
AN ORDINANCE OF THE BOROUGH OF ABBOTTSTOWN, ADAMS COUNTY PENNSYLVANIA, PROHIBITING THE USE ENGINE BRAKE RETARDERS A/K/A “JAKE BRAKES” ON STATE ROUTE 30 BETWEEN THE INTERSECTION OF KINNEMAN ROAD AND NORTH/SOUTH JAMES STREET, PURSUANT TO A STUDY PERFORMED BY THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, PROVIDING FOR THE POSTING OF SIGNS ON SAID ROAD IN ACCORDANCE WITH THIS ORDINANCE AND PROVIDING FOR PENALTIES AND ENFORCEMENT

ORDINANCE NO. 2021-06

WHEREAS the Council of Abbottstown Borough finds that the operation of engine brake retarders (“Jake Brakes”) on a gasoline powered, or diesel-powered motor vehicle creates excessive noise that adversely affects the public health, safety, and welfare of the residents of Abbottstown Borough constituting a nuisance; and

WHEREAS at the request of the Abbottstown Borough Police Department, the Pennsylvania Department of Transportation (PennDOT) conducted a traffic study on State Route 30 (S.R. 30) and determined that a prohibition against the use of brake retarders is permissible on S.R. 30 in both a easterly or westerly direction between the intersection of Kinneman Road and North/South James Street, a total distance of 0.75 miles and recommended the exact location for the erection of signs prohibiting the use of brake retarders; and

WHEREAS the Board of Supervisors desires to prohibit the use of engine brake retarders on the roadway herein described as being in the best interests for eliminating noise nuisances in the Township.

NOW THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Council of Abbottstown Borough, Adams County, Pennsylvania, as follows:

SECTION 1. AUTHORITY

1. This Ordinance is enacted pursuant to the policies and procedures established by PennDOT regarding engine brake retarder (“Jake Brake”) prohibitions.
2. An engineering and traffic study has been performed pursuant to said policy by PennDOT on S.R. 30 between the Kinneman Road and N/S James Street intersections to determine whether a prohibition on the use of engine brake retarders is warranted.
3. As a result of the traffic study, PennDOT has approved the Borough's request for prohibition of the use of engine brake retarders on the following portion of said road:
 - a. State Route 30 between Kinneman Road and N/S James Street, a distance of 0.75 miles

4. The authority to enact this Ordinance prohibiting the use of engine brake retarders is evidenced by correspondence from the Commonwealth of Pennsylvania, Department of Transportation which is appended to this Ordinance as Exhibit "A."

SECTION 2. PROHIBITED ACTS

No person, firm, company, corporation, or organization shall operate, or allow to be operated, a vehicle that is powered by an internal combustion engine, on the portion of S.R. 30 set forth in Section 1 - 3(a) herein within Abbottstown Borough, while utilizing an engine brake retarder.

SECTION 3. POSTING OF SIGNS

Pursuant to the procedures of PennDOT, and pursuant to the regulations regarding the placement of signs on state roads, Abbottstown Borough shall cause to be erected upon the roadway herein specified, signs regarding the prohibition of the use of engine brake retarders clearly visible on S.R. 30 in accord with the direction of travel at the locations stated on exhibit "B" appended hereto.

SECTION 4. VIOLATIONS AND PENALTIES

Any person, firm, company, corporation, or organization violating any of the provisions of this Ordinance shall, upon conviction, be sentenced to pay a fine of not more than \$300.00 for each violation together with costs of prosecution. Failure to pay any imposed fine shall result in the offender being imprisoned for a term not to exceed 90 days.

SECTION 5. ENFORCEMENT

This Ordinance shall be enforced by the Abbottstown Borough Police Department.

SECTION 6. REPEALER

All prior Ordinances, Resolutions, or parts thereof in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

SECTION 7. SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, invalid, unenforceable or beyond the power of the Borough of Abbottstown, said provision or provisions shall not be construed to affect the validity of any of the remaining portions of this Ordinance. It is hereby declared as the intent of the Council of the Borough of Abbottstown that this Ordinance would have been adopted had

such unconstitutional, invalid, or unauthorized provision or provisions not been included therein.

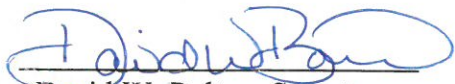
SECTION 8. EFFECTIVE DATE

This Ordinance shall take effect five (5) days after adoption.

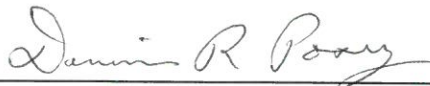
DULY ADOPTED this 16th day of December 2021, by the Borough Council of Abbottstown Borough, in lawful session duly assembled.

ATTEST:

ABBOTTSTOWN BOROUGH

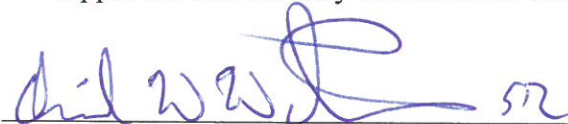


David W. Bolton, Secretary



Dennis R. Posey, President

Approved this 16th day of December 2021.



