

ORDINANCE NO. 528

**AN ORDINANCE PROHIBITING THE USE OF JAKE BRAKES ON MOTOR VEHICLES WITHIN THE CITY OF WATHENA, KANSAS; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

Section 1. JAKE BRAKE DEFINED. The term Jake Brake as used herein means any device commonly known by that name or any similar device used to slow a motor vehicle by engine compression creating loud or excessive noises to be emitted through the vehicle's exhaust system.

Section 2. USE OF JAKE BRAKES PROHIBITED. It shall be unlawful for any person operating a motor vehicle within the limits of the City of Wathena, Kansas, to use a Jake Brake system installed in said motor vehicle.

Section 3. PENALTIES FOR VIOLATION. Any person convicted of a violation of this Ordinance will be deemed guilty of a Class C Misdemeanor and punished by a fine of not more than \$100.00 or by imprisonment for not more than 30 days or by both such fine and imprisonment.

Section 4. REPEALER. All ordinances of the City of Wathena, Kansas, and parts of ordinances in conflict herewith are hereby repealed.

Section 5. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED AND APPROVED by the Governing Body, this 15<sup>th</sup> day of August, 2000.

  
James P. McAnerney, Mayor

ATTEST:

  
Jim Richardson, City Clerk