

## ORDINANCE NO. 63

### **AN ORDINANCE OF THE BOARD OF SUPERVISORS OF HANOVER TOWNSHIP, BEAVER 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 ENACTED**, and it is hereby ordained and enacted by The Board of Supervisors of the Township of Hanover, Beaver County, Pennsylvania, as follows:

#### **SECTION 1. SHORT TITLE**

This Ordinance shall be known as the "Motor Vehicle Weight Limitation and Bonding Ordinance of Hanover 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".

#### **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 vehicles or combination as defined and/or governed by the Pennsylvania Vehicle Code, 75 Pa. C.S. A. §101 et seq., as amended.

Local Traffic – emergency vehicles and school buses, defined hereinafter, vehicles and combinations of governmental entities and where their contractors are engaged in construction or maintenance on a posted highway or in a location which can be reached only by way of 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 by via a posted highway.

Emergency Vehicle - a fire department vehicle, police vehicle, ambulance, blood delivery vehicle, Armed Forces emergency vehicle, one private vehicle of 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 vehicles 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 HANOVER TOWNSHIP**

The Board of Supervisors has determined and hereby determines based upon weight and size restrictions and based upon highway conditions and studies and otherwise that the following roads will 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, above, 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 (5) days following mailing of the notice, *such local traffic vehicles shall not exceed the weight limits except as may be provided for herein.*

**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 Secretary 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. 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 schedule public meeting and, if required, security has been posted with the Township Secretary. **The Board of Supervisors, shall by resolution, set the amount of administrative, inspection and Third Party Consultation fees, and may delegate the authority to approve permits and set security to the Secretary 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 weight 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 the 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 of this Ordinance 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 Pa Motor Vehicle Code §4902(g) (1) 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 (g) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75.00 for each offense, 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 a maximum allowable weight or each offense.

#### **SECTION 9. SEVERABILITY**

The provision of the Ordinance are severable. If any sentence, clause, section, or part 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, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Hanover Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause section or part thereof not been included herein.

**SECTION 10. REPEALER**

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

**SECTION 11. EFFECTIVE DATE**

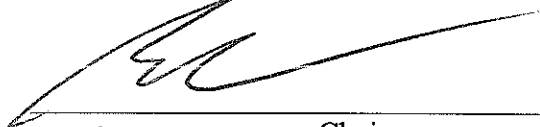
This Ordinance shall become effective five (5) days after its enactment.

ENACTED AND ORDAINED THIS 14th DAY OF February, 2011 by and on behalf of the Board of Supervisors of Hanover Township, Beaver County, Pennsylvania.

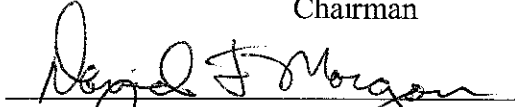
Adopted this 14<sup>th</sup> day of February, 2011.

HANOVER TOWNSHIP  
BOARD OF SUPERVISORS

:  
Hanover Township Supervisors



Chairman



Supervisor



Supervisor

ATTEST:

  
Township Secretary

**EXHIBIT "A"**

<i>Name of Road (Listed in Numeric Order By T-#)</i>	<i>T-#</i>	<i>Weight Limitation</i>
<i>Mack Hollow Road</i>	<i>300</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Irwin Road</i>	<i>301</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Noll Road</i>	<i>302</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Sutherin Road</i>	<i>303</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Whitehill Road</i>	<i>304</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Gibson Hill Road</i>	<i>305</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Springs Road</i>	<i>315</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Ridge Road</i>	<i>316</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Platt Road</i>	<i>321</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>McKenzie Road</i>	<i>322</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Swearingten Road</i>	<i>329</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Nichol Road</i>	<i>332</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Langfitt Road</i>	<i>339</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Temple Road</i>	<i>341</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Standish Road</i>	<i>344</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Johnan Road</i>	<i>346</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Rambo Road</i>	<i>350</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Longs Run Road</i>	<i>351</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Sipp Drive</i>	<i>356</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Keifer School Road</i>	<i>360</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Name of Road</i>	<i>T-#</i>	<i>Weight Limitation</i>

<i>(Listed in Numeric Order By T-#)</i>		
<i>Snowden Road</i>	<i>368</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Boyd Road</i>	<i>369</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Martin Road</i>	<i>370</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Johnston Road</i>	<i>371</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Harshaville Road</i>	<i>450</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Petrilla Drive</i>	<i>454</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Crooks School Road</i>	<i>455</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Lance Road</i>	<i>456</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Elder Drive</i>	<i>457</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Adams School Road</i>	<i>458</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Bassett Road</i>	<i>466</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Wilson Road</i>	<i>472</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Murdocksville Road</i>	<i>476</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Cottage Road</i>	<i>478</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Allison Road</i>	<i>480</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Blueberry Drive</i>	<i>481</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Hoover Road</i>	<i>482</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Frankfort Springs Road</i>	<i>483</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Weber Road</i>	<i>484</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Graff Drive</i>	<i>485</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Eagleson Drive</i>	<i>486</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Cain Road</i>	<i>487</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Name of Road</i>	<i>T-#</i>	<i>Weight Limitation</i>

<i>(Listed in Numeric Order By T-#)</i>		
<i>Andrews Drive</i>	<i>488</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Kings Creek Road</i>	<i>489</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Rogers Drive</i>	<i>490</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Sandy Drive</i>	<i>491</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Laura Drive</i>	<i>492</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Hanny Beaver Road</i>	<i>493</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Dorothy Drive</i>	<i>494</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Short Drive</i>	<i>495</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Ambrose Drive</i>	<i>497</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Old Quarry Drive</i>	<i>498</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Old Yolton Road</i>	<i>499</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Grace Drive</i>	<i>500</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Campbell Drive</i>	<i>501</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Air Lane Drive</i>	<i>502</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>
<i>Landing Drive</i>	<i>503</i>	<i>Entire Length of Road; Ten Ton Weight Limit</i>