Honorable Daniel W. Watkins, Sr., Mayor

Ex: A



August 16, 2021

James Graham, Police Chief
Abbottstown Borough Police Department
241 High Street
Abbottstown, PA 17301

Adams County – Abbottstown Borough
West King Street – SR 0030
Engine Brake Retarder Study

Dear Chief Graham:

This is in response to your appeal letter dated June 28, 2021, regarding the results of PennDOT's Engine Brake Retarder (EBR) restriction study for West King Street (SR 0030) in Abbottstown Borough, Adams County.

PennDOT has reviewed the Traffic Engineering and Safety Study's findings. As a result, a partial EBR restriction has been approved. PennDOT authorizes the installation of Engine Brake Retarder Prohibition signs restricting use in the area between Kinneman Road and St. James Street. (see enclosed map for exact sign placement).

It will be the responsibility of Abbottstown Borough to purchase, erect, and maintain these signs. The signs must be purchased from a state-approved vendor and installed to PennDOT standards (see enclosure).

We appreciate your concerns for safety on our state roads. Should you require any additional information please contact Mark Jensen, of the District Traffic Unit, at 717-783-3961.

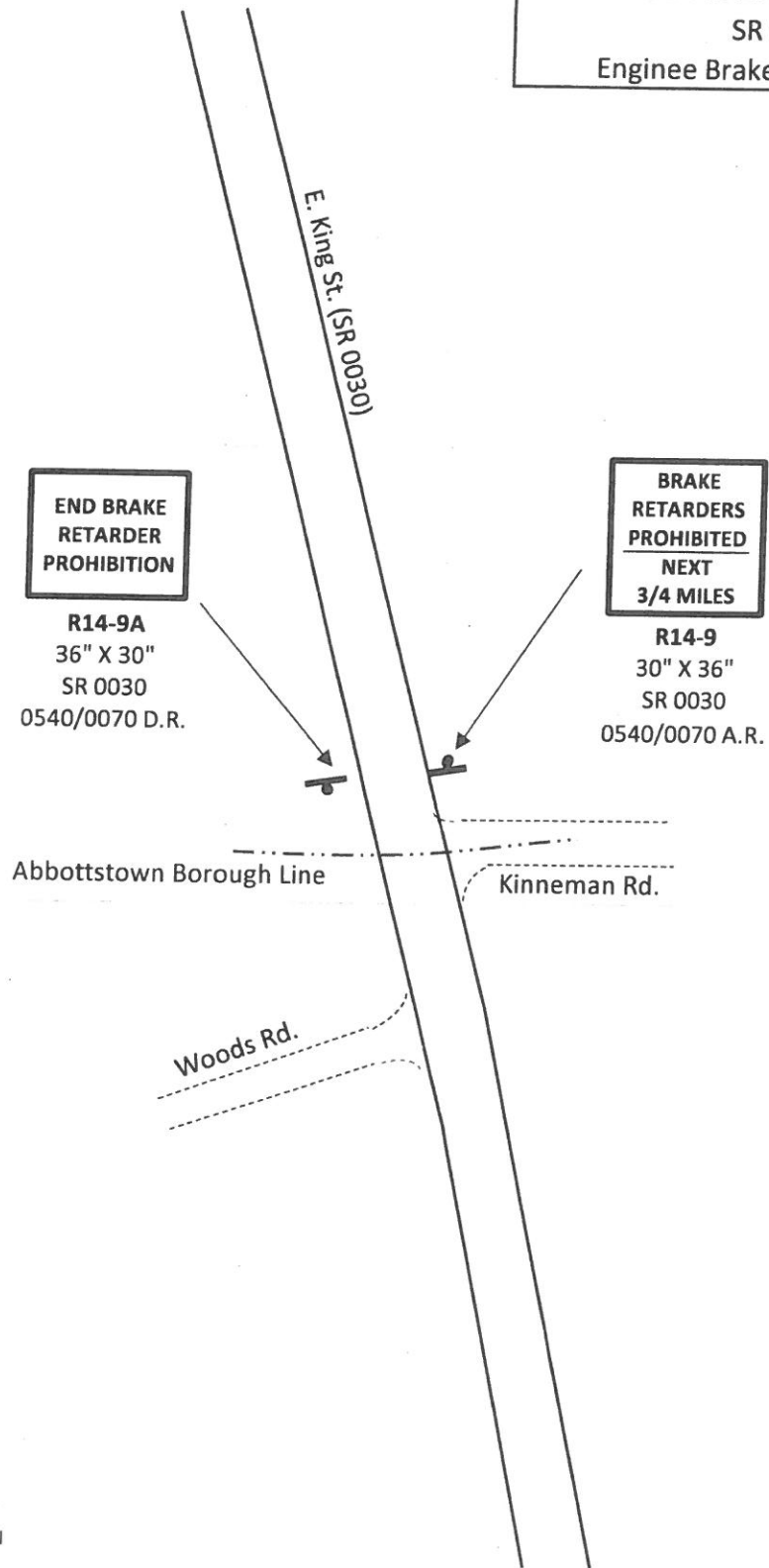
Sincerely,

 Christopher C. Flad, P.E.
2021.10.05 15:05:29 -04'00'

