

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA
ORDINANCE NO. 4 -92

AN ORDINANCE PROHIBITING THE USE OF
CLAREMONT DRIVE (T-512) BY VEHICLES
WEIGHING MORE THAN 20,000 POUNDS; PROVIDING
FOR THE ERECTION OF SIGNS; AND ESTABLISHING
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 highways under its jurisdiction; and

WHEREAS, said Township of Middlesex has conducted all necessary engineering and traffic investigation incidental to its exercise of authority hereunder; and

WHEREAS, said Township of Middlesex deems it in the best interest of its residents and users of certain roads and highways within said Township and in the interest of protecting and preserving the structural integrity of said roads and highways from abuse by heavy vehicles to prohibit the use of certain roads and highways by vehicles having weights in excess of certain specified limits;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Township Supervisors in and for the Township 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: USE OF CLAREMONT DRIVE (T-512) BY VEHICLES IN EXCESS OF SPECIFIED WEIGHT LIMITS PROHIBITED AND PENALTIES FOR VIOLATION THEREOF

(a) It shall be unlawful for any person to drive a vehicle or combination on any portion of the road or highway indicated below as "Restricted Road" in excess of the maximum gross weight (vehicle weight plus any load) indicated below as "Maximum Gross Weight":

<u>RESTRICTED ROAD</u>	<u>MAXIMUM GROSS WEIGHT</u>
Claremont Drive (T-512): between Claremont Road (S.R. 2002) and Trindle Road (Pa. Route 641; S.R. 0641)	Twenty thousand (20,000) pounds

Provided, however, that nothing in this section shall prohibit any person from driving an emergency vehicle on said road or highway.

(b) Appropriate signs shall be posted at the entrances to said road or highway indicating the weight limitation stated above.

(c) Any person who violates any provision of this section shall be prosecuted under Sections 4902(a) and 4902(g-1) of the Pennsylvania Vehicle Code, and, upon conviction before a District Justice, shall be sentenced to pay a fine of One Hundred Fifty (\$150.00) Dollars plus One Hundred Fifty (\$150.00) Dollars for each five hundred (500) pounds, or part thereof, in excess of three thousand (3,000) pounds over the maximum allowable weight, and the costs of prosecution.

SECTION 4: 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 provisions not been included in this Ordinance.

SECTION 5: 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 6: 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 provisions of this Ordinance.

SECTION 7: EFFECTIVE DATE

This Ordinance shall take effect in accordance with existing law.

ENACTED AND ORDAINED this 31ST day of JANUARY, 1992.

TOWNSHIP OF MIDDLESEX

BY Robert M. Appleby
Chairman, Board of Township
Supervisors

ATTEST:

John S. Blair
Township Secretary

(Township Seal)