

ORDINANCE 2014-04

ORDINANCE OF THE TOWNSHIP OF WOOLWICH PROHIBITING THE USE OF EXHAUST BRAKES (ALSO KNOWN AS "JAKE BRAKES") ALONG A SECTION OF PAULSBORO ROAD , BEING COUNTY ROUTE 653 IN WOOLWICH TOWNSHIP

WHEREAS, the Township Committee of the Township of Woolwich seeks, per the request of neighboring landowners, to prohibit the use of Engine Compression Braking, along a portion of Paulsboro Road in Woolwich Township; and

WHEREAS, in accordance therewith the Township Committee desires to amend the Township Code of the Township of Woolwich to accomplish this purpose;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Woolwich, County of Gloucester, State of New Jersey, that the codified ordinances of the Township of Woolwich shall be amended to include the following language:

DEFINITIONS:

ENGINE COMPRESSION BRAKE

Any device that utilizes air compression and/or rapid release of compressed air in the cylinders of engines to slow or retard vehicle speed. Examples include, but are not limited to, Jacobs Engine Brake®, also known as "Jake Brake®" engine retarder, Pacbrake® engine brake; TecBrake® engine brake; D-Celerator® diesel exhaust brake; and similar devices that meet the definition.

PUBLIC SAFETY VEHICLE

Any vehicle operated by the Woolwich Township Fire Department or the Woolwich Township Police Department, or any other emergency vehicle operated by a State, county and/or local agency.

§1: The use of "Engine Compression Brakes", commonly known as the use of "Jake Brakes" shall at all times be prohibited on Paulsboro Swedesboro Rd. (Rt. 653) between the intersections with US Rt. 322 and Kings Highway (CR 555).

§ 2: The Township shall, with the assistance of the requesting land owner, install signage at the intersection of US Rt. 322 and Kings Highway (CR 555) advising truck traffic that the use of "Engine Compression Brakes" ("Jake Brakes" is prohibited.

§ 3: If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

§ 4. All Ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

EXCLUSIONS:

This ordinance shall not apply to operators of any of the following:

- (1) A "Public Safety Vehicle; or
- (2) A vehicle involved in an emergency wherein the operator of said vehicle reasonably believes that use of the "Engine Compression Braking" is necessary to avoid or mitigate a collision or accident.

VIOLATIONS AND PENALTIES:

Any person who shall violate this chapter shall, upon conviction thereof, pay a fine not exceeding \$1,250.00, imprisonment for a term not exceeding 90 days or a period of community service not exceeding 90 days for each offense.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its final passage, adoption and publication provided by law and upon approval by the County Engineer and County Freeholder Board of the County of Gloucester.

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Samuel Maccarone, Mayor

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Woolwich, held on the 21st day of April, 2014 and will be considered for final passage at a meeting of the Township Committee of the Township of Woolwich, to be held on the 5th day of May, 2014 at 7:00 pm, at which time and place any interested party will be given the opportunity to be heard.

Jane DiBella, Township Clerk