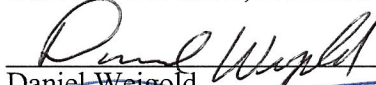
(B) Whoever violates any other provision of this title, for which no other penalty is specifically provided, shall be fined \$100 for each violation of this title.

Section 4. 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 5. This Ordinance shall be of full force and effect from and upon its adoption and in accordance with Indiana law.

gm PASSED AND ADOPTED by the Common Council of the City of Columbia City, Indiana, this day of June, 2026.


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



Daniel Weigold




Theodore J. Varga, Jr.



Brent Bockelman

Jennifer B. Zartman-Romano



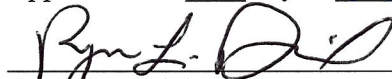
Ryan Adamson

Attest:



Leslee R. Robinson, Clerk-Treasurer

Approved this gm day of June, 2026.



Ryan L. Daniel, Mayor
City of Columbia City