

TOWNSHIP ORDINANCE NO. 4 - 2003

AN ORDINANCE OF THE TOWNSHIP OF DUNKARD, GREENE COUNTY, PENNSYLVANIA, IMPOSING RESTRICTIONS AS TO THE WEIGHT OF VEHICLES OPERATING UPON THE TOWNSHIP ROADS OR BRIDGES; PROVIDING FOR THE ISSUING OF SPECIAL PERMITS FOR MOVEMENT OF VEHICLES OF WEIGHTS IN EXCESS OF MAXIMUM WEIGHT ESTABLISHED; AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT ENACTED and ORDAINED and it is hereby enacted and ordained by the Board of Supervisors of Dunkard Township, Greene County, Pennsylvania, as follows:

SECTION 1: Short Title.

This ordinance shall be known and may be cited as the "Motor Vehicle Size, Weight and Load Limitations Ordinance."

SECTION 2: Enactment.

This Ordinance is enacted pursuant to the authority conferred by the "Vehicle Code", Act of 1976, June 17, P.L. 162, No. 81, effective July 1, 1977 (75 Pa. C.S.A. 101 et. seq.) as amended.

SECTION 3: Effective Date.

This ordinance shall become effective upon enactment.

SECTION 4: Definitions and Interpretation.

(a) Words and phrases, when used in this ordinance, except for sections on articles to which different or additional

definitions apply, shall have the meanings ascribed to them in The Vehicle Code (the Act of June 17, 1975, P.L. 162 No. 81), as amended, except that, in this ordinance, the word "street" may be used interchangeably with the word "highway", and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

(b) In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

SECTION 5: Findings of the Board of Supervisors of the Township Based Upon Engineer and Traffic Study.

The Board of Supervisors pursuant to an engineering and traffic study have determined and hereby determine that the following roads or bridges under the jurisdiction of the Township may be damaged or destroyed unless the permissible weight of motor vehicles or combinations is reduced to the weight limits listed.

<u>Street or Bridge</u>	<u>Between</u>	<u>Maximum Gross Weight</u>
Township Road 341 Bald Hill Road	From its intersection with S.R. 2021 to its intersection with S.R. 2004	10 Tons

Township Road 389 Beall Run Road	From Dunkard Township line to its intersection With T.R. 375	10 Tons
Township Road 720 Bigfoot Road	From its intersection with S.R. 2004 to its intersection with S.R. 2011	10 Tons
Township Road 416 Budapest Road	From its intersection with S.R. 2011 to a Private Drive	10 Tons
Township Road 627 Bunner Hill Road	From its intersection with T.R. 713/342/629 to the Township line	10 Tons
Township Road 343 Cemetery Hill Road	From its intersection with T.R. 712 to its intersection with T.R. 722	10 Tons
Township Road 341 Creek Hill Road	From its intersection with T.R. 319 to its intersection with S.R. 2021	10 Tons
Township Road 712 Crooked Run Road	From its intersection with the State Line to its intersection with T.R. 317	10 Tons
Township Road 722 Dilliner Hill Road	From its intersection with S.R. 2011 to its intersection with S.R. 88	10 Tons
Township Road 391 Gaceks Road	From its intersection with T.R. 690 to its intersection with S.R. 2023	10 Tons
Township Road 319 Gas Co. Road	From the Dunkard Township Line to its intersection	10 Tons

	with T.R. 342	
Township Road 628 Glade Run Road	From its intersection with T.R. 342 to its intersection with T.R. 375	10 Tons
Township Road 375 Hunters Ridge Road	From the Dunkard Township Line to its intersection with T.R. 389	10 Tons
Township Road 624 Little Meadow Run Road	From its intersection with T.R. 409 to its intersection with the Township Line	10 Tons
Township Road 696 Mathews Road	From the State Line to its intersection with S.R. 2004	10 Tons
Township Road 409 Meadow Run Road	From the Dunkard Township Line to its intersection with T.R. 627	10 Tons
Township Road 768 Moffit Road	From its intersection with T.R. 343 to its intersection with S.R. 2010	10 Tons
Township Road 712 Morley Road	From its intersection with T.R. 317 to its intersection with T.R. 722	10 Tons
Township Road 391 Mt. Joy Road	From its intersection with T.R. 692 to the intersection of T.R. 690/391	10 Tons
Township Road 712 Mt. Pleasant Road	From the intersection of T.R. 343/768 to its intersection with T.R. 722	10 Tons
Township Road 629 Pigeon Hole Road	From its intersection with S.R. 2021 to its intersection with T.R. 713/342/627	10 Tons