Christopher C. Flad, P.E.
Acting District Traffic Engineer

MHJ/zza
(1370a)

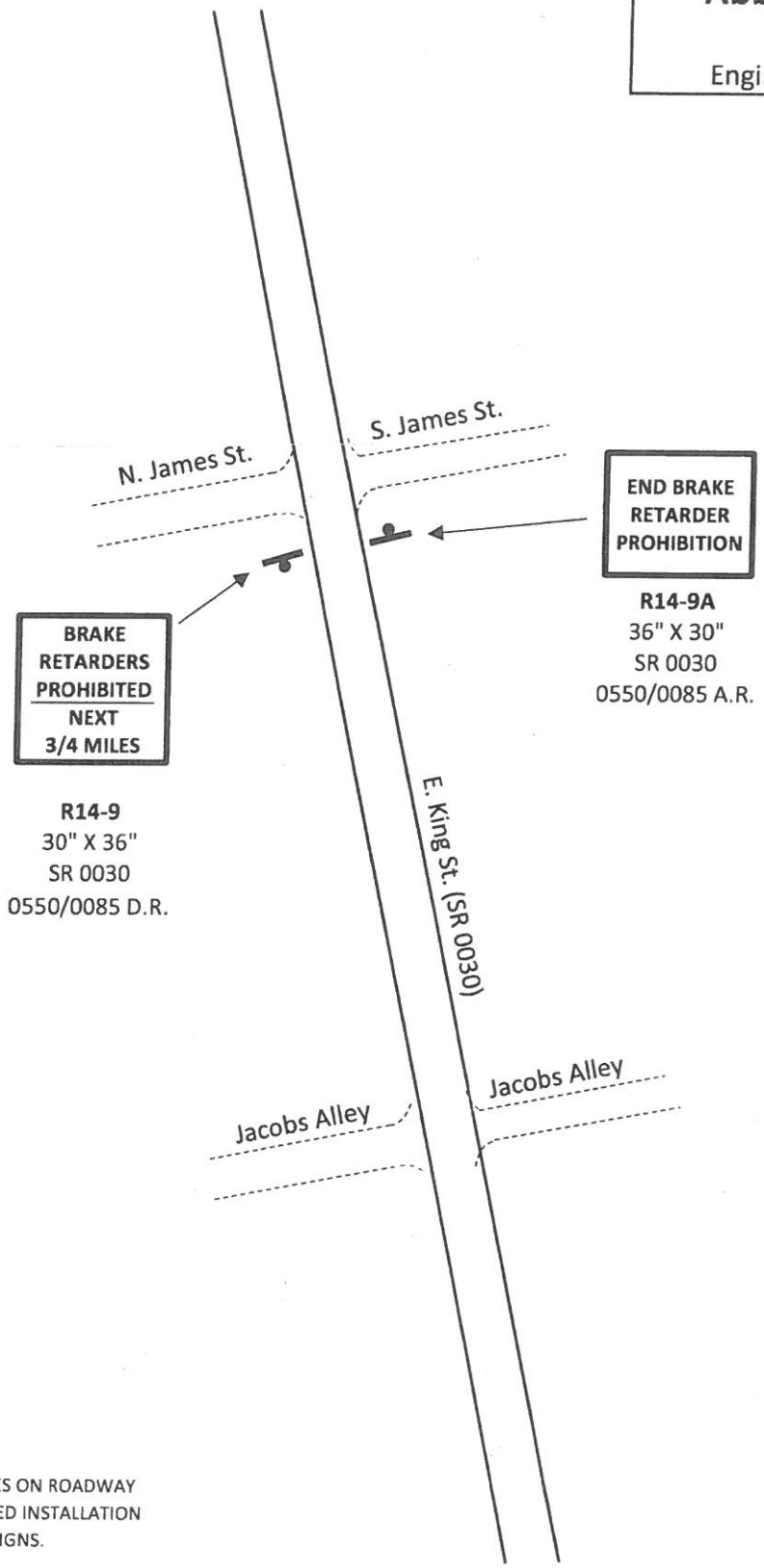
Adams County
Abbottstown Borough
SR 0030
Enginee Brake Retarder Signs



*WHITE PAINT MARKS ON ROADWAY
INDICATES SUGGESTED INSTALLATION
LOCATION OF NEW SIGNS.

