

ORDINANCE 08-09-2023

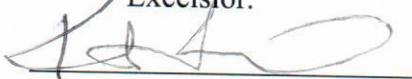
AMENDED 10-11-2023

**ORDINANCE ON THE USE OF COMPRESSION (JAKE) BRAKES IN THE
TOWN OF EXCELSIOR**

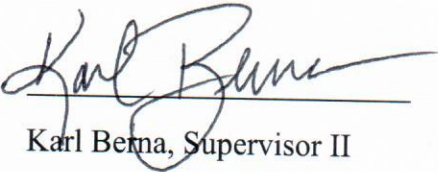
WHEREAS, the Town of Excelsior, Sauk County, Wisconsin, finds that the use of motor vehicles brakes which are activated or operated by the compression of the engine of a motor vehicle disturbs and disrupts the public peace and quiet and, therefore, finds that it would be in the best interest of public health, safety and general welfare to prohibit the use of such brakes within the Town of Excelsior where posted signs are located.

NOW THEREFORE THE Town of Excelsior does ordain as follows:

- a. No person should use motor vehicle brakes within the Town where signs are posted that are in any way activated or operated by the compression of an engine of any such motor vehicle or any unit or part thereof.
- b. Exception. It shall be an affirmative defense to prosecution under this subsection that said compression brakes were necessary for the protection of persons and/or property.
- c. Penalty. Any entity that violates or fails to comply with any provisions of this ordinance shall be subject to a forfeiture of not less than \$100 nor more than \$250, together with the costs of prosecution and attorney fees.
- d. Severability. If any section or provisions of this ordinance is adjudged unconstitutional or invalid by court or competent jurisdiction or by any agency of any kind or by anyone else, the remainder of this Ordinance shall not be affected.
- e. Effective date. This ordinance will take effect upon adoption by the Town Board of the Town of Excelsior.



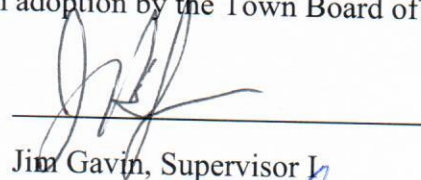
Kurt Muchow, Chairman



Karl Berna, Supervisor II



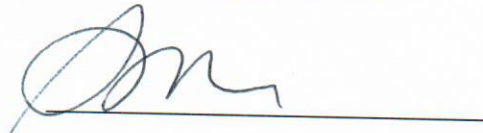
Dan Biermeier, Supervisor IV



Jim Gavin, Supervisor I



Pat Weber, Supervisor III



Attested by:

Sandra Meyer Swanson, Town Clerk

August 9th, 2023