

ORDINANCE NUMBER 27

AN ORDINANCE OF THE BOROUGH OF LITTLE MEADOWS, SUSQUEHANNA COUNTY, PENNSYLVANIA IMPOSING RESTRICTIONS AS TO THE WEIGHT OF VEHICLES OPERATING UPON THE BOROUGH ROADS; PROVIDING FOR THE ISSUING OF SPECIAL PERMITS FOR MOVEMENT OF VEHICLES OF WEIGHTS IN EXCESS OF MAXIMUM WEIGHT ESTABLISHED; AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF LITTLE MEADOWS, BEING SITUATED IN THE COUNTY OF SUSQUEHANNA OF SAID COMMONWEALTH, AS FOLLOWS:

SECTION 1: SHORT TITLE

THIS ORDINANCE SHALL BE KNOWN AND CITED AS "MOTOR VEHICLE SIZE, WEIGHT AND LOAD LIMITATIONS ORDINANCE OF THE BOROUGH OF LITTLE MEADOWS".

SECTION 2: ENACTMENT

THIS ORDINANCE IS ENACTED PURSUANT TO THE AUTHORITY CONFERRED BY THE "VEHICLE CODE", ACT OF 1976, JUNE 17, P.L. 162, NO. 81 S1, EFFECTIVE JULY 1, 1977 (75 PA. C.S.A. S101 ET. SEQ.)

SECTION 3: DEFINITIONS

THE FOLLOWING WORDS WHEN USED IN THIS ORDINANCES SHALL HAVE THE MEANING ASCRIBED TO THEM IN THIS SECTION, EXCEPT IN THOSE INSTANCES WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT MEANING:

EMERGENCY VEHICLE - A FIRE DEPARTMENT VEHICLE, POLICE VEHICLE, AMBULANCE, BLOOD-DELIVERY, ARMED FORCES EMERGENCY VEHICLE, ONE PRIVATE VEHICLE OF A FIRE OR POLICE CHIEF OR ASSISTANT CHIEF OR AMBULANCE CORPS COMMANDER OR ASSISTANT COMMANDER OR OR A RIVER RESCUE COMMANDER USED FOR ANSWERING EMERGENCY CALLS OR OTHER VEHICLE DESIGNATED BY THE STATE POLICE UNDER SECTION 616 OF THE VEHICLE CODE (RELATING TO DESIGNATION OF EMERGENCY VEHICLES BY PENNSYLVANIA STATE POLICE)

MOTOR VEHICLE - ANY VEHICLE OR COMBINATIONS WHICH IS DEFINED AND/OR GOVERNED BY THE "VEHICLE CODE", 75 PA. C.P.S. S101 ET SEQ. AS AMENDED.

SCHOOL BUS - A MOTOR VEHICLE DESIGNED FOR CARRYING MORE THAN TEN PASSENGERS, EXCLUSIVE OF THE DRIVER, AND USED FOR THE TRANSPORTATION OF SCHOOL CHILDREN.

SECTION 4: FINDINGS OF THE LITTLE MEADOWS BOROUGH COUNCIL

THE BOROUGH COUNCIL HAS DETERMINED AND HEREBY DETERMINES THAT

THE FOLLOWING ROADS UNDER THE JURISDICTION OF THE BOROUGH MAY BE DAMAGED OR DESTROYED DUE TO THEIR MARGINAL BASE AND TOP COATING UNLESS THE PERMISSIBLE WEIGHT OF MOTOR VEHICLES OR COMBINATIONS IS REDUCED TO THE WEIGHT LIMITS LISTED:

<u>ROAD</u>	<u>BETWEEN</u>	<u>WEIGHT LIMIT (POUND)</u>
CEMETARY RD.	ENTIRE LENGTH	12,000
BOLLES HILL ,	ENTIRE LENGTH	12,000
SHAUGHNESSY RD.	FROM 858 TO INTER- SECTION OF KING RD. (1ST INTERSECTION)	12,000
SHAUGHNESSY RD.	FROM 1ST INTERSEC- TION TO APOLOCAN TOWNSHIP LINE	6,000
KING RD.	ENTIRE LENGTH	12,000

SECTION 5: VEHICLE WEIGHT LIMITS ESTABLISHED

A) PURSUANT TO THE FINDINGS UNDER SECTION 4, SUPRA, NO MOTOR VEHICLE OR COMBINATION SHALL, WHEN OPERATED ON ANY OF THE ROADS LISTED IN SECTION 4, HAVE A GROSS WEIGHT EXCEEDING THE WEIGHT LIMIT LISTED FOR SAID ROAD IN SECTION 4.

