

**VILLAGE OF GURNEE**

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2025- 32

**AN ORDINANCE AMENDING CHAPTER 46 OF THE GURNEE MUNICIPAL CODE  
TO PROHIBIT EXCESSIVE ENGINE BRAKING NOISE**

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ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF GURNEE, ILLINOIS  
ON

April 23, 2025

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Published in pamphlet form by authority of the Village Board  
of the Village of Gurnee, Lake County, Illinois,  
this 24<sup>th</sup> day of April 2025

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THOMAS B HOOD	President	JEANNE BALMES	Trustee
ANDY HARRIS	Clerk	GREG GARNER	Trustee
BRYAN WINTER	Attorney	QUIN O'BRIEN	Trustee
		CHERYL G. ROSS	Trustee
		KAREN THORSTENSON	Trustee
		KEVIN WOODSIDE	Trustee

**AN ORDINANCE AMENDING CHAPTER 46 OF THE GURNEE MUNICIPAL CODE  
TO PROHIBIT EXCESSIVE ENGINE BRAKING NOISE**

**WHEREAS**, the Village of Gurnee is a home rule municipality in accordance with Article VII, section 6 of the Constitution of the State of Illinois of 1970 and has the authority to exercise any power and perform any function pertaining to its government and affairs; and,

**WHEREAS**, 625 ILCS 5/11-302 and 625 ILCS 5/11-304 provide that the local authority can designate the placement of signs on highways located within the local authority's jurisdiction; and,

**WHEREAS**, 625 ILCS 5/12-602.1 allows signs that prohibit the driver of a commercial vehicle from operating any engine braking system that emits excessive noise; and,

**WHEREAS**, the Village finds that the use of engine braking by motor vehicles generates excessive noise that can negatively impact the health, safety, and welfare of residents; and,

**WHEREAS** the Village of Gurnee desires to maintain a peaceful and quiet environment for its residents and visitors.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF GURNEE, LAKE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:**

**SECTION 1:** The above recitals are incorporated into this Ordinance and shall have the same force and effect as though fully set forth herein.

**SECTION 2:** That Chapter 46, Article VIII of the Gurnee Municipal Code is hereby amended by adding Section 46-213, as follows:

**Sec. 46-213. – Excessive Engine Braking Noise Prohibited.**

1. No person shall operate or cause to be used or operated within the Village an engine braking system that emits excessive noise on any commercial vehicle within the corporate limits of the Village. For the purposes of this ordinance, an engine braking system shall be deemed to be any device which uses the force of the engine in any commercial vehicle to slow or alter the speed of the vehicle by the application of force to the drive train, including but not limited to engine brakes, exhaust brakes, or other similar systems. A commercial vehicle shall be deemed to be emitting excessive noise if the vehicle is operating an engine braking system that emits excessive noise.
2. This Section shall not apply to the use of an engine braking system that has an adequate sound muffling system in proper working order that prevents excessive noise.
3. It is a defense to this Section that the driver used an engine braking system that emits excessive noise in an emergency to avoid a collision with a person or another vehicle on the highway.

4. Any person found to be in violation of this section shall be subject to a fine of seventy-five dollars (\$75.00).

**SECTION 3:** Nothing in this Ordinance shall be construed to affect any suit or proceedings pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby repealed or amended by this ordinance; nor shall any just or legal right, claim, penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

**SECTION 4:** If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

**SECTION 5:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

**Passed this 23<sup>rd</sup> day of April 2025**

	<b>Ayes:</b>	<b>Nays:</b>	<b>Absent/Abstain:</b>
Jeanne E. Balmes	<u>  x  </u>	<u>          </u>	<u>          </u>
Greg Garner	<u>  x  </u>	<u>          </u>	<u>          </u>
Quin O'Brien	<u>  x  </u>	<u>          </u>	<u>          </u>
Cheryl G. Ross	<u>  x  </u>	<u>          </u>	<u>          </u>
Karen Thorstenson	<u>  x  </u>	<u>          </u>	<u>          </u>
Kevin Woodside	<u>  x  </u>	<u>          </u>	<u>          </u>

**By:**



THOMAS B. HOOD, Village President

**Date:**

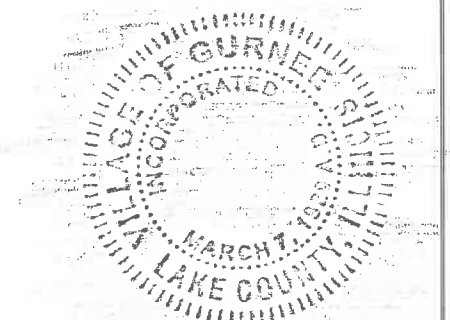
4-21-25

**ATTEST:**

**By:**



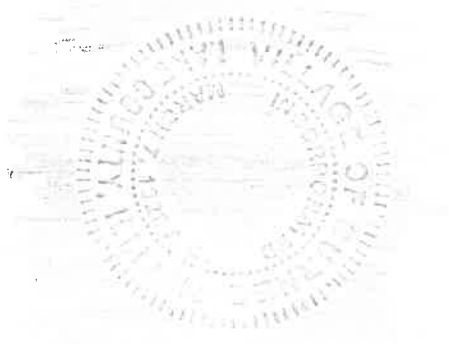
ANDY HARRIS, Village Clerk



Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on April 23, 2025.

I hereby certify that the above ordinance was published in pamphlet form on the 24<sup>th</sup> day of April 2025, as provided by law.

  
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ANDY HARRIS, Village Clerk



STATE OF ILLINOIS     )  
                                      ) SS.  
COUNTY OF LAKE        )

**CERTIFICATE**

I, ANDY HARRIS, certify that I am the duly elected and acting municipal clerk of the Village of Gurnee, Lake County, Illinois.

I certify that on the 23<sup>rd</sup> day of April 2025, the Corporate Authorities of such municipality passed and approved Ordinance 2025 - 32, entitled, "**AN ORDINANCE AMENDING CHAPTER 46 OF THE GURNEE MUNICIPAL CODE TO PROHIBIT EXCESSIVE ENGINE BRAKING NOISE**" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2025 - 32, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on the 24<sup>th</sup> day of April 2025, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Gurnee, Illinois, this 24<sup>th</sup> day of April 2025.



ANDY HARRIS, Village Clerk