**NOT TO SCALE

Adams County
Abbottstown Borough
SR 0030
Enginee Brake Retarder Signs

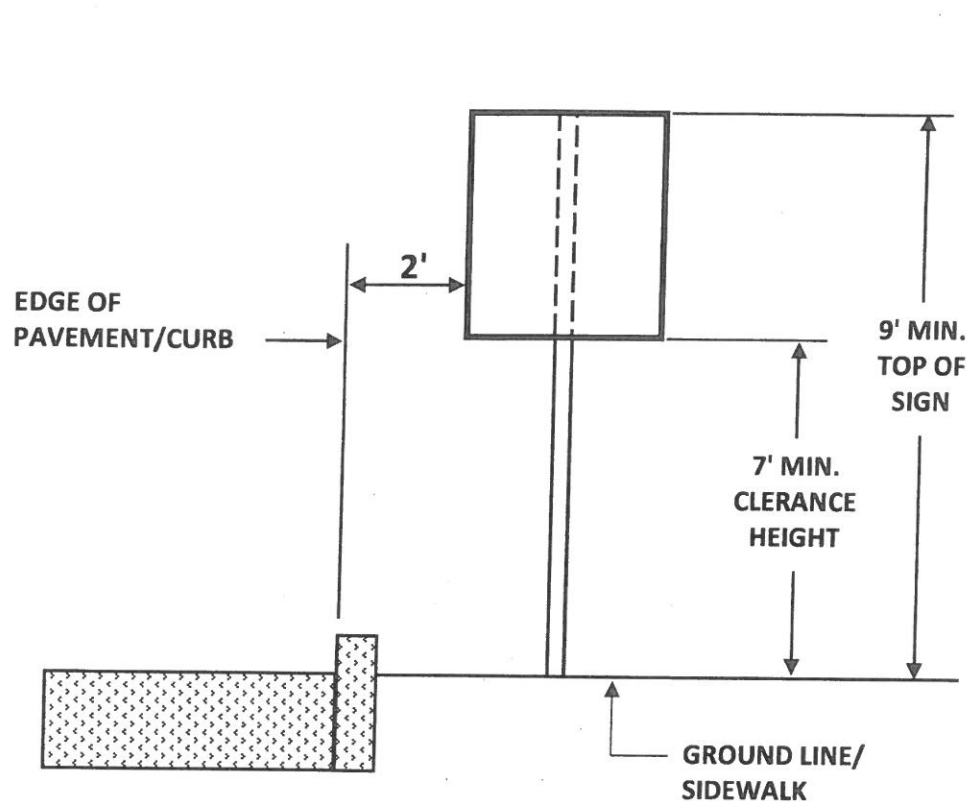


*WHITE PAINT MARKS ON ROADWAY INDICATES SUGGESTED INSTALLATION LOCATION OF NEW SIGNS.

**NOT TO SCALE

Ex: B

HEIGHT AND LATERAL OFFSET OF SIGNS ON BUSINESS OR RESIDENTIAL ROADS



(R14-9)

BRAKE RETARDERS PROHIBITED
NEXT 3/4 MILES

OR

(R14-9A)

END BRAKE RETARDER PROHIBITION

*Not to scale

BUSINESS OR RESIDENTIAL AREA

SEE PUBLICATION 111 STD DRAWING TC-8702B FOR INSTALLATION DETAILS.

County: Adams
Municipality: Abbottstown Borough
SR: 0030 (W. King St.)

Sign: R14-9

Segment: 0530 Offset: 2400 A.R.
 Segment: 0550 Offset: 0085 D.R.

Sign: R14-9A

Segment: 0550 Offset: 0085 A.R.
 Segment: 0530 Offset: 2400 D.R.

Remarks:
 This installation should be installed on the right-side of the roadway. For your convenience, a white paint mark has been made on the roadway to denote this suggested location.

ANCHOR SPLICE INSTALLATION INSTRUCTIONS:

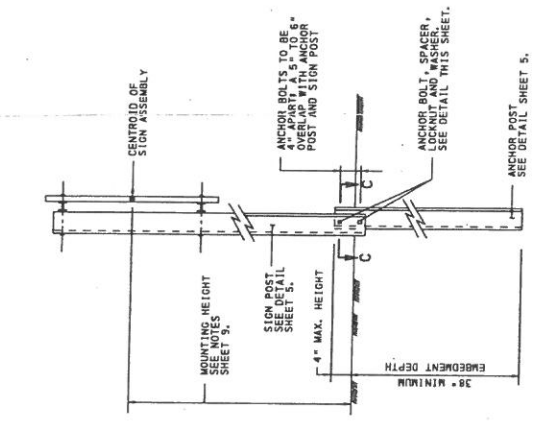
1. DETERMINE THE PROPER SIZE SIGN POST AND ANCHOR POST. REFER TO THE GRAPH ON SHEET 7. USE 2.5 LB/FT. ANCHOR POSTS WITH 4.0 LB/FT. SIGN POSTS, AND 4.0 LB/FT. ANCHOR POSTS WITH 4.0 LB/FT. SIGN POSTS.
2. REMOVE A SHOVEL OF SOIL AT THE POST LOCATION TO ALLOW FOR FINAL ATTACHMENT OF THE SIGN POST TO THE ANCHOR POST.
3. DRIVE ANCHOR POST WITH A DRIVE CAP TO WITHIN APPROXIMATELY 1/2" OF THE END OF THE EXPOSED ANCHOR POST. SECURELY TIGHTEN SPACER ONTO BOLT.
4. DRIVE ANCHOR POST TO 4" ABOVE GROUND LEVEL. PLACE REMAINING SPACER AND WASHER IN FIRST HOLE FROM THE END OF POST AND SECURELY TIGHTEN SPACER ONTO BOLT. (BOLTS 4" APART).
5. NEXT TWO SIGN POSTS OVER PROTRUDING ANCHOR POST BOLTS THROUGH FIRST AND THIRD HOLES OF TOP SIGN POST. THIS WILL RESULT IN A 5" TO 6" OVERLAP.
6. PLACE A LOCKNUT ON EACH BOLT (A STANDARD LOCKWASHER AND NUT MAY BE USED IN LIEU OF THE LOCKNUT). TIGHTEN BOLTS AND NUTS BY TURNING PARTS ARE BROUGHT TOGETHER INTO FULL CONTACT WITH EACH OTHER, THEN TIGHTEN AN ADDITIONAL 1/2" TURN.
7. RESTORE SOIL AROUND THE ANCHOR POST.

