

CHAPTER 145: NOISE

[HISTORY: Adopted by the Borough Council of the Borough of Newport as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Animals - See Ch. 78.

Curfew - See Ch. 106.

Loitering - See Ch. 138.

Article I. Engine Brake Regulations

[Adopted 7-19-1994 by Ord. No. 282 (Ch. 10, Part 2, of the 1985 Code)]

§ 145-1. Short title.

This article shall be known as the “Newport Borough Engine Brake Ordinance.”

§145-2. Declaring engine brakes to be nuisance.

[Amended 1-8-2013 by Ord. No. 348] The Borough Council of the Borough of Newport, Perry County, Pennsylvania, finds as a fact that the operation of any engine brake on a gasoline-powered or diesel-powered motor vehicle creates excessive noise, adversely affects the public health, safety and welfare of the residents of the Borough of Newport and, therefore, is a nuisance in fact.

§ 145-3. Use of engine brake prohibited.

[Amended 1-8-2013 by Ord. No. 348] No gasoline-powered or diesel-powered motor vehicle shall utilize engine brakes on the streets, roads, alleys or highways within the Borough of Newport, Perry County, Pennsylvania.

§ 145-4. Emergency situations exempted.

This article shall not apply to emergency driving situations requiring the utilization of an engine brake to protect the safety and property of the residents of Newport Borough, other motor

vehicle operators, pedestrians or the operator and passengers of the motor vehicle involved in said emergency situation.

§ 145-5. Violations and penalties.

[Amended 1-8-2013 by Ord. No. 348] Any person, firm, corporation or organization violating any of the provisions of this article shall, upon summary conviction before a Magisterial District Judge having jurisdiction, be sentenced to pay a fine of not more than \$600 and costs of prosecution and, in default of the payment thereof, shall be sentenced to undergo imprisonment in the Perry County jail for a period not to exceed 30 days.