Township Road 690 Presock Road	From its intersection with T.R. 391 to the Township Line	10 Tons
Township Road 323 Power Plant (River) Rd.	From the State Line to its intersection with S.R. 88	10 Tons
Township Road 845 Roberts Run Road	From its intersection with T.R. 713/391 to the Township Line	10 Tons
Township Road 630 School Bus Road	From its intersection with T.R. 342 to its intersection with T.R. 375	10 Tons
Township Road 694 School House Road	From a Private Drive to its intersection with S.R. 2004	10 Tons
Township Road 397 Set Still Road	From its intersection with T.R. 397 to its intersection with S.R. 2011	10 Tons
Township Road 625 Smith Creek Road	From its intersection with T.R. 627 to the Township Line	10 Tons
Township Road 342 Steele Hill Road	From its intersection with the Dunkard Township Line to its intersection with T.R. 713	10 Tons
Township Road 391A Titus Hill Road	From the intersection of T.R. 845/713 to its intersection with T.R. 692	10 Tons
Township Road 713 Township Bldg. Road	From its intersection with T.R. 627 to the intersection of T.R. 391/845	10 Tons
Township Road 317 Walnut Hill Road	From its intersection with T.R. 712 to its intersection with S.R. 88	10 Tons

Township Road 692 Water Tank Road	From its intersection with T.R. 391 to its intersection with S.R. 2023	10 Tons
Township Road 343 Williamson Hill Road	From its intersection with S.R. 2011 to the intersection of T.R. 643/768	10 Tons

SECTION 6: Vehicle Weight Limits Established on Certain Streets and Bridges.

(a) On the bridges and streets listed in Section 5 or parts of streets, by authority granted by Section 4902(a) of the Vehicle Code, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed for that bridge or street or part of street, as the case may be.

(b) The following motor vehicles shall be exempted from the restrictions imposed under subsection (a) above:

- (1) School Buses
- (2) Emergency Vehicles
- (3) Vehicles making local deliveries or pickups

SECTION 7: Permits and Security.

The Board of Supervisors of the Township may issue permits for the movement of motor vehicles or combinations of

size and weight in excess of the restrictions imposed under Section 6, supra, and require such undertaking or security as the Board of Supervisors deems necessary to cover the cost of anticipated or probable repairs and/or restoration necessitated by the permitted movement of vehicles.

All actions taken under the authority of this section shall be taken in accordance with the rules and regulations adopted from time to time by the Board of Supervisors and in the absence thereof in accordance with the rules and regulations adopted by the Commonwealth of Pennsylvania, Department of Transportation as found in Title 67 of the Pennsylvania Code.

SECTION 8: Erections of Signs.

The Township shall erect or cause to be erected and maintained restriction signs designating the restrictions at each end of a bridge or portion of road restricted as provided in this ordinance. In the case of a restriction on a bridge or on a road which does not begin or end at an intersection with an unrestricted road, the Township shall also place an advance informational sign at the intersection nearest each end of the restricted bridge or portion of road which would allow drivers to avoid the restricted bridge or portion of road. No person shall

be convicted of violating any section of this Ordinance unless the restriction sign designating the restricted bridge or portion of road to traffic moving in the direction the person was driving was posted as required in this section. However, failure to post the restriction sign designating the restricted bridge or portion of road to traffic moving in the opposite direction or failure to post any advance informational sign shall not constitute a defense to a violation of this section.

SECTION 9: Penalties for Violation.

(a) Any person operating a motor vehicle or combination upon a road or bridge in violation of a prohibition or restriction imposed under Section 6 is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75.00, except that any person convicted of operating a vehicle with a gross weight in excess of a posted weight shall, upon conviction, be sentenced to pay a fine of \$150.00 plus \$150.00 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight and costs.

(b) Any person who violates any provision of this Ordinance shall be prosecuted under Sections 4902(a) and 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced

to pay a fine of \$75.00, except that any person convicted of operating a vehicle with a gross weight in excess of a posted weight shall, upon conviction, be sentenced to pay a fine of \$150.00 plus \$150.00 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight, and costs.

SECTION 10: Severability.

The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the validity of any of the remaining provisions of this ordinance. It is declared as a legislative intent that this ordinance would have been enacted had that unconstitutional, illegal or otherwise invalid provisions not been included in the ordinance.

SECTION 11: Repeals.

All Ordinances or parts of Ordinances inconsistent with the Ordinance are hereby repealed in so far as they may be inconsistent herewith.

ORDAINED AND ENACTED into an Ordinance and passed by the Board of Supervisors of Dunkard Township, Greene County,

Pennsylvania, on this 11th day of December, 2003.

DUNKARD TOWNSHIP
BOARD OF SUPERVISORS

BY: Terry A. Barzantj
Terry A. Barzantj

Charles S. Caldwell
Charles S. Caldwell

ATTEST:

Linda L. Huggins
Linda L. Huggins, Secretary

Marvin L. Moody
Marvin L. Moody