

TOWN OF BLUFF, UTAH ORDINANCE NO. 2026-03

AN ORDINANCE ENACTING PROVISIONS REGULATING ENGINE BRAKE/DYNAMIC BRAKING DEVICES

WHEREAS, the Town of Bluff General Plan finds that minimizing noise pollution contributes to the preservation of the rural, small-town character of Bluff; and

WHEREAS, excessive or unnecessary noise can negatively impact adjacent property owners and diminish quality of life; and

WHEREAS, the Town recognizes that some level of noise is inherent in daily life, including traffic and necessary mechanical operations; and

WHEREAS, the Town of Bluff General Plan states that highway and other noise should be kept to a minimum via ordinance; and

WHEREAS, the Town finds that the use of engine braking devices, when not reasonably necessary for safety, creates loud and disruptive noise impacts;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF BLUFF, UTAH:

SECTION 1: Definitions

For the purposes of this Chapter, the words and terms used herein shall be defined as follows:

- A. **Emergency Situation** means a circumstance in which the use of an engine brake is reasonably necessary to avoid imminent danger to persons, property, or animals.
- B. **Engine Brake** (also known as “Jake Brake,” “Jacobs Brake,” or “Dynamic Braking Device”) means a device installed on a motor vehicle that uses the engine to slow the vehicle by releasing compressed air, resulting in increased noise.
- C. **Noise Disturbance** means a sound that is unreasonably loud, excessive, or disruptive to a person of ordinary sensibilities that interfere with the reasonable use of property.
- D. **Nuisance** means the unreasonable, unwarranted, or unlawful use of one’s property in a manner than substantially interferes with the enjoyment or use of another’s property without an actual trespass or physical invasion of land.

SECTION 2: Regulation of Engine Brakes

- A. The use of an engine brake within the Town limits is prohibited.
- B. The use of any engine brake is prohibited within the Town limits except when reasonably necessary for the safe operation of the vehicle, including during an emergency situation.

SECTION 3: Applicability

- A. This chapter applies to noise pollution from engine brakes in all zones within the Town of Bluff except where exemptions are clearly stated.
- B. Notice of this Ordinance may be posted at or near locations where major highways enter the Town, subject to approval from the applicable highway authority where required by law.

SECTION 4: Exemptions

This Ordinance shall not apply to:

- A. Emergency vehicles engaged in official duties;
- B. Vehicles using engine braking when reasonably necessary to protect public safety;
- C. Situations where compliance would conflict with state or federal safety requirements.

SECTION 5: Enforcement

- A. This Ordinance may be enforced by any law enforcement officer with jurisdiction within the Town of Bluff.
- B. The Town may coordinate enforcement with the San Juan County Sheriff's Office or Utah Highway Patrol as appropriate.

SECTION 6: Penalties

- A. A violation of this Ordinance is an infraction and may result in a fine of \$110.
- B. Subsequent, repeated violations may be treated as separate offenses, resulting in fines up to \$1080 per offense.

SECTION 6: Severability

If any section, clause, or provision of this ordinance is found to be invalid or unenforceable, the remainder shall remain in full force and effect.

SECTION 7: Effective Date

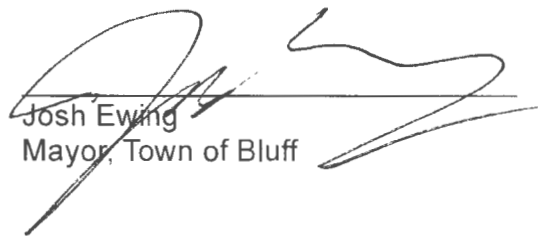
This ordinance shall take effect immediately upon passage and publication as required by law.

APPROVED AND ADOPTED by the Town Council of Bluff, Utah at a duly noticed public meeting on this 7th day of April, 2026 by the following vote:

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mayor Josh Ewing	X			
Mayor Pro-Tem Britt Hornsby	X			
Town Council Member Jennifer Davila	X			
Town Council Member Gary Haws				X
Town Council Member Spencer Wade	X			

TOWN OF BLUFF

BY:


 Josh Ewing
 Mayor, Town of Bluff



BLUFF SEAL

ATTEST:


 Erin Nelson
 Bluff Town Recorder

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