

TOWN OF NIAGARA  
Niagara Wisconsin  
Marinette County  
TOWN OF NIAGARA  
ORDINANCE #42

AN ORDINANCE OF THE TOWN OF NIAGARA, MARINETTE, WISCONSIN, PROHIBITING THE USE OF COMPRESSION BRAKES IN THE TOWN EXCEPT IN EMERGENCIES; PROVIDING PENALTIES THEREFORE; AND AUTHORIZING THE POSTING OF APPROPRIATE SIGNS AND DESIGNATING PENALTY AND ENFORCEMENT AUTHORITY.

WHEREAS, the Town Board of the Town of Niagara finds that the use of motor vehicle 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 the public health, safety and general welfare to prohibit the use of such brakes except in emergency situations, Now, therefore,

THE TOWN BOARD OF THE TOWN OF NIAGARA, MARINETTE COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

Section 1 Compression brakes prohibited. No person shall use motor vehicle brakes within the Town of Niagara which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof. It shall be an affirmative defense to prosecution under this section that said compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.

Section 2. Any person violating the provisions of this Ordinance shall have committed a traffic infraction and a penalty of \$75.00 plus County enforcement cost shall be imposed.

Section 3. The Town Chairman and/or his designee is authorized and directed to post appropriate signs consistent with the provisions of this Ordinance.

Section 4. This Ordinance shall take effect and be in force five (5) days after its passage, approval, posting and erection of appropriate signs.

Section 5. The Marinette County Sheriff Department is hereby designated enforcement authority of this ordinance.

The foregoing ordinance was adopted at a regular meeting of the Niagara Town Board. October 8, 1997.

Signed by Crescent Canavera, Chairman; Supervisor Kenneth Shampo; and Supervisor James Cater