B) THE FOLLOWING MOTOR VEHICLES SHALL BE EXEMPTED FROM THE RESTRICTIONS IMPOSED UNDER SUBSECTION (4) ABOVE:

- (1) SCHOOL BUSES
- (2) EMERGENCY VEHICLES
- (3) VEHICLES MAKING LOCAL DELIVERIES OF CONSUMER GOODS,
TO BOROUGH RESIDENTS
- (4) AGRICULTURAL VEHICLES

SECTION 6: PERMITS AND SECURITY

THE BOROUGH COUNCIL MAY ISSUE PERMITS FOR THE MOVEMENT OF MOTOR VEHICLES OR COMBINATION OF SIZE AND WEIGHT IN EXCESS OF THE RESTRICTIONS IMPOSED UNDER SECTION 4, SUPRA, AND REQUIRE SUCH UNDERTAKING OR SECURITY AS THE BOROUGH COUNCIL DEEMS NECESSARY TO COVER THE COST OF ANTICIPATED OR PROBABLE REPAIRS AND/OR RESTORATION NECESSITATED BY THE PERMITTED MOVEMENT OF VEHICLES.

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SECTION 6: (CONTINUED)

ALL ACTIONS TAKEN UNDER THE AUTHORITY OF THIS SECTION SHALL BE TAKEN IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED FROM TIME TO TIME BY THE BOROUGH COUNCIL AND THE ABSENCE THEREOF IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED BY THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION AS FOUND IN TITLE 67 OF THE PENNSYLVANIA CODE.

SECTION 7: ERECTION OF SIGNS

THE BOROUGH SHALL ERECT OR CAUSE TO BE ERECTED AND MAINTAINED RESTRICTION SIGNS DESIGNATING THE RESTRICTIONS AT EACH END OF ROAD RESTRICTED AS PROVIDED IN THIS ORDINANCE. IN THE CASE OF A RESTRICTION ON A ROAD WHICH DOES NOT BEGIN OR END AT AN INTERSECTION WITH AN UNRESTRICTED ROAD, THE BOROUGH SHALL ALSO PLACE AN ADVANCE INFORMATION SIGN AT THE INTERSECTION NEAREST EACH END OF THE RESTRICTED ROAD WHICH WOULD ALLOW DRIVERS TO AVOID THE RESTRICTED PORTION OF ROAD. NO PERSON SHALL BE CONVICTED OF VIOLATING ANY SECTION OF THIS ORDINANCE UNLESS THE RESTRICTION SIGN DESIGNATING THE RESTRICTION PORTION OF ROAD TO TRAFFIC MOVING THE DIRECTION THE PERSON WAS DRIVING WAS POSTED AS REQUIRED IN THIS SECTION. HOWEVER, FAILURE TO POST THE RESTRICTION SIGN DESIGNATING THE RESTRICTED PORTION OR ROAD TO TRAFFIC MOVING IN THE OPPOSITE DIRECTION OR FAILURE TO POST ANY ADVANCE INFORMATIONAL SIGN SHALL NOT CONSTITUTE A DEFENSE TO A VIOLATION OF THIS SECTION.

SECTION 8: PENALTIES FOR VIOLATION

ANY PERSON OPERATING A MOTOR VEHICLE OR COMBINATION UPON A ROAD IN VIOLATION OF A PROHIBITION OR RESTRICTION IMPOSED UNDER SECTION 4 IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$100, EXCEPT THAT ANY PERSON CONVICTED OF OPERATING A VEHICLE WITH A GROSS WEIGHT IN EXCESS OF A POSTED WEIGHT SHALL, UPON CONVICTION, BE SENTENCE TO PAY A FINE OF \$150 PLUS \$150 FOR EACH 500 POUNDS, OR PART THEREOF, IN EXCESS OF 2,000 POUNDS OVER THE MAXIMUM ALLOWABLE WEIGHT.

SECTION 9: SEVERABILITY

THE PROVISIONS OF THIS ORDINANCE ARE SEVERABLE. IF ANY SENTENCE, CLAUSE OR SECTION OF THIS ORDINANCE IS FOR ANY REASON FOUND TO BE UNCONSTITUTIONAL, ILLEGAL, OR INVALID, SUCH UNCONSTITUTIONALITY, ILLEGALITY OR INVALIDITY SHALL NOT AFFECT OR IMPAIR ANY OF THE REMAINING PROVISIONS, SENTENCES, CLAUSES, OR SECTIONS OF THIS ORDINANCE. IT IS HEREBY DECLARED TO BE THE INTENT OF THE BOROUGH OF LITTLE MEADOWS THAT THIS ORDINANCE WOULD HAVE BEEN ADOPTED HAD SUCH UNCONSTITUTIONAL, ILLEGAL, OR INVALID SENTENCE, CLAUSE OR SECTION NOT BEEN INCLUDED HEREIN.

SECTION 10: REPEALS

ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE ORDINANCE ARE HEREBY REPEALED IN SO FAR AS THEY BE INCONSISTENT HERewith.

ENACTED AND ORDAINED THIS 8th DAY OF June, 1987.

LITTLE MEADOWS BOROUGH COUNCIL

BY

Charles A. Fabinger

PRESIDENT

BY

Alan J. Messeri

MAYOR

ATTEST:

Jenny L. Fabinger

SECRETARY