

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 5 -04

AN ORDINANCE PROHIBITING THE USE OF DEER LANE
(T-636) BY VEHICLES WEIGHING MORE THAN 20,000 POUNDS;
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 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 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 DEER LANE (T-636) BY VEHICLES HAVING A GROSS WEIGHT IN EXCESS OF 20,000 POUNDS; PENALTIES FOR VIOLATIONS THEREOF.

(a) It shall be unlawful for any person to drive a vehicle or combination on any part of Deer Lane (T-636) located in Middlesex Township in excess of the maximum gross weight (vehicles weight plus any load) of 20,000 pounds.

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

(b) Appropriate signs shall be posted at the entrances to Deer Lane 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 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 the Ordinance.

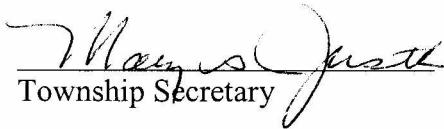
SECTION 5: EFFECTIVE DATE.

This Ordinance shall take effect in accordance with existing law.

ENACTED AND ORDAINED this 3rd day of November , 2004.

ATTEST:

TOWNSHIP OF MIDDLESEX


Township Secretary

B: 
Chairman, Board of Township
Supervisors

(Township Seal)