

**TOWNSHIP OF WEST WINDSOR
COUNTY OF MERCER, NEW JERSEY**

1st Reading April 8, 2024
 2nd Reading & Public Hearing April 29, 2024
 Date Adopted April 29, 2024
 Date Effective May 20, 2024
 DOT APPROVAL RECEIVED _____
 Planning Board Approval _____

Date to Mayor April 29, 2024
 Date Signed April 30, 2024
 Date Resubmitted to Council _____
 Approved as to Form and Legality _____

Township Attorney
Melanie W. Hill
 5271

2024-07

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) CHAPTER 113 "NOISE", SECTION 113-9 MOTOR VEHICLES TO ADD "D ENGINE BRAKING PROHIBITED"

RECORD OF VOTE													
First Reading							Second Reading						
Council	Yes	No	NV	AB	Mov	Sec	Council	Yes	No	NV	AB	Mov	Sec
Gawas	✓					✓	Gawas	✓				✓	
Geevers	✓						Geevers	✓					
Mandel	✓				✓		Mandel	✓					✓
Weiss	✓						Weiss	✓					
Whitfield	✓						Whitefield				/		

x-Indicates Vote AB-Absent NV-Not Voting Mov-Moved Sec-Seconded



 Hemant Marathe, Mayor

April 30, 2024

 Date

Rejected _____

Reconsidered by Council _____

Override Vote: YES _____ NO _____



 Gay M. Huber, Township Clerk

2024-07

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) CHAPTER 113 "NOISE", SECTION 113-9 MOTOR VEHICLES TO ADD "D ENGINE BRAKING PROHIBITED"

WHEREAS, the Township Council of the Township of West Windsor wants to add a section to the code prohibiting engine breaking.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey as follows:

Section 1.

Section 113-9 d.

No person shall use or operate a mechanical exhaust device designed to aid in braking, decompression, or deceleration of any motor vehicle that results in excessive, loud, unusual, or explosive noise from such vehicle. Engine Braking shall be prohibited in all of West Windsor Township by the driver of any motor vehicle, at any time and on any road, with any mechanical exhaust or decompression device.

Noise created by applying engine compression brakes, otherwise known as "engine braking", which is effectively muffled or if the application is necessary for the health, safety, and welfare of the community, is exempt from the provisions of this section. Sounds created by emergency equipment for emergency purposes are also exempt. The provisions of this subsection, shall not apply to the application of unmuffled compression brakes where necessary for the protection of persons and/or property that cannot be avoided by application of an alternative braking system.

Section 2.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3.

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

Section 4.

This ordinance shall take effect twenty(20) days after action or inaction by the Mayor as approved by law or an override of a mayoral veto by Council, whichever is applicable, and upon publication in accordance with law.

INTRODUCTION: April 8, 2024

PUBLIC HEARING: April 29, 2024

ADOPTION: April 29, 2024

MAYOR APPROVAL: April 30, 2024

EFFECTIVE DATE: May 20, 2024