

STATUTORY RESOLUTION NO. 21 - 2013

**RESOLUTION PROHIBITING THE USE OF ENGINE BRAKES
ON STATE ROUTE 747 WITHIN WEST CHESTER TOWNSHIP
PURSUANT TO OHIO REVISED CODE SECTION 505.17**

WHEREAS, the West Chester Board of Trustees finds the use of motor vehicle compression brakes disturbs the public peace and general welfare; and,

WHEREAS, West Chester Township has received resident complaints, specifically on State Route 747, regarding the noise from the use of engine brakes; and,

WHEREAS, the West Chester Township Police Department has observed and validated the noise from the use of engine brakes, specifically on State Route 747 and has determined its enforcement is not applicable to Resolution No. 18-2010 Prohibiting Excessive Noise; and,

WHEREAS, a subsequent and independent Resolution is necessary to facilitate proper signage and enforcement for prohibiting the use of engine brakes on State Route 747 within the Township; and,

WHEREAS, Ohio Revised Code Section 505.17 authorizes a Board of Trustees to adopt regulations and orders as necessary to control internal combustion noise.

NOW THEREFORE, BE IT RESOLVED, the West Chester Township Board of Trustees does hereby agree to:

SECTION 1. Prohibit the use of engine brakes on State Route 747 within the boundaries of West Chester Township. Excluding emergency vehicles, it shall be unlawful for any vehicle equipped to downshift and release the clutch to utilize the vehicle's engine to slow in order to meet proper restrictions within the Township, except in cases of extreme emergency.

SECTION 2. Authorize signs to be placed at appropriate locations in coordination with ODOT, as described in Ohio Revised Code Section 505.17.

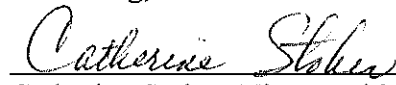
SECTION 3. Determine any person violating the provisions of the Resolution shall have committed a traffic violation and a penalty shall be imposed as provided in Ohio Revised Code 505.17(E).

Adopted this 17th day of December, 2013.



Lee Wong, President

Yes
Yes / No



Catherine Stoker, Vice President

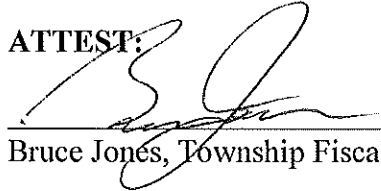
YES
Yes / No



George Lang, Trustee

YES
Yes / No

ATTEST:


Bruce Jones, Township Fiscal Officer

APPROVED AS TO FORM:


Donald L. Crain, Law Director