

ORDINANCE NO. 1-2023

**CENTER TOWNSHIP
GREENE COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF CENTER TOWNSHIP, GREENE COUNTY,
PENNSYLVANIA, AMENDING ORDINANCE 1-2021 BY AMENDING THE
PENALTIES FOR VIOLATIONS AS SET FORTH IN SECTION 8.**

WHEREAS, the Board of Supervisors wish to amend the Section 8., Penalties as set forth therein; and

WHEREAS, Center Township is a Township of the Second Class organized and existing pursuant to the provisions of the Second Class Township Code, 53 P.S. § 65101 et. seq. (the "Code"); and

WHEREAS, Center Township wishes to amend its restrictions as to weight limits on its list of roads therein and penalties thereof; and

WHEREAS, Center Township believes it to be in the best interest and welfare of its Township's residents to adopt this Ordinance.

NOW THEREFORE, pursuant to the authority conferred upon it by the Second-Class Township Code as amended, the Township Board of Supervisors of Center Township, Greene County, Pennsylvania, does hereby ENACT AND ORDAIN the following:

SECTION 1: TITLE.

This ordinance shall be known and may be cited as the "Center Township Motor Vehicle Size, Weight and Load Limitations Ordinance of 2023. "

SECTION 2: ENACTMENT.

This Ordinance is enacted pursuant to the authority conferred by the Second Class Township Code, as amended and by the "Vehicle Code", Act of 1976, June 17, 162 , No. 81, effective July 1, 1977 (75 Pa. C. S.A. 101 et. seq.) as amended.

SECTION 3: DEFINITIONS AND INTERPRETATION.

- A. Words and phrases, when used in this ordinance, except for sections on articles to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code (the Act of June 17, 1975, P. L. 162 No. 81) , as amended, except that, in this ordinance, the word "street" may be used interchangeably with the word "highway", and shall have the same meaning as the word "highway" as defined in the Vehicle Code.
- B. In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

SECTION 4: FINDINGS OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP BASED UPON ENGINEER AND TRAFFIC STUDY.

The Board of Supervisors pursuant to an engineering and traffic study 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>Street or Bridge</u>	<u>Between</u>	<u>Maximum Gross Weight</u>
Township Road 752 Bank Street	From its intersection with 2 nd Street to its intersection with S.R. 0021.	10 Tons
Township Road 481 Barton Hollow Road	From Township Line to its intersection with T.R. 565.	10 Tons
Township Road 485 Boulder Road	From its intersection with T. R. 565 to the Morris Township Line.	10 Tons
Township Road 468 Buck Hill Road	From its intersection with T.R. 457 to its Intersection with T.R. 487.	10 Tons
Township Road 418 Butternut Hollow Road	From its intersection with T.R. 521 to its Intersection with S.R. 0021.	10 Tons
Township Road 434 Center Highlands Road	From its intersection with T.R. 469 to its Intersection with S.R. 3011.	10 Tons
Township Road 521 Church Hill Road	From its intersection with T.R. 522 to its Intersection with T.R. 424.	10 Tons
Township Road 476 Clarks Road	From its intersection with T.R. 582 to its Intersection with T.R. 512.	10 Tons
Township Road 471 Cole Hollow Road	From its intersection with T.R. 434 to its Intersection with S.R. 3011.	10 Tons
Township Road 424 Covered Bridge Road	From its intersection with T.R. 509 to its Intersection with S.R. 0021.	10 Tons
Township Road 453 Edgar Road	From its intersection with T.R. 469 to its Intersection with S.R. 3011.	10 Tons
Township Road 482 Fields Road	From its intersection with T.R. 487 to its Intersection with T.R. 512.	10 Tons
Township Road 437 Fordyce Road	From the Jackson Township Line to its Intersection with S.R. 3011.	10 Tons
Township Road 451 Foxwood Road	From its intersection with T.R. 453 to its Intersection with S.R. 3011.	10 Tons

Township Road 469 Grinnage Run Road	From the Jackson Township Line to its intersection with S.R. 0018.	10 Tons
Township Road 400 Harvey Hill	From its intersection with S.R. 4006 to its intersection with S.R. 0021.	10 Tons
Township Road 509 Hoges Run Road	From its intersection with T.R. 522 to its with S.R. 0018.	10 Tons
Township Road 565 Hopewell Ridge Road	From its intersection with S.R. 4027 to the Morris Township Line.	10 Tons
Township Road 565 Hopewell Ridge Road	Form its intersection with S.R. 0021 to its intersection with S.R. 4017.	10 Tons
Township Road 473 Hoy Hill Road	From its intersection with S.R. 3013 to the Franklin Township Line.	10 Tons
Township Road 480 Ingram Hill Road	From its intersection with T.R. 565 to the Morris Township Line.	10 Tons
Township Road 457 Iron Rock Road	From its intersection with S.R. 3011 to its intersection with S.R. 3013.	10 Tons
Township Road 466 Knight Hollow Road	From its intersection with T.R. 482 to its intersection with T.R. 512.	10 Tons
Township Road 484 Knob Hill Road	From its intersection with S.R. 0018 to the Franklin Township Line	10 Tons
Township Road 486 Lightner Run Road	From its intersection with S.R. 0018 to its intersection with T.R. 565	10 Tons
Township Road 456 Locust Hill Road	From its intersection with S.R. 4027 to its intersection with T. R. 486.	10 Tons
Township Road 474 Maple Run Road	From the Wayne Township Line to its intersection with S.R. 3013.	10 Tons

