

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 6 OF 1988

AN ORDINANCE ESTABLISHING MAXIMUM SPEED
FOR TOWNSHIP ROAD T-495 (WAGNER DRIVE)
AND 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, pursuant to Section 3363 of said Vehicle Code, said Township of Middlesex has caused certain engineering and traffic investigations to be made of certain of its roads or highways; and

WHEREAS, said investigations have determined that the maximum speed permitted under said Vehicle Code is greater than is reasonable and safe under the conditions found to exist upon one of the roads or highways (Wagner Drive, T-495) so investigated;

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: MAXIMUM SPEED LIMITS ESTABLISHED ON CERTAIN
ROADS AND PENALTIES FOR VIOLATION THEREOF

(a) Maximum speed limits for vehicles are hereby established for the following specified roads:

<u>ROAD</u>	<u>MAXIMUM SPEED LIMIT</u>
1. T-495: Wagner Drive (between Pa. Route No. 34 and the Middlesex-North Middleton municipal boundary line	35 miles per hour

(b) It shall be unlawful for any person to drive a vehicle on any part of a road where the foregoing maximum speed limits apply at a higher speed than the maximum prescribed for that part of the road.

(c) Any person who violates any provision of this Section shall, upon conviction before a District

Justice, be sentenced to pay a fine of Thirty-five (\$35.00) Dollars. Further, any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of Two (\$2.00) Dollars per mile for each mile in excess of five (5) miles per hour over the maximum speed limit.

SECTION 4: REQUIREMENT TO DRIVE VEHICLE AT SAFE SPEED

The foregoing provisions shall not relieve the drivers of vehicles from complying with Section 3361 of said Vehicle Code which is incorporated herein and made a part of this Ordinance as follows:

No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing, nor at a speed greater than will permit the driver to bring his vehicle to a stop within the assured clear distance ahead. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching hill crest, when traveling upon any narrow or winding roadway and when special hazards exist with respect to

pedestrians or other traffic or by reason of weather or highway conditions.

SECTION 5: 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 6: 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 7: 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 provision of this Ordinance.

SECTION 8: EFFECTIVE DATE

This Ordinance shall take effect in accordance with existing law.

ENACTED AND ORDAINED this 5th day of October , 1988.

TOWNSHIP OF MIDDLESEX

By Robert M. Shaver
Chairman, Board of Supervisors

By Robert M. Eppley
Supervisor

By _____
Supervisor

ATTEST:

R. E. Preston
Township Secretary