

**Ordinance #2025-13**, An Ordinance of the Fairfield Town Council of Fairfield Town, Utah, Amending Section 5.1.120.E.6, Excessive Sound Levels, Related to the Use Of Jake Brakes Within Fairfield; and Amending Text in Section 5.1.10.(B) and Adding Definition for Dynamic Braking Device.

**Dated July 16, 2025**

**WHEREAS**, Utah Code grants the Fairfield Town authority to enact ordinances that the Fairfield Town considers necessary or appropriate for the use and development of land within the Town; and

**WHEREAS**, the subject text amendment enacts provisions related to the regulation of nuisance; and

**WHEREAS**, the Town Council finds that the subject text amendment will enhance public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** By the Town Council Of Fairfield, State of Utah:

**SECTION 1. Text Amendment.** That Fairfield Town Code Section 5.1.10.(B) and 5.1.120.E.(6), shall be amended to read as follows:

Section 5.1.10.(B). Definitions. The definitions provided in this section shall be specific to this section only. In the event of conflict between a definition in this section and a definition in Title 12., the definition in this section shall prevail.

Dynamic Braking Device, commonly referred to as "jake brake". Means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

Section 5.1.120.E(6). Excessive Sound Levels.

A. No person shall operate or permit the operation of any motor vehicle with a dynamic braking device engaged within the boundaries of Fairfield Town, except to avert imminent danger. The emitting of any compression noise shall be prima facie evidence of the use of engine compression.

B. Penalty.

Any person violating the dynamic braking device provisions shall be guilty of a class C misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

**SECTION 2. Severability.** If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, provisions, and words of this Ordinance shall be severable.

**SECTION 3. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

Passed and Adopted this 16th day of July 2025.

FAIRFIELD TOWN

Hollie McKinney  
Hollie McKinney, Mayor

|                 |               |          |               |                 |
|-----------------|---------------|----------|---------------|-----------------|
| RL Panek        | yes <u>13</u> | no _____ | abstain _____ | absent _____    |
| Tyler Thomas    | yes <u>17</u> | no _____ | abstain _____ | absent _____    |
| Michael Weber   | yes _____     | no _____ | abstain _____ | absent <u>X</u> |
| Richard Cameron | yes _____     | no _____ | abstain _____ | absent <u>X</u> |

Stephanie Shelley  
Stephanie Shelley, Recorder



FAIRFIELD TOWN

STATE OF UTAH     )  
                                  ) ss.  
COUNTY OF UTAH   )

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the 16th day of July, 2025.

**Ordinance #2025-13**, An Ordinance of the Fairfield Town Council of Fairfield Town, Utah, Amending Section 5.1.120.E.6, Excessive Sound Levels, Related to the Use Of Jake Brakes Within Fairfield; and Amending Text in Section 5.1.10.(B) and Adding Definition for Dynamic Braking Device.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town, Utah, this 16th day of July, 2025.

Stephanie Shelley,  
Stephanie Shelley  
Fairfield Town Recorder/Clerk

(SEAL)



AFFIDAVIT OF POSTING

STATE OF UTAH            )  
                                      ) ss.  
COUNTY OF UTAH    )

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Fairfield Town Council on the 16th Day of July 2025, and herein referred to as:

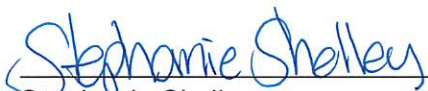
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SUMMARY.

Excessive Sound Levels Related to the Use Of Jake Brakes Within Fairfield.

The three places are as follows:

1.       Fairfield Town Hall
2.       Fairfield Town Website
3.       Utah State Public Notice Website



Stephanie Shelley  
Fairfield Town Recorder/Clerk

Date of Posting 16<sup>th</sup> day of July, 2025