

ORDINANCE NO. 2004-4

AN ORDINANCE PRECLUDING THE USE OF ENGINE RETARDERS/"JAKE BRAKES" WITHIN THE BOROUGH LIMITS AND ESTABLISHING A FINE FOR VIOLATIONS

WHEREAS, the purpose of this Ordinance is to help preserve the peace and tranquility of Borough residents by prohibiting the excessive amount of noise produced by the use of brake retarders/"jake brakes" by truck operators within the Borough limits; and

WHEREAS, the Borough Council and the Borough Police Department have received numerous complaints from residents about the noise caused by the use of brake retarders/"jake brakes" by truck operators within the Borough limits; and

WHEREAS, the Borough Council and the Borough Police Department believe the best way to rectify this situation is to prohibit the use of brake retarders/"jake brakes" by heavy truck operators within the Borough limits.

NOW, THEREFORE BE IT ENACTED AND ORDAINED by the Borough of Northumberland, Northumberland County, Pennsylvania, and it is hereby enacted and ordained as follows:

1. The use of brake retarders, "jake brakes" or similar devices by truck operators within the Borough limits shall be precluded at all times.
2. This ordinance shall not apply to Fire Protection Equipment or other emergency vehicles.
3. All major routes and streets generally utilized by trucks equipped with brake retarders/"jake brakes" or similar devices shall be posted with appropriate signs as required by the relevant PENNDOT rules and regulations.
4. This Ordinance shall take effect immediately upon its adoption.
5. If any section, subsection, or clause of this Ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

6. The relevant fines and penalties as set forth in the Borough Code and/or the Motor Vehicle Code shall apply to any motorists found guilty of violating the provisions of this Ordinance.

ENACTED AND ORDAINED into an Ordinance this 16th day of November, 2004 by the Northumberland Borough Council in the lawful public session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

Secretary

Mayor