

ORDINANCE NO. 202 – 2013 SERIES

WEIGHT LIMIT ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF SADBURY, CRAWFORD COUNTY, PENNSYLVANIA ESTABLISHING RESTRICTIONS ON THE USE OF CERTAIN TOWNSHIP HIGHWAYS, AUTHORIZING SUPERVISORS TO IMPOSE RESTRICTIONS AS TO WEIGHT, PROVIDING FOR THE ISSUANCE OF PERMITS, AND PROVIDING FOR PENALTIES IN THE EVENT OF VIOLATION.

AND NOW, this 12th day of March, 2013, the Supervisors of Sadsbury Township, Crawford County, Pennsylvania, do hereby enact and ordain as follows:

WHEREAS, the Supervisors are by virtue of the Laws and Constitution of the Commonwealth of Pennsylvania, including the provisions of the Act of 1976, June 17, P.L. 162, No. 81, S 1, et. seq. (75 Pa.C.S.A Section 4902, et. seq.), as the same may be hereinafter amended, empowered to establish limitations and restrictions as to the weight or size of vehicles operated upon certain Township highways; and

WHEREAS, the Supervisors have examined the condition of certain Township highways and, based upon completed Engineering and Traffic Studies, have determined that certain restrictions should impose upon certain highways of the Township under the circumstances herein set forth.

NOW THEREFORE, the Supervisors do enact and ordain and it is enacted and ordained for Sadsbury Township, Crawford County, Pennsylvania, as follows:

SECTION I

The following words when used in this Ordinance shall have the meaning ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning:

Emergency Vehicle - A fire department vehicle, police vehicle, ambulance, blood-delivery vehicle, armed forces emergency vehicle, one private vehicle of a fire or police chief or assistant chief or ambulance corps commander or assistant commander or a river rescue commander used for answering emergency calls or other vehicle designated by the State Police under Section 6016 of the Vehicle Code (relating to designation of emergency vehicles by the Pennsylvania State Police).

Local Delivery Vehicle - Any motor vehicle which is utilized for the provision of consumer services, including utility and refuse services or repairs to the property owners located upon Township roads.

Motor Vehicle - Any vehicle or combination which is defined and/or governed by the “Vehicle Code”, 75 Pa.C.P.S. Section 101, et. seq., as amended.

School Bus - A motor vehicle designed for carrying more than ten passengers, exclusive of the driver, and used for the transportation of school children.

SECTION II

The Supervisors have hereby determined that certain roads under the jurisdiction of the Township may be damaged and destroyed unless the permissible weight limit of motor vehicles or combinations is limited, and accordingly, no motor vehicle having a gross weight in excess of twenty thousand (20,000) pounds, except an emergency vehicle, local delivery vehicle or school bus as defined herein, shall be operated upon the following sections of roads and highways owned and/or maintained by Sadsbury Township and located within the jurisdiction of Sadsbury Township:

TOWNSHIP ROAD:	ROUTE:	FROM:	TO:
Free Road	T-300	US Hwy 6	US Hwy 322
Canal Road	T-301	US Hwy 6	East Fallowfield Twp. line
School Road	T-304	State Hwy 285	US Hwy 6
Brooks Road	T-360	US Hwy 6	Summit Twp. Line
Conley Road	T-374	Canal Road	Brooks Road
Oak Road	T-376	US Hwy 6	Allen Road
Allen Road	T-378	US Hwy 6	Summit Twp. Line
Greiser Road	T-400	Summit Twp. line	East Fallowfield Twp. line
Alter Road	T-402	State Hwy 285	Summit Twp. line
Hanmore Road	T-405	Greiser Road	US Hwy 322
Bolen Road	T-407	Greiser Road	Westerly terminus
Townline Road	T-409	Greiser Road	State Hwy 285
Kosturick Road	T-411	State Hwy 285	Free Road
Stoney Point Road	T-412	State Route 4018	East Fallowfield Twp. line
Campbell Road	T-414	US Hwy 6	Louderman Road
Leach Road	T-422	State Hwy 285	East Fallowfield Twp. line
West Vernon Road	T-429	US Hwy 6	Vernon Twp. line
Old State Road	T-430	West Vernon Road	US Hwy 6
East Side Road	T-431	Old State Road	US Hwy 6
Monnie Avenue	T-435	State Hwy 18	Center Street East
East Third Street	T-444	Lakeview Drive	Bank Road
Mohawk Drive	T-455	State Hwy 18	Center Street East
Ellion Road	T-448	US Hwy 6	Northerly terminus
Shady Avenue	T-449	State Hwy 18	Quigley Road
Hubbard Road	T-450	Foust Road	Summit Twp. line

TOWNSHIP ROAD:	ROUTE:	FROM:	TO:
Lakeview Drive	T-451	State Hwy 18	Westerly terminus
Midway Drive	T-453	State Hwy 18	East First Street
Keene Road	T-481	Alter Road	Greiser Road
Louderman Road	T-483	State Hwy 618	Westerly terminus
Foust Road	T-485	State Hwy 18	Vernon Twp. line
Maple Street Extension	T-510	Conneaut Lake Borough	Northerly terminus
Seneca Road	T-604	State Hwy 18	Westerly terminus
Walnut Drive	T-847	Ellion Road	Oak Street
Hickory Drive	T-849	Ellion Road	Oak Street
Pymatuning Road	T-911	State Hwy 618	Basin Avenue
Oakland Beach Road	T-915	State Hwy 18	Lake Drive
Oakmont Drive	T-917	State Hwy 18	Oakland Beach Road
Iroquois Road	T-943	State Hwy 18	Konneyaut Trail
Edgeview Avenue	T-945	State Hwy 18	Westerly terminus
Aldenia Drive	T-946	Pymatuning Road	Conneaut Lake Boro line
Lakeside Drive	T-947	State Hwy 18	Ellion Road
Sagwaw Avenue	T-949	State Hwy 18	Konneyaut Circle
Silver Street	T-972	State Hwy 618	Sunset Avenue

SECTION III

The Supervisors shall cause the affected section of roads and highways to be posted for the applicable prohibitions and limitations, said posting to be in accordance with the requirements of the Pennsylvania Motor Vehicle Code and other applicable laws and regulations of the Commonwealth of Pennsylvania.

SECTION IV

The Supervisors may issue permits for movements of vehicles in excess of the prohibitions and restrictions established hereunder. Applications for a permit shall be made in writing to the Township and shall contain such information as the Township shall require pertaining to the applicant, area of operations and municipal roads to be traveled, and:

- a. The application shall also include a description of all motor vehicles and equipment to be used in the transporting of all materials. Such list shall include among other things each vehicle's registration number, plate number, make, model and color.
- b. The application shall also include a copy of all valid local, state and/or federal permits, contracts and agreements which are required to be obtained by the operator or owner of the motor vehicle.
- c. Shall be accompanied by a signed "Excess Maintenance Agreement" which, inter alia, obligates the permittee to make repairs of damages caused to the roads by the permittee's activities.

d. Submit such bond or other collateral acceptable to and in the favor of the Township as the Township may require to ensure faithful compliance with the provisions of this Ordinance.

The requirements of this Section 4 shall be deemed to run in the favor of the Township, and the failure of the Township to insist upon compliance with each of the requirements set forth herein shall not render this Ordinance moot or otherwise preclude the Township from seeking enforcement of the various provisions of the Ordinance.

A separate permit must be obtained for each motor vehicle operating in excess of the prohibitions established hereunder, and the permit so issued shall be carried in said motor vehicle at all times during which it shall be operated on or across the section of Township road so permitted.

SECTION V

The Township may by Resolution establish an application fee for the above referenced permit which application fee may be raised or lowered by subsequent Resolution of the Township.

SECTION VI

Should any section or portion of this Ordinance be found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

SECTION VII

Upon conviction by a Magisterial District Judge any person violating this Ordinance shall pay a fine in an amount consistent with the applicable fine set forth in the Pennsylvania Motor Vehicle Code at the time of the violation.

As of the enactment of this Ordinance, the applicable section of the Pennsylvania Motor Vehicle Code is 75 Pa.C.S.A. Section 4902(g) which provides as follows:

(g) Penalty. –

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

SECTION VIII

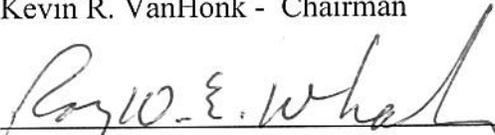
This Ordinance repeals Sections 6 through 15 of Ordinance No. 190 – 2009 adopted on the 5th day of January, 2009. All other sections of Ordinance No. 190 – 2009 shall remain in full force and effect.

IN WITNESS WHEREOF, the Supervisors of Sadsbury Township, Crawford County, Pennsylvania have adopted and enacted this Ordinance the day and year above written.

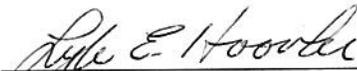
SUPERVISORS OF SADBURY TOWNSHIP



Kevin R. VanHonk - Chairman

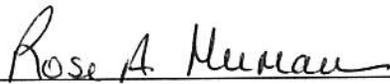


Roy W.E. Whaley - Vice Chairman



Lyle E. Hoovler - Supervisor

ATTEST:



Rose A. Mumau
Secretary/Treasurer