INSTALLATION IN SOFT SOIL:

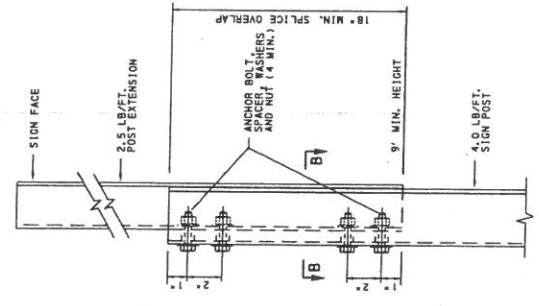
1. USE THE ANCHOR BOLT IN AREAS WITH SOFT SOIL. BOLT THE TOP ANCHOR BOLT 1" BELOW THE BOTTOM SIGN POST BOLT, 16 TO 17 HOLES FROM THE END OF THE ANCHOR POST.

POST EXTENSION SPLICE NOTES:

1. TO EXTEND THE HEIGHT OF A SIGN POST, A MAXIMUM OF ONE SPLICE MAY BE MADE.
2. FOUR ANCHOR BOLTS WITH SPACERS, WASHERS, LOCKWASHERS AND NUTS AND NUTS SEE THIS SHEET FOR ANCHOR BOLT SYSTEM.
3. POST EXTENSION SPLICE DETAIL A IS PREFERRED OVER POST EXTENSION SPLICE DETAIL B. WHEN DETAIL A IS USED, POST EXTENSIONS SHALL BE 4.0 LB/FT. BOLTS. POST EXTENSION POST FOR SPLICE EXTENSIONS SHALL BE 4.0 LB/FT. BOLTS. POST EXTENSION POST FOR SPLICE EXTENSIONS. WHEN DETAIL B IS USED, POST EXTENSION POST FOR SPLICE EXTENSIONS SHALL BE 2.5 LB/FT. BOLTS. POST EXTENSION SPLICES SHALL BE INSTALLED ON THE BACK (NON-IMPACT) SIDE OF THE SIGN POST TO THE BOTTOM OF THE SPLICE. MINIMUM HEIGHT OF 6.25 FT., MEASURED TO THE BOTTOM OF THE SPLICE IS PERMITTED FOR USE TO PROVIDE 15 USED SIGN MOUNT SURFACE FOR 4.0 LB/FT. POSTS. WHEN DETAIL B IS USED, SIGN MOUNT SURFACE SHALL BE 15 FEET. SPLICES SHALL BE NESTED ON THE FRONT OF A 4.0 LB/FT. POST. SPLICE SHALL BE A MINIMUM HEIGHT OF 9 FT., MEASURED TO THE BOTTOM OF THE SPLICE.

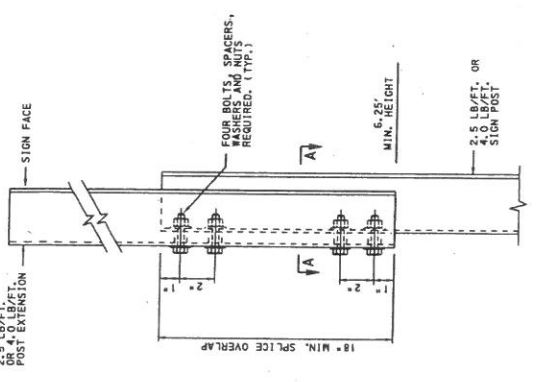


INSTALLATION DETAIL



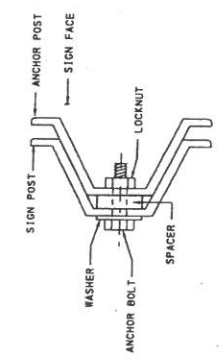
ALTERNATE POST EXTENSION SPLICE DETAIL B

FOR USE IN EXTENDING SIGN POSTS

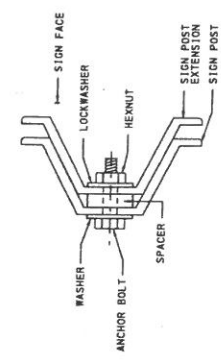


POST EXTENSION SPLICE DETAIL A

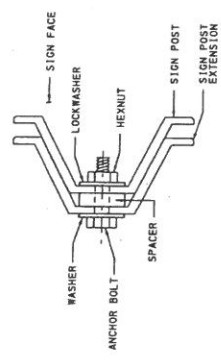
FOR USE IN EXTENDING SIGN POSTS



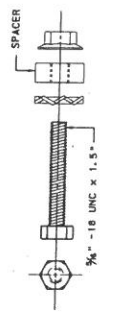
SECTION C-C



SECTION B-B



SECTION A-A



ANCHOR BOLT, SPACER AND LOCKNUT
ANCHOR BOLTS TO BE 1.5", GRADE 9, HEX HEAD.



