

**BOROUGH OF SEVEN FIELDS**

**ORDINANCE NUMBER 87**

**AN ORDINANCE OF THE BOROUGH OF SEVEN FIELDS, COUNTY OF BUTLER,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING AND ENACTING THE BOROUGH OF  
SEVEN FIELDS, BUTLER COUNTY, PENNSYLVANIA, BOROUGH OF SEVEN FIELDS  
ENGINE BRAKE RETARDER ORDINANCE.**

**Title:**

This chapter shall be known as the Borough of Seven Fields Engine Brake Retarder Ordinance.

**Authority:**

This chapter is established pursuant to the policy established by the Commonwealth of Pennsylvania, Department of Transportation, regarding engine brake retarder prohibitions. A study has been performed pursuant to said procedure by the Department of Transportation on State Route 228, east bound from the Borough line to Seven Fields Boulevard on State Route 228. West bound from Seven Fields Boulevard to Cranberry Township line within the Borough of Seven Fields. The authority to enact an appropriate Ordinance prohibiting the use of engine brake retarders with improperly maintained, defective, or modified exhaust mufflers pursuant to said procedure is evidenced by correspondence from the Commonwealth of Pennsylvania, Department of Transportation, and Engineering District 10.

**Facts:**

The Borough of Seven Fields, Butler County, Pennsylvania, finds it a fact that the operation of an engine brake retarder on a gasoline powered or diesel powered motor vehicle, with improperly maintained, defective, or modified exhaust mufflers, creates an excessive noise that adversely affects the public health, safety, and welfare of the residents of the Borough and therefore, is a nuisance in fact.

**Prohibited Acts:**

No person shall operate, or allow to be operated, a vehicle, which is powered by an internal combustion engine, on the public ways, as defined in Section 2, within the Borough of Seven Fields while utilizing in said operation an engine brake retarder, which has an improperly maintained, defective, or modified exhaust muffler and thereby not sufficient enough to prevent the cause of excessive noise by the said vehicle.

**Violations and Penalties:**

Any person, firm, operation, or organization violating any of the provisions of this chapter shall, upon summary conviction, be sentenced to pay a fine of not more than \$300 and costs of prosecution, and in default of payment thereof, shall be sentenced to undergo imprisonment in the Butler County jail for a period not in excess of 10 days.

Posting of Signs:

Pursuant to the procedures of the Commonwealth of Pennsylvania, Department of Transportation, and pursuant to regulations of the Department with respect to signs on highways, the Borough of Seven Fields shall cause to be erected upon the roadways herein specified, signs regarding the prohibition of the use of said engine brake retarders with improperly maintained, defective, or modified exhaust mufflers on the designated highways.

Enforcement:

This chapter, per procedure of the Commonwealth of Pennsylvania, Department of Transportation, shall be enforceable by the Evans City Seven Fields Regional Police Department.

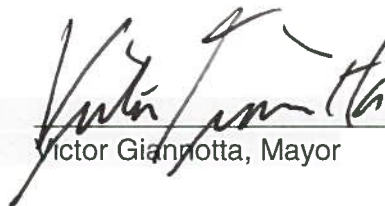


Thomas B. Smith, Secretary



Jennifer Sikora, President of Council

Approved this 22<sup>nd</sup> day of February 2016.



Victor Giannotta, Mayor