

PART 2

ENGINE BRAKES

§10-201. Short Title.

This Part shall be known as the "Philipsburg Borough Brake Ordinance."

(Ord. 937, 11/13/1989, §1)

§10-202. Operation of Engine Brakes Declared a Nuisance.

The Borough Council of Philipsburg, Centre County, Pennsylvania, finds as a fact that the operation of an engine brake on a gasoline powered or diesel powered motor vehicle not equipped with exhaust mufflers or equipped with defective or modified exhaust mufflers, so as to create excessive noise through the use of said engine brake, adversely affects the public health, safety and welfare of the residents of the Borough of Philipsburg and therefore is a nuisance in fact.

(Ord. 937, 11/13/1989, §2)

§10-203. Engine Brakes Prohibited.

No gasoline or diesel powered motor vehicle shall be operated on the streets, roads, alleys or highways within the Borough of Philipsburg, Centre County, Pennsylvania, utilizing, in said operation, an engine brake, permitting excessive noise to be created by said motor vehicle.

(Ord. 937, 11/13/1989, §3)

§10-204. Use Permitted in Emergency Situations.

This Part shall not apply to emergency driving situations requiring the utilization of an engine brake to protect the safety and property of the residents of Philipsburg Borough, other motor vehicle operators, pedestrians and the operator and passengers of the motor vehicle involved in said emergency situation.

(Ord. 937, 11/13/1989, §4)

§10-205. Penalty.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in

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default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 937, 11/13/1989, §5; as amended by A.O.