

**GLADE TOWNSHIP, WARREN COUNTY,
PENNSYLVANIA**

ORDINANCE NO. 224

WEIGHT LIMIT ORDINANCE

AND NOW, this 15th day of February, 2011, the Supervisors of Glade Township, Warren County, Pennsylvania, do hereby enact and ordain as follows:

WHEREAS, the Supervisors are by virtue of the Laws and Constitution of the Commonwealth of Pennsylvania, including the provisions of the Act of 1976, June 17, P.L. 162, No. 81, Section 1, et seq. (75 Pa.C.S.A. Section 4902, et seq.), as the same may be hereinafter amended, empowered to establish limitations and restrictions as to the weight or size of vehicles operated upon Township highways and bridges; and

WHEREAS, the Supervisors have caused an engineering study for road weight limit posting to be performed by the Township Engineer, E & M Engineers and Surveyors, P.C., for the purpose of determining restrictions, if any, that should be imposed upon the highways of the Township; and

WHEREAS, having reviewed the recommendations of the Township Engineer, the Supervisors desire to impose weight limits for the protection of facilities maintained by the Township and for the welfare of the citizens utilizing said facilities.

NOW, THEREFORE, the Supervisors do enact and ordain, and it is enacted and ordained for Glade Township, Warren County, Pennsylvania as follows:

SECTION 1:

The following words and phrases, when used in this Ordinance, shall have the meanings 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 6016 of the Vehicle Code (relating to designation of emergency vehicles by Pennsylvania State Police).

Local Delivery Vehicle – Any motor vehicle which is utilized for the provision of consumer services, including utility and refuse services or repairs, to property owners located upon Township roads. The term “Local Delivery Vehicle” is not intended to mean any vehicle utilized for commercial purposes including but not necessarily limited to vehicles hauling commercial commodities such as timber or oil. The term “Local Delivery Vehicle” is intended to be narrowly defined and shall not include any vehicle (or multiple vehicles operated by or under contract with one individual or entity) making more than one trip to a single destination in any one 24-hour period.

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 (10) passengers, exclusive of the driver, and used for the transportation of school children.

Supervisors – The Supervisors of Glade Township, Warren County, Pennsylvania.

Township – Glade Township, Warren County, Pennsylvania.

Township Vehicle – Any motor vehicle owned by the Township or any motor vehicle in operation pursuant to a contract with the Township.

SECTION 2:

The Supervisors have, with the assistance of the Engineering Study referenced above, determined that the highways under the jurisdiction of the Township may be damaged and destroyed unless the permissible weight limit of motor vehicles or combinations is limited. The following roadways shall be posted on a permanent basis for a ten (10) ton weight limit, and accordingly, no motor vehicle having a gross weight in excess of ten (10) tons shall be operated upon any of the following highways at any time:

<u>Township Road Name</u>	<u>Route No.</u>	<u>Township Road Name</u>	<u>Route No.</u>
Hemlock Road	T-499	McPhearson Street	T-559
Sunset Drive	T-500	Edgewood Street	T-560
Bauer Hill Road	T-501	Monroe Street	T-561
Glenview Terrace	T-502	Big Four Road	T-562
Quaker Lane	T-503	Stuart Street	T-563
Quaker Hill Road	T-503	Lawn Avenue	T-565
Woodland Drive	T-504	Mader Drive	T-566
Frantz Road	T-505	Wright Road	T-568
Wigwam Drive	T-506	Egypt Road	T-570
Warren Boulevard	T-507	Egypt Road (lower)	T-570
Wolfe Road	T-508	Jennie Lane	T-571
Leslie Boulevard	T-508	Songbird Road	T-572
Hohman Road	T-509	Katie Lane	T-573
Crestmont	T-511	Springside Drive	T-574
Bellmont Drive	T-513	Front Street North	T-602
Grotto Road	T-515	Front Street South	T-602
Edgemont Road	T-517	Stoney Lonesome Road	T-610
Hatch Drive	T-532	Whitney Street	T-611
Homestead Place	T-553	Hackney Meadows Road	T-637
Memorial Drive	T-555	Oakview Road	T-639
Quaker Court Circle	T-556	Jefferson Street Extension	T-643
Pamela Drive (asphalt)	T-557	Chapman Road	T-645
Pamela Drive (hill)	T-557	Merchant Road	T-646
West Street	T-558	Stoney Lonesome Road	T-649

SECTION 3:

The other provisions of this Ordinance notwithstanding, the restrictions imposed by Section 2 of this Ordinance shall not be applicable to Emergency Vehicles, Local Delivery Vehicles, School Buses and Township Vehicles.

SECTION 4:

The other provisions of this Ordinance notwithstanding, the Supervisors recognize that, from time to time, it may be possible because of improved climatic or other conditions to temporarily remove the restrictions imposed by Section 2 above. Accordingly, the Supervisors may, by Resolution, temporarily suspend the restrictions imposed by Section 2 above for all or any portion of the Township highways for a fixed or unfixed period of time. During the effective period of said Resolution, the highway (or portion thereof) so affected shall be regarded as having no weight limit. Upon the cancellation of said Resolution or upon the termination of the effective period thereof, the restrictions imposed by Section 2 above shall automatically be reinstated without the requirement of any further action by the Supervisors.

