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PATRICK F GILL, AUDITOR AND RECORDER
WOODBURY COUNTY IOWA

ORDINANCE NO. 48

PATRICK F. GILL
WOODBURY COUNTY

2019 JAN 24 AM 8 22
AUDITOR RECORDER
COMM OF ELECTIONS

AN ORDINANCE ESTABLISHING AREAS PROHIBITING THE USE OF COMPRESSION BRAKES OR BRAKING, ALSO KNOW AS "JAKE BRAKES" WITHIN WOODBURY COUNTY, IOWA

(This ordinance repeals and replaces Ordinance Numbers 14 and 20.)

Be It Enacted by the Woodbury County Board of Supervisors, Woodbury County, Iowa:

SECTION 1. PROHIBITION AND PENALTY

A. Engine Brakes and Compression Brakes. It is unlawful for the driver of any vehicle to use or operate within the area described in Section B any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle, except in the case of an emergency.

B. The prohibition above described shall be in effect for the following described roads and highways within Woodbury County, Iowa:

1. U.S. Highway 20 beginning one half mile east of the intersection of U.S Highway 20 and Emmett Avenue and continuing to the intersection of U.S. Highway 20 and Eastland Avenue. This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
2. County Route K49 (Easter Avenue) from 150th Street south to the City Limits of the City of Lawton, Woodbury County Iowa.
3. U.S. Highway 20 beginning one half mile east of the intersection of U.S. Highway 20 and Humboldt Avenue to the intersection of U.S. Highway 20 and Iowa Highway 140/County Route K64 (Moville Blacktop). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
4. County Road D38 from the intersection of Old Lakeport Road east to the intersection of Elk Creek Road (north)/Buchanan Avenue (South). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
5. U. S. Highway 75 Bypass beginning at the U.S. Highway 20 interchange and continuing north to the 28th Street/Outer Drive interchange. This restriction shall apply to both northbound traffic and southbound traffic in the designated area in the rural portions of U.S. Highway 75 Bypass.
6. U.S. Highway 20 from the intersection of Buchanan Avenue/Glen Ellen Road west to the U.S. 20/75 interchange. This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
7. Iowa Highway 141 beginning at the intersection with Dillon Avenue and continuing west to the intersection of Iowa Highway 141 and County Route K45 (Old Highway 75). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
8. County Road K45, also known as Old Highway 75, beginning ¼ mile north of the north city limits of the city of Salix to a point ¼ mile south of Salix. The restriction shall apply to northbound and southbound traffic.

C. Violation of this ordinance is a scheduled violation with a penalty of \$100.00.


SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. This includes current county ordinances Number 14 (enacted April 11, 2006) and Number 20 (enacted December 12, 2006), which are combined within this new ordinance.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.


SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law and when appropriate signage is erected and placed upon the areas described above to give notice of the ordinance.

First Hearing: 11/27/2018
Second Hearing: 12/4/2018
Third Hearing: 12/18/2018

Passed and approved by the Woodbury County Board of Supervisors December 18, 2018.



Chairman Woodbury County Board of Supervisors
Rocky DeWitt

Attest:


Woodbury County Auditor
Patrick F. Gill

ORDINANCE NO. 48
 AN ORDINANCE ESTABLISHING AREAS
 PROHIBITING THE USE OF COMPRES-
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B. The prohibition above described shall be in effect for the following described roads and highways within Woodbury County, Iowa:

