

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. ~~4~~⁵-2015

AN ORDINANCE PROHIBITING THE USE OF MOUNTAIN ROAD (T-381) AND HORNERS ROAD (T-576) BY TRUCKS EXCEPT BY EMERGENCY VEHICLES, BUSES AND LOCAL DELIVERIES; 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 trucks.

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 MOUNTAIN ROAD (T-381) AND HORNERS ROAD (T-576) BY TRUCKS; PENALTIES FOR VIOLATIONS THEREOF.

(a) It shall be unlawful for any person to drive a vehicle other than a passenger car on any part of Mountain Road (T-381) or on any part of Horners Road (T-576), located in Middlesex Township.

Provided however, that nothing in this section shall prohibit any person from driving any school bus or emergency vehicle on such roads or highways, or from driving trucks or other commercial vehicles providing local delivery or pickups to locations on or adjoining said roads or highways.

(b) Appropriate signs shall be posted at the entrances to Mountain Road and Horners Road indicating the prohibition stated above.

(c) Any person who violates any provision of this section shall be prosecuted under Section 4902(b) and 4902(g)(2) of the Pennsylvania Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of not more than Five Hundred (\$500.00) Dollars plus 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 25 th day of September, 2015.

ATTEST:

TOWNSHIP OF MIDDLESEX

Alan M. Gault
Township Secretary

By: Steve Brown
~~Vice~~-Chairman, Board of Township
Supervisors

(Township Seal)