SECTION 5:

The Supervisors shall cause the affected highways and bridges to be posted for the applicable prohibitions and limitations, said posting to be in accordance with the requirements of the Pennsylvania Motor Vehicle Code and other applicable laws and regulations of the Commonwealth of Pennsylvania.

SECTION 6:

The Supervisors or their designee may issue permits for movement of vehicles in excess of the prohibitions and restrictions established hereunder. Applications for a permit shall be made in writing and on a form provided by the Township and shall contain such information as the Township shall require pertaining to the applicant, area of operations and municipal roads and bridges to be traveled.

Type of permits shall include the following:

- a. A Type 1 permit authorizes use of a particular posted highway or portion thereof by an over-posted weight vehicle. A Type 1 permit is valid only for the vehicle for which it is issued.

b. A Type 2 permit authorizes use of a particular posted highway or portion thereof by any number of over-posted weight vehicles being driven to or from a common destination. A Type 2 permit will be issued only upon the request of the permittee, and if the Township determines that it is not feasible to issue a Type 1 permit for each vehicle. For example, a Type 1 permit may not be appropriate when numerous over-posted weight vehicles must haul to and from the place of business of the applicant.

c. All applicants for permits (whether Type 1 or Type 2) shall:

1. Submit a signed "Excess Maintenance Agreement" which, inter alia, obligates the permittee to make repairs of damages caused to the roads or bridges by the permittee's activities.

2. Submit such bond or other collateral acceptable to and in the favor of the Township as the Township may require by Resolution from time to time adopted to ensure faithful compliance with the provisions of this Ordinance.

3. Include, if requested, a copy of all valid local, state or federal permits, contracts and agreements which are required to be obtained by the operator or owner of the over-posted weight vehicle.

The requirements of this Section 6 shall be deemed to run in favor of the Township, and the failure of the Township to insist upon compliance with each of the requirements set forth herein shall not render this Ordinance moot or otherwise preclude the Township from seeking enforcement of the various provisions of this Ordinance.

SECTION 7:

Applicants applying for a Type 1 permit shall pay an application fee of Fifty Dollars (\$50.00) for the above referenced permit. In the event that a single applicant shall, at one time, make application for more than one Type 1 permit, the fee for the second and any succeeding applications submitted that date shall be Five Dollars (\$5.00) each. The application fees described in this Section 7 may be raised or lowered by subsequent Resolution of the Township.

The Type 1 permit issued pursuant to this Ordinance is valid only for the vehicle described in that Type 1 permit, and the Type 1 permit so issued shall be carried in said motor vehicle at all times during which it shall be operated within the jurisdiction of the Township.

SECTION 8:

Applicants applying for a Type 2 permit shall pay an application fee of One Hundred Dollars (\$100.00). The Type 2 permit will be valid only for the areas of operation designated thereon. The permittee under a Type 2 permit shall be authorized to make photocopies of said permit for distribution to vehicles operating under said permit. The permittee under a Type 2 permit shall notify the Township of the names of all companies or individuals to whom the permittee has issued a photocopy of the Type 2 permit and authorized use of the Type 2 permit; the permittee shall also notify the Township of the number of such photocopies issued and any change thereto. AN OVER-POSTED WEIGHT VEHICLE SHALL ONLY BE AUTHORIZED TO OPERATE UNDER A TYPE 2 PERMIT IF THE TYPE 2 PERMIT IS CARRIED IN SAID MOTOR VEHICLE AT ALL TIMES DURING WHICH IT SHALL BE OPERATED WITHIN THE JURISDICTION OF THE TOWNSHIP, AND IF THE OWNER OR OPERATOR OF SAID OVER-POSTED WEIGHT VEHICLE IS SHOWN AS AN AUTHORIZED COMPANY OR INDIVIDUAL ON THE LIST PROVIDED BY THE PERMITEE TO THE TOWNSHIP.

The application fee described in this Section 8 may be raised or lowered by subsequent Resolution of the Township.

SECTION 9:

Should any section or portion of this Ordinance be found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

SECTION 10:

Any person, firm or corporation operating a vehicle or combination of vehicles upon a Township highway or bridge in violation of a prohibition or restriction imposed under this Ordinance or subsequently adopted resolution shall, upon conviction of summary proceedings,

be sentenced to pay a fine of Five Hundred Dollars (\$500.00) for each violation, plus One Hundred Fifty Dollars (\$150.00) for each 500 pounds or a part thereof in excess of 3,000 pounds over the maximum allowable weight.

SECTION 11:

All previous ordinances and resolutions of Glade Township inconsistent with this Ordinance and any amendments thereto are hereby rendered void.

SECTION 12:

This Ordinance shall become effective five (5) days after the date of its adoption.

IN WITNESS WHEREOF, the Supervisors of Glade Township have adopted and enacted this Ordinance the day and year first above written.

GLADE TOWNSHIP SUPERVISORS

ATTEST: (seal)

 Stacy R. Ouescher
Secretary

By *David R. Selva*

By *Joseph G. Scully*

By *Byron M. Duhon*