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 2. County Route K49 (Easter Avenue) from 15th Street south to the City Limits of the City of Lawton, Woodbury County, Iowa.
 3. U.S. Highway 20 beginning one half mile east of the intersection of U.S. Highway 20 and Humboldt Avenue to the intersection of U.S. Highway 20 and Iowa Highway 140/County Route K64 (Moxie Blacktop). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
 4. County Road D38 from the intersection of Old Lakeport Road east to the intersection of Elk Creek Road (north)/Buchanan Avenue (South). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
 5. U.S. Highway 75 Bypass beginning at the U.S. Highway 20 interchange and continuing north to the 28th Street/Outer Drive interchange. This restriction shall apply to both northbound traffic and southbound traffic in the designated area in the rural portions of U.S. Highway 75 Bypass.
 6. U.S. Highway 20 from the intersection of Buchanan Avenue/Glen Ellen Road west to the U.S. 20/75 interchange. This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
 7. Iowa Highway 141 beginning at the intersection with Dillon Avenue and continuing west to the intersection of Iowa Highway 141 and County Route K45 (Old Highway 75). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
 8. County Road K45, also known as Old Highway 75, beginning 1/4 mile north of the north city limits of the city of Salix to a point 1/4 mile south of Salix. The restriction shall apply to northbound and southbound traffic.
- C. Violation of this ordinance is a scheduled violation with a penalty of \$100.00.

SECTION 2. REPEALER. All ordinances or

**PROOF OF PUBLICATION
 STATE OF IOWA
 COUNTY OF WOODBURY**

The undersigned, of said County, being duly sworn, on oath states the undersigned is an employee of the Sioux City Journal printed and published by Journal Communications, in Sioux City in said County and issued daily and Sunday and that the annexed printed NOTICE OF

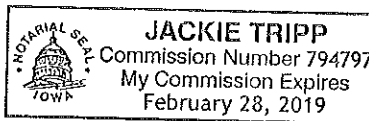
Ordinance No. 48 – Jake Brakes

in said newspaper one consecutive Thursday issues, the first publication thereof being on the 10th day of January 2018. *2019*

Brenda Gries
 Brenda Gries

Subscribed and sworn before me in Sioux City, in said County, this *10th* day of *January*, *2019*.

Jackie Tripp Notary Public



In and for Woodbury County.

Legal #30509 90 Lines 1 Times \$36.90

SIOUXCITYJOURNAL.COM

parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. This includes current county ordinances Number 14 (enacted April 11, 2006) and Number 20 (enacted December 12, 2006), which are combined within this new ordinance.

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First Hearing: 11/27/2018
 Second Hearing: 12/4/2018
 Third Hearing: 12/18/2018

Passed and approved by the Woodbury County Board of Supervisors December 18, 2018. Rocky De Will (signed) Chairman
 Woodbury County Board of Supervisors

Attest:
 Patrick Gill (signed)
 Woodbury County Auditor
 Published in the Sioux City Journal January 10, 2019. LGL#30509

RECEIVED

NOV 26 2018

COUNTY ENGINEER
WOODBURY COUNTY IOWA
BY _____

PROOF OF PUBLICATION
STATE OF IOWA
COUNTY OF WOODBURY

The undersigned, of said County, being duly sworn, on oath states the undersigned is an employee of the Sioux City Journal printed and published by Journal Communications, in Sioux City in said County and issued daily and Sunday and that the annexed printed NOTICE OF

Hearing – Jake Brake Ordinance

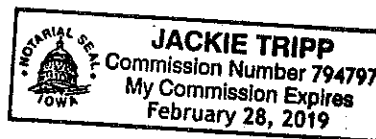
in said newspaper one consecutive Thursday issues, the first publication thereof being on the 15th day of November, 2018 .

Brenda Gries
Brenda Gries

Subscribed and sworn before me in Sioux City, in said County, this 19th day of November, 2018

Jackie Tripp Notary Public

In and for Woodbury County.



