

**ORDINANCE
TOWNSHIP OF FRANKLIN
ORDINANCE PROHIBITING THE USE OF EXHAUST BRAKES (ALSO KNOWN
AS “JAKE BRAKES”) ON MALAGA PARK DRIVE AND OLD DELSEA DRIVE
IN FRANKLIN TOWNSHIP**

O-10-14

WHEREAS, the Township Committee of the Township of Franklin seeks, with the consent of neighboring landowners, to prohibit the use of exhaust braking, also known as “jake brakes” for truck traffic on Malaga Park Drive and Old Delsea Drive in Franklin Township; and

WHEREAS, in accordance therewith the Township Committee desires to amend the ordinances of the Township of Franklin to accomplish this purpose;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey, that the codified ordinances of the Township of Franklin shall be amended to state as follows:

§ 1: The use of exhaust braking otherwise known as the use of “jake brakes” shall at all times be prohibited on Malaga Park Drive and Old Delsea Drive.

§ 2: The Township shall, with the assistance of the requesting land owner, install signage at the intersection of Malaga Park Drive at Route 47, Malaga Park Drive and Route 40, Old Delsea Drive at Route 47, and Old Delsea Drive at Route 40 advising truck traffic that the use of exhaust braking is prohibited.

§ 3: If any part or parts of this ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance.

§ 4: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

§ 5: This ordinance shall become effective upon approval by the County Engineer and County Freeholder Board of the County of Gloucester.

BE IT FURTHER ORDAINED, that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not effect or impair any other section, sentence, clause, provision or portion of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon its final passage, adoption and publication provided by law.

ATTEST:

TOWNSHIP OF FRANKLIN

BARBARA FREIJOMIL, CLERK

BY: _____
EDWARD LEOPARDI, MAYOR

CERTIFICATION

I, BARBARA FREIJOMIL, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the Township of Franklin held on Tuesday, April 22, 2014, and thereafter duly advertised in the legal newspaper of the Township at least ten (10) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on Tuesday, May 27, 2014, at which time any person interested therein will be given an opportunity to be heard.

BARBARA FREIJOMIL, CLERK

Notice is hereby given that the foregoing Ordinance O-10-14 was finally adopted at a meeting of the Franklin Township Committee held on the May 27, 2014 at 7:00 in the Township of Franklin Municipal Building, 1571 Delsea Drive, Franklinville, NJ.

BARBARA FREIJOMIL, CLERK

	Yes	No	Abstain	Absent
Mr. Genna				
Mr. Deegan				
Mrs. Neely				
Mr. Gonzalez				
Mayor Leopardi				