

**ORDINANCE OF WAYNE TOWNSHIP NO. 3 of 2009**

An Ordinance by Wayne Township, Lawrence County, Pennsylvania, Precluding the Use of Engine Brake Retarders Within Wayne Township, Lawrence County, on Pennsylvania State Route 488 Between the Second and Third Bridges.

WHEREAS, the purpose of this Ordinance is to preserve the peace and tranquility of Township residents by prohibiting the use and operation of engine brake retarders on gasoline or diesel powered motor vehicles.

NOW THEREFORE, be it enacted and ordained by the Board of Supervisors of Wayne Township, Lawrence County, Pennsylvania, and it is hereby enacted and ordained as follows:

Section 1. Prohibited Acts.

No gasoline-powered or diesel-powered motor vehicle shall be operated on Pennsylvania State Route 488 between the Second and Third Bridges between the hours of 7:00 p.m. and 7:00 a.m. which utilizes in said operation an engine break retarder or similar device thereby permitting excessive noise.

Section 2. Exemptions.

This Ordinance shall not apply to emergency driving situations necessary to protect the safety of property and persons or the utilization of such engine brake retarders by fire or similar emergency vehicles.

Section 3. Posting of Signs.

Signs shall be posted within the Township at appropriate places advising motor vehicle operators of the prohibition of the use of engine brake retarders consistent with this Ordinance and Pennsylvania Department of Transportation regulations.

Section 4. Violations and Penalties.

Any person, persons, firm, corporation or organization who shall violate any section or provision of this Ordinance, upon summary conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Motor Vehicle Code, shall be sentenced to pay a fine of not more than \$1,000.00 and not less than

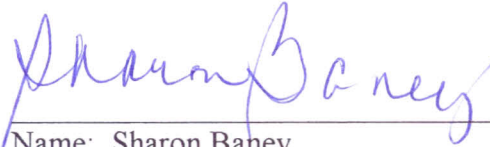
\$300.00, plus costs of prosecution, and in default of the payment thereof, shall be sentenced to undergo a term of imprisonment not to exceed that permitted by law.

Section 5. Enforcement.

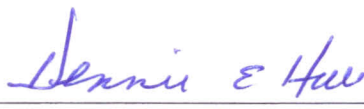
Any law enforcement officer of the Commonwealth of Pennsylvania or Wayne Township shall implement the enforcement of this Ordinance.

Enacted and ordained this 1 day of OCT, 2009.

ATTEST:

  
Name: Sharon Bahey  
Title: Secretary

BOARD OF SUPERVISORS,  
TOWNSHIP OF WAYNE, LAWRENCE  
COUNTY, PENNSYLVANIA

By:   
Name: Dennis Hall  
Title: Chairman

By: \_\_\_\_\_  
Name: Robert Abraham  
Title: Assistant Chair

By:   
Name: Charles Hutchison  
Title: Supervisor

