

**TOWNSHIP OF GREAT BEND
SUSQUEHANNA COUNTY, PENNSYLVANIA**

ORDINANCE NO. 63

**AN ORDINANCE OF THE TOWNSHIP OF GREAT BEND,
SUSQUEHANNA COUNTY, PENNSYLVANIA, IMPOSING
RESTRICTIONS AS TO THE WEIGHT OF VEHICLES OPERATED
UPON CERTAIN TOWNSHIP ROADS; PROVIDING FOR THE
ISSUANCE OF PERMITS AND THE POSTING OF SECURITY FOR THE
MOVEMENT OF VEHICLES OF A WEIGHT IN EXCESS OF
RESTRICTIONS; AND PRESCRIBING PENALTIES FOR
VIOLATIONS.**

BE IT ORDAINED AND RESOLVED, and it is hereby ordained and resolved,
by the Board of Supervisors of the Township of Great Bend, County of Susquehanna, and
Commonwealth of Pennsylvania, as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known as 'Motor Vehicle Weight Limitation and
Bonding Ordinance of Great Bend Township'.

SECTION 2. ENACTMENT

This Ordinance is enacted pursuant to the authority conferred by the "Vehicle
Code", Act of 1976, June 17, 1962, No. 81, Section 1, effective July 1, 1977 (75
Pa.C.S.A. § 101 et seq.), as amended and is intended to include and be subject to all
provisions of Section 4902 of the "Vehicle Code", 75 Pa.C.S.A. §4902 and all
Pennsylvania Department of Transportation regulations promulgated under the "Vehicle
Code", by way of illustration and not limitation, under Sections 4902(1) and 6103 (75 Pa.
C.S.A. §~4902(f) and 6103).

SECTION 3. DEFINITIONS

The following words when used in this Ordinance shall have the following
meanings, unless the context clearly indicates otherwise:

Motor Vehicle — any vehicle or combination as defined and/or governed by the
"Vehicle Code," 75 Pa. C.S.A., §101 et seq., as amended.

Local Traffic - emergency vehicles and school buses, defined hereinafter,
vehicles and combinations or governmental entities and utilities where their contractors
are engaged in construction or maintenance on a posted highway or in a location which
can be reached only via a posted highway, and vehicles and combinations going to or
coming from a residence or farm located on a posted highway or which can be reached
only via a posted highway.

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 §6106 of the "Vehicle Code" (relating to designation of emergency vehicles by Pennsylvania State Police).

School Bus - a motor vehicle designated for carrying more than ten (10) passengers, exclusive of the driver, and used for the transportation of school children.

SECTION 4. FINDINGS OF THE BOARD OF SUPERVISORS OF GREAT BEND TOWNSHIP

The Board of Supervisors has determined and hereby determines based upon weight and size restrictions based on highway conditions and studies and otherwise that the following roads be damaged or destroyed unless the permissible weight of motor vehicles is restricted to the weight limits listed. A complete list of the roads, identified by their Route Number, Road Name, Part of the Road Restricted and Weight Limit, is attached hereto as Exhibit "A" and is made a part hereof.

SECTION 5. VEHICLE WEIGHT LIMITS ESTABLISHED

(A) Pursuant to the findings under Section 4, supra., and by authority of §4902 of the "Vehicle Code" and regulations promulgated thereunder, no motor vehicle or combination shall be operated upon any of the roads listed in Section 4 with gross weight in excess of the weight limits listed for said road in Section 4.

(B) Local traffic as defined herein shall be exempted from the restrictions imposed under Section (A) above. However, if the Board of Supervisors determines that any local traffic is likely to damage the road, the Board of Supervisors will so notify the registrants of the motor vehicle or combination and will also notify State Police. After two (2) business days following delivery of the notice, or after five (5) days following mailing of the notice, such local traffic vehicles shall not exceed the weight limits except in accordance with Section 7 hereof.

SECTION 6. PERMITS AND SECURITY

Individuals or entities wishing to operate vehicles in excess of established weight limits on restricted weight Township roads may apply for a permit to do so on a form provided by the Township, Said permit application will be referred to the Township Roadmaster who shall:

- a. Place the issue on the agenda for a meeting of the Board of Supervisors; and

- b. Consult with the Third Party Consultant as necessary to determine the amount of security/bond to be posted by the applicant. The amount of security shall be calculated in accordance with Title 67, Chapter 189 of the Pennsylvania Code or its equivalent; and
- c. Present a recommendation to the Supervisors to include the amount of security to be posted by the applicant if the permit is approved.

No permit will be issued until the application is approved by the Board of Supervisors at a scheduled public meeting and, if required, security has been posted with the Township Secretary. The Board of Supervisors may, by resolution, delegate the authority to approve permits and set security to the Roadmaster or other official of the Township.

All actions taken under the authority of this section shall be taken 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 Township shall erect or cause to be erected and maintained restriction signs designating the restrictions at the end of the portion of road restricted as provided in this Ordinance. In the case of a restriction on a road which has not begun or ended at an intersection with an unrestricted highway, the Township shall also place an advance informational sign at the intersection nearest each end of the restricted portion of the road which would allow drivers to avoid the restricted portion of road.

SECTION 8. 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 4 shall, upon conviction by a Magisterial District Justice, pay a fine consistent with the applicable section of the Pennsylvania Motor Vehicle Code in effect at the time of the violation.

