

ORDINANCE NO. 2021-05

**TOWNSHIP OF EAST WINDSOR
MERCER COUNTY
NEW JERSEY**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER V,
“GENERAL POLICE REGULATIONS,” SECTION 5-2 “NOISE
DISTURBANCES,” SUBSECTION 5-2.3, “PROHIBITED ACTS,”
SUBSECTION 5-2.3.2 “SPECIFIC PROHIBITIONS,” TO ADD NEW
SUBSECTION 5-2.3.2.13, “ENGINE BRAKING,” AND SUBSECTION 5-
2.5.3. “GENERAL EXCLUSIONS” TO ADD NEW PARAGRAPH 5-
2.5.3(h) OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF EAST WINDSOR, COUNTY OF MERCER, STATE OF
NEW JERSEY**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EAST WINDSOR** in the County of Mercer, State of New Jersey,
that Chapter V, “General Police Regulations,” Subsection, 5-2, “Noise Disturbances,”
of the Revised General Ordinances of the Township of East Windsor is amended and
supplemented as follows:

SECTION 1. Chapter V, "General Police Regulations," Section 5-2, “Noise
Disturbances,” Subsection 5-2.3, “Prohibited Acts,” Subsection 5-2.3.2 “Specific
Prohibitions,” is amended and supplemented by the addition of new Subsection 5-
3.2.3.2.13, “Engine Braking,” and Subsection 5-2.5.3, “General Exclusions” by the
addition of new Paragraph 5-2.5.3(h) as follows:

5-2.3.2.13. Engine Braking Prohibited.

No person shall use or operate a mechanical exhaust device designed to aid in the
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 East Windsor Township by the driver of any motor vehicle, at any
time and on any road, with any mechanical exhaust or decompression device.

5-2.5.3(h). 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are hereby repealed to the extent of such inconsistency.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 20 days after final passage and publication according to law.

ATTEST:

KELLY LETTERA
Municipal Clerk

JANICE S. MIRONOV
Mayor

Adopted:
Published:
Effective: