

[REDACTED]

March 8, 2017

**Via overnight courier**

Robert Willig  
Office of Attorney General  
Pittsburgh Manor Complex  
564 Forbes Avenue  
6<sup>th</sup> Floor  
Pittsburgh, PA 15219

**RE: Motor Vehicle Weight Limitation Ordinance of North Coventry**

Dear Mr. Willig,

I am requesting the Office of the Attorney General of Pennsylvania to review North Coventry Township, Chester County, Motor Vehicle Weight Limitation Ordinance enacted on January 25, 2016 with respect to the Agricultural Communities and Rural Environment Act (ACRE). It is my opinion that this ordinance severely limits and impedes our normal agricultural operations and contrasts the Commonwealth's ideals of long term sustainability of agriculture.

[REDACTED]

We use these transportation arteries to access markets for our ag commodities (Christmas trees, nursery stock, forest products and, formerly, hay) as well as receiving agricultural products and equipment deliveries to our farm. Additionally we offer direct farm sales and attract considerable consumer traffic to our farm.

Recently I was made aware of the Motor Vehicle Weight Ordinance that was enacted in North Coventry Township. As the only operator of heavy weight vehicles on [REDACTED] as well as it being the only access road to our farm, I was surprised that my municipality chose not to extend goodwill and invite myself into the ordinance planning discussions. I was completely unaware of such an ordinance until the signage was installed. After requesting a copy of the ordinance and inquiring with the township manager why, as a long time township agricultural business and operator of heavy motor vehicles and equipment, I had not been invited to participate in the discussions surrounding such an ordinance and the potential impact it may have on our normal agricultural operations, he replied, "We never thought this would impact your operation it was intended to discourage pipeline contractor traffic from the township." I felt the decision was more arbitrary rather than factual based on actual road conditions or studies of the township roads verses generic PennDOT engineering studies on similar road types.

Although residential and farm traffic is defined as Local Traffic and is exempt it does state that if Local Traffic is likely to damage the road, **Section E (2)**, the vehicle

registrant will have 2 or 5 days, depending upon method of notification, to make the exempted Local Traffic vehicles conform and not exceed the weight limits.

**Section F** includes language that the township may issue permits and may require security, as they deem necessary to cover the costs of anticipated or probable repairs and restoration. This is very unsettling on my behalf as many of our vehicles and combinations currently exceed the posted weight limits of the township roads. Therefore we are in eminent risk of requiring a permit to access our only entrance as well as at risk for providing security [bond] for potential damages as per Title 67 of the Pennsylvania Code.

This ordinance severely limits our growth and sustainability as an agricultural operation because it limits certain vehicles with a specific GVWR that we can utilize in our operation and still be legal on the roads. Additionally the Erection of Signs, **Section G**, does not include an allowance for "Local Traffic Exempt" signage to alert overweight motor vehicles making deliveries or outbound shipments that they are permissible to use the road with out recourse, fines or penalties. The advance informational signs (pictures enclosed) do not provide much information to the operator other than the road has a weight restriction.

Sincerely,



Enclosures Motor Vehicle Weight Limitation Ordinance of North Coventry  
Signage pictures

cc via email:

