

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA
ORDINANCE NO. 1 OF 1983

AN ORDINANCE ESTABLISHING MAXIMUM SPEEDS FOR TOWNSHIP
ROADS T-381 (MOUNTAIN ROAD), T-501 (CLEMSON DRIVE),
T-508 (WOLF BRIDGE ROAD), T-512 (CLAREMONT DRIVE),
T-574 (BERNHEISEL BRIDGE ROAD) AND T-585 (COUNTRY
CLUB ROAD) AND PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the Township of Middlesex is a Local Authority under
the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81,
as amended [75 Pa. C.S.A. 101 et seq.]) having certain roads or high-
ways under its jurisdiction; and

WHEREAS, pursuant to Section 3363 of said Vehicle Code, said
Township of Middlesex has caused certain engineering and traffic
investigations to be made of certain of its roads or highways; and

WHEREAS, said investigations have determined that the maximum
speed permitted under said Vehicle Code is greater than is reasonable
and safe under the conditions found to exist upon those roads or high-
ways so investigated; and

WHEREAS, said Township of Middlesex deems it in the best interest
of its residents and the users of said roads or highways to establish
reasonable and safe maximum speed limits for said roads or highways;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby enacted
and ordained by the Board of Township Supervisors in and for the Town-
ship of Middlesex, Cumberland County, Pennsylvania, as follows:

SECTION 1: PREAMBLE AND POLICY

The foregoing paragraphs or preamble are incorporated herein as the
background and policy of this Ordinance.

SECTION 2: DEFINITIONS AND INTERPRETATION

Words and phrases used in this Ordinance shall have the meanings ascribed to them in the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81), as amended, except that in this Ordinance the word "road" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

SECTION 3: MAXIMUM SPEED LIMITS ESTABLISHED ON CERTAIN ROADS AND PENALTIES FOR VIOLATION THEREOF.

(a) Maximum speed limits for vehicles are hereby established on portions of specified roads as follows:

<u>ROAD</u>	<u>BETWEEN</u>	<u>MAXIMUM SPEED LIMIT</u>
1. T-381: Mountain Road	Between Pa. Route No. 34 and Pa. Route No. 944	40 miles per hour
2. T-501: Clemson Drive	Between Wolf Bridge Road (T-508) and Pa. L.R. 21011	35 miles per hour
3. T-508: Wolf Bridge Road	Between Pa. Route No. 34 and U. S. Route No. 11 (Harrisburg Pike)	40 miles per hour
4. T-512: Claremont Drive	Between Pa. Route 641 (Trindle Spring Road) and Pa. L.R. 21066	35 miles per hour
5. T-574: Bernheisel Bridge Road	Between Sherwood Drive (T-503) and the municipal boundary line between Middlesex Township and Silver Spring Township	40 miles per hour
6. T-585: Country Club Road	Between U.S. Route No. 11 (Harrisburg Pike) and Bernheisel Bridge Road (T-574)	40 miles per hour

(b) It shall be unlawful for any person to drive a vehicle on any part of a road where the foregoing maximum speed limits apply at a higher speed than the maximum prescribed for that part of the road.

(c) Any person who violates any provision of this Section shall, upon conviction before a District Justice, be sentenced to pay a find of Thirty-five (\$35.00) Dollars. Further, any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of Two (\$2.00) Dollars per mile for each mile in excess of five (5) miles per hour over the maximum speed limit.

SECTION 4: REQUIREMENT TO DRIVE VEHICLE AT SAFE SPEED

The foregoing provisions shall not relieve the drivers of vehicles from complying with Section 3361 of said Vehicle Code which is incorporated herein and made a part of this Ordinance as follows:

No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing, nor at a speed greater than will permit the driver to bring his vehicle to a stop within the assured clear distance ahead. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway and when special

hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions.

SECTION 5: 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 to be the legislative intention that this Ordinance would have been enacted had the unconstitutional, illegal or otherwise invalid provision not been included in the Ordinance.

SECTION 6: CONTINUATION OF EXISTING REGULATIONS

The provisions of this Ordinance insofar as they are the same as those of ordinances and regulations in force immediately before the enactment of this Ordinance are intended as a continuation of those earlier ordinances and regulations. Nothing in this Ordinance shall affect any act done or any suit or prosecution pending or to be instituted under any earlier ordinances or regulations repealed or superseded hereby.

SECTION 7. REPEAL OF CERTAIN PRIOR ORDINANCES.

All prior ordinances of this Township insofar as they deal with the precise subject matter of this Ordinance are repealed and declared to be unenforceable insofar as they are inconsistent with any provision of this Ordinance.

SECTION 8: EFFECTIVE DATE

This Ordinance shall take effect in accordance with existing

law.

ENACTED AND ORDAINED this 7th day of December, 1983.

TOWNSHIP OF MIDDLESEX

By Robert M. Thayer
Chairman, Board of Supervisors

By Robert M. Eppley
Supervisor

By Abram Wilmer
Supervisor

ATTEST:

R. E. Preston
Township Secretary