

ORDINANCE NO. 2021-B

AN ORDINANCE OF THE TOWNSHIP OF CONEWAGO, ADAMS COUNTY, PENNSYLVANIA REPEALING ORDINANCE NO. 2008-V, AN ORDINANCE REGULATING THE OPERATION OF AN ENGINE BRAKE RETARDER ON A GASOLINE-POWER OR DIESEL-POWERED MOTOR VEHICLE WITHIN THE TERRITORIAL LIMITS OF CONEWAGO TOWNSHIP

WHEREAS, on October 20, 2008 the Board of Supervisors enacted Ordinance No. 2008-V entitled the “Conewago Township Engine Brake Retarder Ordinance”; and

WHEREAS, the aforesaid was codified in the Code of the Township of Conewago in Chapter 97, Article I, Sections 97- 1 through 97-6; and

WHEREAS, the Board of Supervisors have determined that none of the roads in the territorial limits of Conewago Township meet the criteria set forth in PennDot Publication 46 relating to the prohibition of engine brake retarders, except with respect to speed limits; and

WHEREAS, Ordinance No. 2008-V is not being presently enforced nor is likely to be applicable unless there are changes to PennDot Publication 46 with respect to prohibition of the engine brake retarders; and

WHEREAS, as a result, the Board of Supervisors wish to repeal Ordinance No. 2008-V.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Conewago Township, Adams County, Pennsylvania, and **IT IS HEREBY ENACTED AND ORDAINED**, as follows:

SECTION I

Ordinance No. 2008-V, the “Conewago Township Engine Brake Retarder Ordinance” is hereby repealed in its entirety.

SECTION II

All Ordinances or portions of Ordinances inconsistent herewith are hereby repealed. Nothing in this legislation hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION III

The provisions of this Ordinance are severable. If any sentence, clause, or section of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Conewago Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

SECTION IV

This Ordinance shall be codified in the Code of the Township of Conewago, Adams County, Pennsylvania, and shall amend such codification as necessary to codify this Ordinance, including the amendment of Chapter 97, Noise.

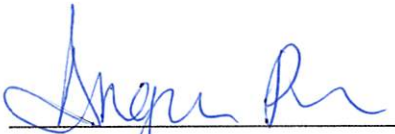
SECTION V

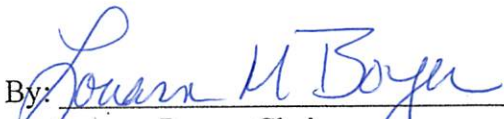
This Ordinance shall be effective five (5) days from the date of its adoption.

ENACTED AND ORDAINED the 19th day of April, 2021.

ATTEST:

**CONEWAGO TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**


Secretary

By: 
Louann Boyer, Chairman

