

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 1 - 2013

AN ORDINANCE PROHIBITING THE USE OF CERTAIN ROADS AND HIGHWAYS BY TRUCKS, EXCEPT FOR LOCAL DELIVERIES (WESTPOINT DRIVE, MACARTHUR DRIVE, MARSHALL DRIVE AND PATTON DRIVE), PROVIDING FOR THE ERECTION OF SIGNS AND ESTABLISHING PENALTIES FOR THE 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 the users of certain roads and highways within said Township to prohibit the use of certain roads and highways as thoroughfares for trucks except only for local deliveries on said roads and 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 Township of Middlesex, Cumberland County, Pennsylvania, as follows:

SECTION 1: PREAMBLE AND POLICY.

The foregoing paragraphs and 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: TRUCK TRAFFIC PROHIBITED ON CERTAIN ROADS AND HIGHWAYS AND PENALTIES FOR VIOLATION THEREOF.

(a) It shall be unlawful for any person to drive a vehicle other than a passenger car on any of the following roads or highways:

- (1) Westpoint Drive: throughout its entire length within Middlesex Township.
- (2) MacArthur Drive: throughout its entire length within Middlesex Township.
- (3) Marshall Drive: throughout its entire length within Middlesex Township.
- (4) Patton Drive: throughout its entire length within Middlesex Township.

Provided, however, that nothing in this section shall prohibit any person from driving an emergency vehicle on any of said roads or highways, or from driving on said roads or highways a truck or other commercial vehicle for the exclusive purpose of making local deliveries to or pickups from premises located along said roads or highways.

(b) Appropriate signs shall be posted at the entrances to said roads or highways indicating the prohibition of use by trucks or other commercial vehicles.

(c) Any person who violates any provision of this Section shall upon conviction before a District Justice, be sentenced to pay a fine of Twenty-five (\$25.00) Dollars.

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 the 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.

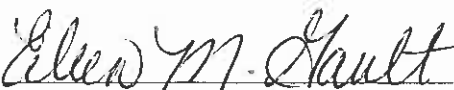
SECTION 7: EFFECTIVE DATE.

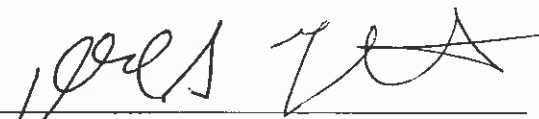
This Ordinance shall take effect in accordance with existing law.

ENACTED AND ORDAINED this 28th day of June, 2013.

ATTEST:

TOWNSHIP OF MIDDLESEX


Township Secretary

By: 
Chairman, Board of Township
Supervisors

(Township Seal)