The current applicable section of the Code, 4902(g), states:

(g) PENALTY -

(1) Any person operating a vehicle or combination upon a highway or bridge in violation of a prohibition or restriction imposed under subsection (a) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75, 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 plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight.

(2) Any person operating a vehicle or combination in violation of a prohibition or restriction imposed under subsection (b) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$25 and not more than \$100.

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 Board of Supervisors of Great Bend Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause or section not been included herein.

SECTION 10.

This Ordinance shall become effective five (5) days after enactment.

SECTION 11. REPEALS

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

DULY ENACTED AND ORDAINED this 4th day of January 2010 by the Board of Supervisors of the Township of Great Bend, Susquehanna County, Pennsylvania.

BOARD OF SUPERVISORS OF
GREAT BEND TOWNSHIP

By: Joe Laughlin
Chairman

ATTEST: Sheila Guinan
Secretary

By: Walter E. [Signature]
Supervisor

(SEAL)

By: Sheila Guinan
Supervisor

Great Bend Township, Susquehanna County

EXHIBIT "A"

Route Number	Road Name	Between	Weight Limit
T696	Parks Valley Dr.	Entire Road	10 Tons **
T743	Baptist Hill Rd.	Entire Road	10 Tons **
T747	Graham Hollow Rd	Entire Road	10 Tons
T749	River Lane	Entire Road	10 Tons
T753	Downs Rd.	Entire Road	10 Tons
T755	Church Rd.	Entire Road	10 Tons
T818	Towner Rd.	Entire Road	10 Tons
T821	Old Lackawanna Trail	Entire Road	No Weight Limit
T822	Lovers Lane	Entire Road	No Weight Limit
T824	Tarzan Rd.	Entire Road	10 Tons
T826	Colwell Hill Rd.	Entire Road	10 Tons
T828	Haleys Rd	Entire Road	10 Tons
T830	Locust Hill Rd	Entire Road	10 Tons
T833	Sienko Rd.	Entire Road	15 Tons
T834	Pine Street	Entire Road	10 Tons
T835	Bogert Street	Entire Road	10 Tons
T836	Old Route 10 Rd.	Entire Road	15 Tons
T837	Jackson Rd.	Entire Road	10 Tons **
T839	Grant Street	Entire Road	10 Tons
T840	Halls Rd.	Entire Road	20 Tons
T841	Emerson Rd.	Entire Road	10 Tons
T842	Airport Rd.	From: SR 11 To: Green Valley Rd(T854)	10 Tons
T842	Airport Rd	From: Green Valley Rd To: Green Valley Rd(T854)	10 Tons
T843	Deans Rd.	Entire Road	10 Tons
T844	Merrill Rd.	Entire Road	15 Tons
T845	Brewster Rd	Entire Road	15 Tons
T846	Fifth Street	Entire Road	10 Tons
T847	McHugh Hill Rd.	From: SR 1029 To: Emerson Rd (T841)	10 Tons
T847	McHugh Hill Rd	From: Emerson Rd (T841) To: Dead End	10 Tons **
T848	Penny Hill Rd.	Entire Road	10 Tons
T849	Highlands Rd.	Entire Road	10 Tons
T850	Brant Crossing Rd.	Entire Road	10 Tons
T851	Vanleck Street	Entire Road	10 Tons

Great Bend Township, Susquehanna County
EXHIBIT A
(Continued)

Route Number	Road Name	Between	Weight Limit
T853	Nova Rd.	Entire Road	25 Tons
T854	Green Valley Rd	Entire Road	20 Tons
T698	Smoke Hollow Rd.	Entire Road	Vacated by Twp.
T757	Honey Hollow Rd.	Entire Road	Vacated by Twp.
T814	Mountain Top Rd	Entire Road	Vacated by Twp.
T816	Rose Hollow Rd	Entire Road	Vacated by Twp.
T852	Mountain Vista Ln	Entire Road	Vacated by Twp.

** Indicates township roads rating less than 10 Tons. See report for details.

Δ Indicates roads in adjacent township having different weight restrictions because of variations in roadway structures.

GREAT BEND TOWNSHIP

P.O. Box 781, 33253 SR 171
Great Bend, PA 18821
Phone: (570) 879-4259
Fax: (570) 879-0927
greatbendtwp@epix.net

County Transcript
214-216 Exchange Street
Susquehanna, PA 18847
December 10, 2009

RE: Legal Notice for Great Bend Township

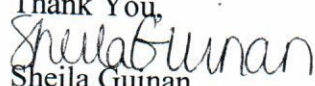
To Whom It May Concern:

Please run this notice in your Legal Section for one week:

PUBLIC NOTICE

Notice is hereby given that the Board of Supervisors of Great Bend Township, Susquehanna County, Pennsylvania, at their regularly scheduled meeting on Monday, January 4, 2010 will hear public comment and act on the adoption of Ordinance #63, "*An Ordinance imposing restrictions as to the weight of vehicles operated upon certain Township roads; providing for the issuance of permits and the posting of security for the movement of vehicle of a weight in excess of restrictions; and prescribing penalties for violations.*" Copies of the proposed Ordinance are available for review at the Great Bend Township building on Tuesdays and Thursdays from 9:00am – 2:30pm.

Please bill Great Bend Township at the above address. If you have any questions, please call me at 879-4259. My office hours are Tuesday and Thursday from 9:00 am-12:30 pm.

Thank You,

Sheila Guinan
Supervisor/Secretary/Treasurer