Legal #30339 30 Lines 1 Times \$16.38

LEGAL NOTICE
NOTICE REGARDING PUBLIC HEARING
WOODBURY COUNTY BOARD OF
SUPERVISORS
The Woodbury County Board of Supervisors will hold the first reading of an Ordinance establishing areas prohibiting the use of compression brakes or braking, also known as "Jake brakes" within Woodbury County Iowa on Tuesday, November 27, 2018, at 4:45 p.m. Said hearing shall be held at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors Meeting Room in the basement. Copies of said item may now be examined in the Board Administration Office in said Courthouse by any interested persons. Further information on the proposed ordinance is also

available at the office of the Woodbury County Engineer, 759 E. Frontage Road, Moline, Iowa, phone no. 712-873-3215, fax no. 712-873-3235, email: mnahra@woodburycountyia.gov. At said Public Hearing, any person present, and so wishing will be given the opportunity to be heard, for or against, the proposed ordinance. Any person so wishing may file a document with the Woodbury County Auditor's Office prior to the time of the hearing, should the person wish the document to be read for them at the time of the hearing.
Patrick Gill
Woodbury County Auditor
Published in the Sioux City Journal November 15, 2018. LGL#30339

Publisher's Affidavit

WOODBURY COUNTY, }
STATE OF IOWA } SS.

Legal Notice

NOTICE REGARDING PUBLIC HEARING WOODBURY COUNTY BOARD OF SUPERVISORS

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At said Public Hearing, any person present, and so wishing will be given the opportunity to be heard, for or against, the proposed ordinance. Any person so wishing may file a document with the Woodbury County Auditor's Office prior to the time of the hearing, should the person wish the document to be read for them at the time of the hearing.

Patrick Gill
Woodbury County Auditor

Published in The Record
Thursday, November 15, 2018

I, Blake Stubbs, of said county, being first duly sworn on oath, state that I am publisher and editor of

THE RECORD

A newspaper published in the city of Merville, County of Woodbury, State of Iowa, and issued weekly, and that the

Notice of Public Hearing - Re: Jake Brakes
a copy of which is hereto attached, was regularly published in said newspaper once each week for one consecutive weeks, the first publication thereof being on the 15th day of November, 2018, and the last publication being on the day of , 20 .
Fee for publication \$ 25.19.

Blake Stubbs
Publisher

Subscribed in my presence and sworn to before me by Blake Stubbs above named, at Merville, said County this 15th day of November, 2018.

(SEAL)

Lisa M. Forts
of Woodbury, State of Iowa.
Notary Public in and for said County

Woodbury County,
State of Iowa

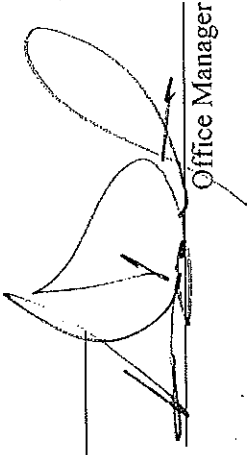
SS.

I, Aaron Dominowski, of said county, being first duly sworn on oath, state that I am the Office Manager of the

Sergeant Bluff Advocate

A newspaper printed and published in the city of Sergeant Bluff, county of

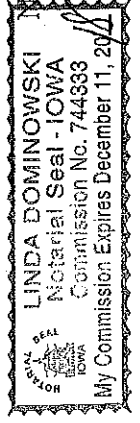
Woodbury, State of Iowa, and issue weekly, and that the
Notice Regarding Public Hearing
a copy of which is hereto annexed, was regularly published in said newspaper
once each week for the 15 day of Nov, 2018, and
the last publication thereof being on the 15 day of
Nov, 2018.


Office Manager

Fees for publication \$ 18.90

Subscribed in my presence and sworn to before me by Aaron Dominowski,
above named, at Sergeant Bluff, said County this 15 day of
Nov, 2018.

(Seal)



Woodbury, State of Iowa
Notary Republic in and for said County



**NOTICE REGARDING
PUBLIC HEARING
WOODBURY COUNTY
BOARD OF SUPERVISORS**

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Patrick Gill //s// Woodbury County Auditor.

Published in the Sergeant Bluff Advocate weekly newspaper, Thursday, Nov. 15, 2018. The SB-Advocate is an Official Woodbury County Newspaper (11/15/2018NP)