

TOWNSHIP OF HARMONY
Susquehanna county, Pa
Ordinance No.....

AN ORDINANCE OF THE TOWNSHIP OF HARMONY, SUSQUEHANNA COUNTY, PENNAYLVANIA 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 HARMONY, a municipal corporation of the Commonwealth of Pennsylvania, being situate in the County of Susquehanna 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 Harmony".

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 Junl 1, 1977 (75 Pa. C.S.A 5101 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 this Ordinance shall have the meaning ascribed to them in this Section, except thos 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 Pennaylvania State Police)

Motor Vehicle--aAny vehicle or combination which is defined and/or governed by the "Vehicle Code", 75 Pa.

C.P.S. S101 et seq. as ammended

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 permissable weight of motor vehicles or combinations is reduced to the weight limits listed.

(a) Roads: All roads in Harmony Township under the jurisdiction of the Harmony Township Supervisors are limited to a weight limit of ten (ten) tons. Any road may be posted 48 hours prior to the effective date of the load limit.

(b) Bridges: The bridge on township road 855 as it crosses the Starrucca creek (Rockwell road) is posted for 5 (five) ton weight limit.

SECTION 6: VEHICLE WEIGHT LIMITS ESTABLISHED

(A) Pursuant to the findings under section 5, supra, 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.

(B) The following motor vehicles shall be exempted from the restriction imposed under subsection (A) above:

- (1) School Buses
- (2) Emergency Vehicles
- (3) Vehicles making local deliveries or pickups.

(C) There are no exceptions for bridge postings listed under section 5, para. (b)

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, supra, and require such undertaking or security as the Board of Supervisors deems 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 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 the 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 100 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, 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 Harmony 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 the Ordinance are hereby repealed in so far as they may be inconsistent herewith.

ENACTED AND ORDAINED THIS _____ day of _____, 1987

THE BOARD OF SUPERVISORS OF THE
TOWNSHIP OF HARMONY

BY _____
Chairman of the Board

BY _____
Supervisor

BY _____
Supervisor

ATTEST

Secretary

(SEAL)