SPACER
2 INZ PLATED

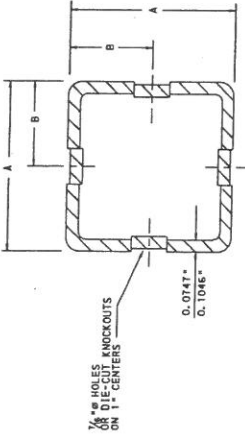
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
BUREAU OF MAINTENANCE AND OPERATIONS

POST-MOUNTED SIGNS,
TYPE B

CHANNEL BAR POSTS
ERECTION DETAILS

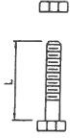
RECOMMENDED JUN. 13, 2013
J. C. [Signature]
CHIEF TRAFFIC ENGINEERING AND
PERMITS SECTION

RECOMMENDED JUN. 13, 2013
SMT, 6 OF 9
TC-8702B



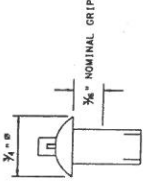
SIGN POST SIZE	ANCHOR POST		ANCHOR SLEEVE		SPLICE SLEEVE	
	THICK.	SIZE	THICK.	SIZE	THICK.	SIZE
1.75"	1.000	1.046	2.25	2.25	1.50	1.50
2.00"	1.000	1.046	2.50	2.50	1.75	1.75
2.25"	1.125	1.046	3.00	3.00	2.00	2.00

SQUARE STEEL POSTS SYSTEM A
 0.1046" AND 0.0747" - 60 KSI
 * ONLY REQUIRED FOR INSTALLATIONS IN CONCRETE.



SIGN POST DIMENSION (INCHES)	ANCHOR BOLT & NUTS DIMENSION (INCHES)
1.75	3.0
2.00	3.5

3/8" - 16 UNC ANCHOR BOLTS & NUTS
 CARMUM PLATED STEEL OR ZINC PLATED STEEL OR ALUMINUM



3/8" DRIVE RIVET
 CARMUM PLATED STEEL OR ZINC PLATED STEEL OR ALUMINUM

SIGN POST SIZE (INCHES)	ANCHOR BOLT & NUTS DIMENSION (INCHES)
1.75	3.0
2.00	3.5

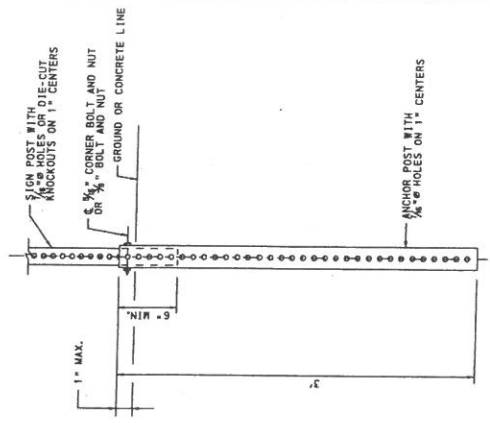
5/16" - 18 UNC CORNER BOLTS & NUTS
 CARMUM PLATED STEEL OR ZINC PLATED STEEL OR ALUMINUM

INSTALLATION INSTRUCTIONS:

1. DETERMINE THE PROPER SIZE AND NUMBER OF SIGN POSTS FROM THE APPROPRIATE GRAPH ON SHEET "C".
2. PUNCH OUT APPROPRIATE KNOCKOUTS AND ATTACH THE SIGN.
3. DETERMINE THE PROPER SIZE ANCHOR POST FROM THE SQUARE STEEL POSTS TABLE ON THIS SHEET.
4. DRILL THE ANCHOR POST INTO THE GROUND, USING THE REMAINS ABOVE THE GROUND OR FINISHED ELEVATION OF THE CONCRETE.
5. PUNCH OUT THE SIXTH KNOCKOUTS FROM THE BOTTOM OF THE SIGN POST.
6. SLIDE A MINIMUM OF 6" OF THE SIGN POST INTO THE ANCHOR POST.
7. ATTACH THE SIGN POST TO THE ANCHOR POST WITH ONE 5/16" CORNER BOLT AND NUT OR ALTERNATELY ONE 3/8" BOLT AND NUT THROUGH THE TOP HOLE OF THE ANCHOR POST.
8. TIGHTEN THE BOLT AND NUT BY THE TURN-OF-NUT METHOD. BRING NUT TO SNUG BY TURNING THE SIGN POST. THE BOLT IS BROUGHT TOGETHER INTO FULL CONTACT WITH EACH OTHER, THEN TIGHTEN AN ADDITIONAL 1/2 TURN.

