INTRODUCED BY:  Henry Hay Nixon   DATE:  May 22, 2019

AN ORDINANCE
Amending Article 714 “Noise,” subsection 714.04(c)(5) “Motor Vehicle Prohibitions” to remove the word “jake brake” from the description of prohibited motor/engine retarder devices.

WHEREAS, Article 714.04(c)(5) references the word “jake brake” as a prohibited motor/engine retarder device; and

WHEREAS, “Jake brake” is a trademarked name and therefore should be stricken from the language;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of York, Pennsylvania that Article 714 “Noise,” Subsection 714.04(c)(5) “Motor Vehicle Prohibitions” be hereby amended as follows:

SECTION ONE: Article 714 “Noise,” Subsection 714.04(c)(5) “Motor Vehicle Prohibitions” is hereby amended as follows

(5)  Motor/engine retarder devices. No person shall use a brake retarder or other motor/engine retarding device while operating a truck, truck tractor, motor carrier vehicle, motor vehicle or any other vehicle within the City. The prohibition against use of a jake brake or other motor/engine retarding device shall not apply to an “emergency vehicle” as defined in Pennsylvania Title 75 when said emergency vehicle is actually responding to an emergency call.

SECTION TWO: This ordinance shall become effective in accordance with the law.

PASSED FINALLY:  June 4, 2019  BY THE FOLLOWING VOTE:

YEAS:  Washington, Ritter-Dickson, Buckingham, Walker – 4

NAYS:  None

ATTEST:  Henry Hay Nixon, President of Council

Dianna L. Thompson Mitchell, City Clerk

Presented to the Mayor for approval this 5th day of June 2019.

Approved:  Mayor  6/13/19

Vetoed:  Mayor