

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 4 - 2012

AN ORDINANCE PROHIBITING VEHICLES WEIGHING MORE THAN 4,000 POUNDS FROM ENTERING INTO ANY TOWNSHIP PARK PROPERTY AND RECREATION FACILITIES AND AREAS THEREOF, 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 park and recreational facilities of the Township, and in the interest of protecting and preserving the structural integrity of roads, driveways, parking areas and property of or associated with any park or recreational facility of Middlesex Township from abuse by heavy vehicles, to prohibit the use of and access to and parking in park and recreational facilities 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 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: PROHIBITING USE OF TOWNSHIP PARKS, RECREATION AREAS, ACCESS DRIVES THERETO, DRIVEWAYS THEREIN AND PARKING AREAS THEREOF BY VEHICLES HAVING A GROSS WEIGHT IN EXCESS OF 4,000 POUNDS; PENALTIES FOR VIOLATIONS THEREOF.

(a) It shall be unlawful for any person to drive a vehicle or combination on or in any park or recreational facility of Middlesex Township, any access drives thereto, any driveways therein or any parking areas thereof, in excess of the maximum gross weight (vehicles weight plus any load) of 4,000 pounds.

Provided however, that nothing in this section shall prohibit any person from driving any school bus, emergency vehicle or vehicle making deliveries or pickups in, at or to park and recreational facilities for park and recreational purposes, or authorized construction vehicles associated with work at park and recreational facilities, in or on any of the foregoing areas and locations.

(b) Appropriate signs shall be posted at the entrances to all Middlesex Township park and recreation facilities and areas indicating the weight limitation stated above.

(c) Any person who violates any provision of this section shall be prosecuted under Section 4902(a) and 4902(g)(1) of the Pennsylvania Vehicle Code, and, upon conviction, 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 the Ordinance.

SECTION 5: EFFECTIVE DATE.

This Ordinance shall take effect in accordance with existing law.

ENACTED AND ORDAINED this 26th day of October, 2012.

ATTEST:

TOWNSHIP OF MIDDLESEX


Township Secretary

By: 
Chairman, Board of Township
Supervisors

(Township Seal)