INSTALLATION IN CONCRETE:

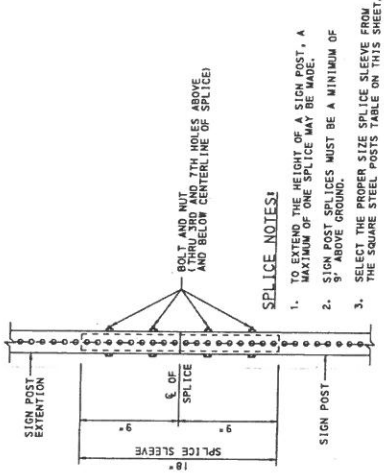
INSTALL AS NOTED ABOVE, BUT PLACE A 18" LONG ANCHOR ANCHOR POST INTO THE ANCHOR POST SO THAT THE TOP OF THE ANCHOR SLEEVE FROM THE SQUARE STEEL POSTS TABLE ON THIS SHEET.



INSTALLATION DETAIL

NOTES:

1. MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH PUB. 408.
2. SIGN POSTS AND SPLICE SLEEVES SHALL HAVE 3/8" DIAMETER SIZES OR ANCHOR POSTS SHALL HAVE 1/2" DIAMETER SIZES. ALL DIAMETER HOLES ON ALL FOUR SIDES OF ANCHOR POSTS SHALL HAVE 1/4" DIAMETER HOLES ON ALL FOUR SIDES.
3. BOLTS AND NUTS SHALL BE ASTM A 307, GRADE B.
4. DRIVE RIVETS MAY BE USED TO FASTEN SIGN BLANKS TO THE SIGN POST.



SPLICE NOTES:

1. TO EXTEND THE HEIGHT OF A SIGN POST, A MAXIMUM OF ONE SPLICE MAY BE MADE.
2. SIGN POST SPLICES MUST BE A MINIMUM OF 9" ABOVE GROUND.
3. SELECT THE PROPER SIZE SPLICE SLEEVE FROM THE SQUARE STEEL POSTS TABLE ON THIS SHEET.

SPLICE DETAIL

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF TRANSPORTATION
 BUREAU OF MAINTENANCE AND OPERATIONS

POST-MOUNTED SIGNS, TYPE B

STEEL SQUARE POSTS (SYSTEM A) ERECTION DETAILS

RECOMMENDED JUN. 13, 2013
 JUN 13 2013
 JUN 13 2013
 JUN 13 2013

SHT. 1 OF 9
 TC-8702B

NOTES:

SIGN CLEARANCE HEIGHT

1. CLEARANCE HEIGHT SHALL BE MEASURED FROM THE BOTTOM OF THE SIGN TO A LEVEL LINE PROJECTED FROM THE NEAR EDGE OF THE ROADWAY. CLEARANCE HEIGHT SHALL BE MEASURED FROM THE BOTTOM OF THE SIGN TO A LEVEL GROUND LINE TO THE MINIMUM HEIGHT REQUIRED WHEN MEASURED FROM THE NEAR EDGE OF THE ROADWAY. CLEARANCE HEIGHT SHALL ALSO BE MEASURED FROM THE NEAR EDGE OF THE ROADWAY TO THE TOP OF THE SIGN ASSEMBLY. CLEARANCE HEIGHT SHALL BE MEASURED FROM THE NEAR EDGE OF THE ROADWAY TO THE TOP OF THE SIGN ASSEMBLY TO REDUCE THE POSSIBILITY OF OBSTRUCTION COLLIDING WITH THE SIGN.

LATERAL SIGN CLEARANCE

2. SIGNS SHOULD BE PLACED AS FAR AS PRACTICAL FROM THE EDGE OF THE ROADWAY TO REDUCE THE POSSIBILITY OF VEHICLES HITTING SIGNS. WHEN GUIDE RAIL IS PRESENT, SIGNS WILL BE PLACED BEHIND THE GUIDE RAIL.

3. ROUTE MARKER SIGNS WITH AUXILIARY SIGNS (NORTH, SOUTH, ETC.), SHALL BE PLACED FROM THE BOTTOM OF THE ROADWAY ASSEMBLY. THE CLEARANCE HEIGHT IS MEASURED FROM THE NEAR EDGE OF ROADWAY.

4. BUSINESS OR URBAN AREAS

A. IN BUSINESS, COMMERCIAL OR RESIDENTIAL DISTRICTS OR WHERE PARKING AND/OR PEDESTRIAN MOVEMENTS ARE LIKELY TO OCCUR, SIGNS SHALL BE PLACED ON A MINIMUM OF 7' ABOVE GROUND AND THE NEAR PAVEMENT EDGE.

