

TOWNSHIP OF PORTER
Pike County, pennsylvania
ORDINANCE NO. ~~13~~ 14

AN ORDINANCE OF THE TOWNSHIP OF PORTER, PIKE COUNTY,
PENNSYLVANIA IMPOSING RESTRICTIONS AS TO THE WEIGHT OF
VEHICLES OPERATING UPON THE TOWNSHIP ROADS OR BRIDGES;
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 Board of
Supervisors of the TOWNSHIP OF PORTER, a municipal corporation of the
Commonwealth of Pennsylvania, being situate in the County of Pike of said
Commonwealth, as follows:

SECTION 1: SHORT TITLE

This Ordinance shall be known and may be cited as "Motor Vehicle
Size, Weight and Load Limitations Ordinance of the Township of Porter.

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, Section 1,
effective July 1, 1977 (75 Pa. C.S.A. Section 101 et seq.) as amended."

SECTION 3: EFFECTIVE DATE

This Ordinance shall become effective in thirty days.

SECTION 4 :DEFINITIONS

The following words when used in thie Ordinance 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 vehicle, armed forces emergency vehicle, one
private vehicle of a fire or police chief or assistant chief or ambulance
corps commander or assistant commander or of a river rescue commander used
for answering emergency calls or other vehicle designated by the State
Police under Section 6106 of the Vehicle Code (relating to designation of
emergency vehicles by Pennsylvania State Police).

Motor Vehicle - Any vehicle or combination which is defined and/or governed by the "Vehicle Code", 75 Pa. C.P.S. Section 101 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 5:

FINDINGS OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP

The Board of Supervisors have determined and hereby determine that the following roads or bridges under the jurisdiction of the Township may be damaged or destroyed unless the permissible weight of motor vehicles or combinations is reduced to the weight limits listed.

<u>ROAD</u>	<u>LOCATION</u>	<u>WEIGHT</u> <u>LIMIT (POUNDS)</u>
1. T-324	0.5 Miles East of T.R. 402 over Saw Creek	6,000
2. T-324	0.5 Miles South of Twp. Rd. #319 over Saw Creek	6,000
3. T-317	1.0 Mile East of L.R. 51004 over Bushkill Creek	20,000

SECTION 6: VEHICLE WEIGHT LIMITS ESTABLISHED

(A) Pursuant to the findings under Section 5, above, no motor vehicle or combination shall, when operated on any of the roads or bridges listed in Section 5, have a gross weight exceeding the weight limit listed for said road in Section 5.

SECTION 7: PERMITS AND SECURITY

The Board of Supervisors of the Township may issue permits for the movement of motor vehicles or combinations of size and weight in excess of the restrictions imposed under Section 6, above, and require such undertaking or security as the Board of Supervisors deemes necessary to cover the cost of anticipated or probable repairs and/or restoration necessitated by the permitted movement of vehicles.

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 Board of Supervisors and in 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 8: ERECTION OF SIGNS

The Township shall erect or cause to be erected and maintained restriction signs designating the restrictions at each end of a bridge or portion of road restricted as provided in this Ordinance. In the case of a restriction on a bridge or on a road which does not begin or end at an intersection with an unrestricted road, the Township shall also place an advance informational sign at the intersection nearest each end of the restricted bridge or portion of road which would allow drivers to avoid the restricted bridge or portion of road. No person shall be convicted of

violating any section of this Ordinance unless the restriction sign designating the restricted bridge or portion of road to traffic moving in the direction of the person was driving was posted as required in this section. However, failure to post the restriction sign designating the restricted bridge or portion of 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 9: PENALTIES FOR VIOLATION

Any Person operating a motor vehicle or combination upon a road or bridge in violation of a prohibition or restriction imposed under Section 6 is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75.00, except that any person convicted of operating a vehicle with a gross weight in excess of a posted weight shall, upon conviction, be sentenced to pay a fine of \$150.00 plus \$150.00 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight.

SECTION 10: 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 Board of Supervisors of the Township of Porter that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

SECTION 11: REPEALS

All Ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed in so far as they may be inconsistent herewith.

ENACTED AND ORDAINED THIS 10 day of Nov, 1986.

THE BOARD OF SUPERVISORS OF THE
TOWNSHIP OF PORTER

BY Dorothy H. Raitt
Chairman of the Board

BY Harold T. Hellyer
Supervisor

BY Harry C. Joern
Supervisor

ATTEST:

Joan Horney
Secretary

(SEAL)

END

