

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 8 -99

AN ORDINANCE PROHIBITING THE USE OF COUNTRY CLUB ROAD (T-585) BY VEHICLES WEIGHING MORE THAN 20,000 POUNDS AND PROHIBITING TRUCKS OR NON-PASSENGER VEHICLES FROM USING TIFFANY DRIVE AND OLD STONE HOUSE ROAD; 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, the 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 and to limit the use of certain roads and highways to certain vehicles;

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: PROHIBITING USE OF COUNTRY CLUB ROAD (T-585) BY VEHICLES HAVING A GROSS WEIGHT IN EXCESS OF 20,000 POUNDS; PENALTIES FOR VIOLATION THEREOF

(a) It shall be unlawful for any person to drive a vehicle or combination on any part or portion of Country Club Road (T-585) from the intersection of Country Club Road with U.S. Route 11 to the intersection of Country Club Road with Bernheisel Bridge Road in excess of the maximum gross weight (vehicle 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 Country Club Road indicating the weight limitation stated above.

(c) Any person who violates any provision of this section shall be prosecuted under Sections 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: RESTRICTIONS ON THE USE OF TIFFANY DRIVE
AND OLD STONE HOUSE ROAD (T-626); PENALTIES FOR
VIOLATION THEREOF

(a) It shall be unlawful for any person to drive a vehicle other than a motorcycle or passenger car on any part or portion of Tiffany Drive or any part or portion of Old Stone House Road from the intersection of Old Stone House Road with South Middlesex Road to the boundary of Silver Spring Township.

Provided however, that nothing in this section shall prohibit any person from driving any school bus or emergency vehicle on any part or portion of Tiffany Drive or Old Stone House Road or from driving on any part or portion of Tiffany Drive or Old Stone House Road a truck or other commercial vehicle making local deliveries to or pickups from any premises located along Tiffany Drive or Old Stone House Road.

(b) Appropriate signs shall be posted noting the restrictions on the use of Tiffany Drive and Old Stone House Road as noted above, which signs shall be posted in accordance with regulations adopted by the Pennsylvania Department of Transportation.

(c) Any person who violates any provision of this section shall be prosecuted under Sections 4902(b) and 4902(g)(2) of the Pennsylvania Vehicle Code, and, upon conviction before a District Justice, shall be sentenced to pay a fine of not less than twenty-five (\$25.00) Dollars and not more than One Hundred (\$100.00) Dollars, and costs of prosecution.

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 this Ordinance.

SECTION 6: EFFECTIVE DATE:

This Ordinance shall take effect in accordance with existing law.

ENACTED AND ORDAINED this 3^{1st} day of December ,
1999.

TOWNSHIP OF MIDDLESEX

By: Robert M. Egan
Chairman, Board of Township
Supervisors

ATTEST:

Mary S. Pratt
Township Secretary

(Township Seal)