B. LATERAL CLEARANCE RECOMMENDED IS 2' BEHIND CURB IF SIDEWALK OR CURB IS CLEARANCE OF THEN EXISTING UTILITY POLES ARE CLOSE TO THE CURB. A 1' CLEARANCE OF THEN EXISTING UTILITY POLES ARE CLOSE TO THE PROTRUDE INTO SIDEWALK AREA. SIGNS SUPPORTS SHOULD NOT PROTRUDE INTO SIDEWALK AREA.

5. RURAL AREAS

A. CONVENTIONAL HIGHWAYS, ALTHOUGH 7' MINIMUM SIGN HEIGHT CLEARANCE IS RECOMMENDED IN RURAL DISTRICTS, SIGNS MAY BE MOUNTED AT A MINIMUM CLEARANCE ABOVE GROUND LINE, BUT NOT INSTALLED BELOW THE MAIN SIGN. THE CLEARANCE HEIGHT OF THE SUPPLEMENTAL SIGN MAY BE 4'.

B. WHEN GUIDERAIL OR CONCRETE BARRIERS ARE PRESENT A 2' LATERAL CLEARANCE IS RECOMMENDED.

C. WHEN SHOULDERS ARE NOT PRESENT IT IS RECOMMENDED THAT SIGNS BE PLACED ON SHOULDERS. A 6' LATERAL CLEARANCE IS RECOMMENDED WHERE SHOULDERS ARE PRESENT A 6' LATERAL CLEARANCE IS RECOMMENDED.

6. FREEWAY AND EXPRESSWAYS. DIRECTIONAL SIGNS SHALL BE HAVE A MINIMUM CLEARANCE HEIGHT OF 10' ABOVE GROUND LINE. HOWEVER, THE MINIMUM CLEARANCE HEIGHT OF MAIN SIGN, THE SUPPLEMENTAL SIGN MAY HAVE A CLEARANCE HEIGHT OF 6' MAIN SIGN, PROVIDED THAT A 7' CLEARANCE HEIGHT IS MAINTAINED FOR THE MAIN SIGN.

7. ALL ROUTE MARKER, REGULATORY, AND WARNING SIGN ASSEMBLIES SHALL BE PLACED ON A 10' MINIMUM CLEARANCE HEIGHT TO THE BOTTOM OF THE SIGN ASSEMBLY (INCLUDING AUXILIARY SIGNS).

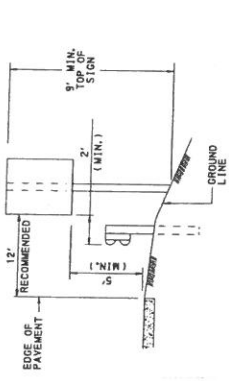
8. 2' MINIMUM LATERAL CLEARANCE IS REQUIRED BEHIND UNMOUNTABLE CURB OR ROADWAY SHOULDER.

9. 10' MINIMUM LATERAL CLEARANCE FROM THE EDGE OF THE NEAREST TRAVEL LANE IS RECOMMENDED.

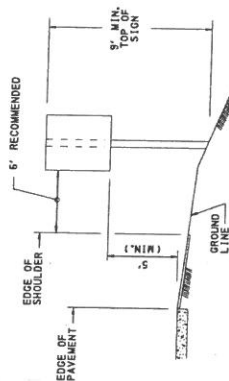
10. ON CONVENTIONAL ROADS A 2-FEET LATERAL OFFSET IS PERMITTED WHEN IT IS IMPRACTICAL TO LOCATE THE SIGN WITH THE PRESCRIBED OFFSET.

11. A LATERAL OFFSET OF 1 FOOT FROM THE FACE OF THE CURB MAY BE USED IN BUSINESS, COMMERCIAL OR RESIDENTIAL AREAS WHERE SIDEWALK WIDTH IS LIMITED OR WHERE EXISTING POLES ARE CLOSE TO THE CURB.

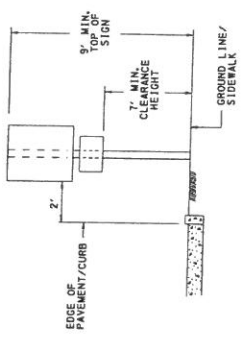
12. OVERHEAD SUPPORTS AND POST-MOUNTED SIGN AND OBJECT MARKERS SUPPORTS SHOULD NOT INTRUDE INTO THE USABLE WIDTH OF A SIDEWALK OR OTHER PEDESTRIAN FACILITY.



**RURAL AREA
CONVENTIONAL HIGHWAY (NO SHOULDER)**



**RURAL AREA
CONVENTIONAL HIGHWAY (WITH SHOULDER)**



BUSINESS OR RESIDENTIAL AREA




FREEWAY / EXPRESSWAYS

CERTIFICATION

I hereby certify that I am the Secretary for Abbottstown Borough, Adams County, Pennsylvania, and that Ordinance No. 2021-06 was advertised in The Gettysburg Times on November 23, 2021, a newspaper of general circulation in the municipality, was available at the Borough Office and online at the Borough website during this same period, was duly enacted and approved as set forth at the regular meeting of the Abbottstown Borough Council held on December 16, 2021 and that this is a true and correct copy of that Ordinance.

SEAL



David W. Bolton, MBA, CBO



Date