Township Road 396 Maranatha Road	From the Richhill Township Line to its intersection with S.R. 3022.	10 Tons
Township Road 464 McQuay Road	From its intersection with S.R. 0021 to its intersection with T.R. 486.	10 Tons
Township Road 416 Morris Run Road	From its intersection with S.R. 0021 to the Morris Township Line.	10 Tons
Township Road 522 Muddy Hollow Road	From its intersection with T.R. 507 to its intersection with T.R. 436.	10 Tons
Township Road 832 Municipal Drive	From its intersection with S.R.0021 to the Township Municipal Parking Lot	10 Tons
Township Road 444 Norman Hollow Road	From its intersection with S.R. 0018 to its intersection with T.R. 436.	10 Tons
Township Road 750 Oak Road	From its intersection with Butternut Hollow to its intersection with S.R. 0021.	10 Tons
Township Road 833 Park Road	From its intersection with Park Gate to its intersection with S.R. 4027.	10 Tons
Township Road 535 Pine Road	From its intersection with S.R. 4017 to its intersection with S.R. 4027.	10 Tons
Township Road 527 Pettit Road	From the Richhill Township Line to its intersection with S.R. 3022.	10 Tons
Township Road 393 Rock Hill Road	From its intersection with S.R. 0021 to to its intersection with T.R. 565.	10 Tons
Township Road 478 Rush Run Road	From its intersection with S.R. 0018 to its intersection with T.R. 565.	10 Tons
Township Road 769 Saw Mill Road	From its intersection with Whiteman Road to its intersection with S.R. 0018.	10 Tons
Township Road 523 School Street	From its intersection with Third Street to its intersection with S.R. 0021.	10 Tons

Township Road 524 Second Street	From its intersection with School Street to its intersection with T.R. 512.	10	Tons
Township Road 394 Shelleby Road	From the Richhill Township Line to its intersection with S.R. 3007.	10	Tons
Township Road 455 Silo Road	From the Wayne Township Line to its intersection with T.R. 457.	10	Tons
Township Road 492 Stewart Run Road	From the Wayne Township Line to its intersection with S.R. 3013.	10	Tons
Township Road 512 Stone Hill Run	From its intersection with S.R. 0018 to its intersection with S.R. 3013.	10	Tons
Township Road 507 Tara Hill Road	From its intersection with T.R. 396 to its intersection with T.R. 522.	10	Tons
Township Road 699 Third Street	From its intersection with School Street to its intersections with T.R. 512.	10	Tons
Township Road 436 Tower Road	From its intersection with S.R. 0018 to its intersection with S.R. 0021.	10	Tons
Township Road 454 Turkey Hollow Road	From its intersection with T.R. to its intersection with S.R. 3011.	10	Tons
Township Road 438 Walker Road	From its intersection with S.R. 4017 to the Morris Township Line	10	Tons
Township Road 723 Water Street	From its intersection with S.R. 3013 to its intersection with S.R. 3013.	10	Tons
Township Road 771 Whiteman Road	From its intersection with 0018 to its intersection with T.R. 769.	10	Tons
Township Road 487 Willow Road	From its intersection with S.R. 3011 to its intersection with S.R. 3013.	10	Tons
Township Road 582 Woods Road	From its intersection with T.R. 487 to its intersection with S.R. 3013.	10	Tons

Township Road 581
Yorkshire Road

From its intersection with T.R. 565 to the 10 Tons
Morris Township Line.

Township Road 392
Yukon Hill Road

From its intersection with S.R. 4006 to the 10 Tons
Gray Township Line.

SECTION 5: VEHICLE WEIGHT LIMITS ESTABLISHED ON CERTAIN STREETS AND BRIDGES.

- A. On the bridges and streets listed in Section 5 or parts of streets, by authority granted by Section 4902 (a) of the Vehicle Code, as amended, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed for that bridge or street or part of street, as the case may be.
- B. The following motor vehicles shall be exempt (as allowed by the relevant statutes and regulations of the Commonwealth of Pennsylvania) from the restrictions imposed under subsection (a) above:
 - 1. School buses;
 - 2. Emergency vehicles;
 - 3. Vehicles making local deliveries of pickups.

SECTION 6: 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 7: 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 8: PENALTIES FOR VIOLATIONS.

The Township reserves the unilateral right to implement any of the options set forth in Section 8 hereof:

- A. 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 Seventy Five and 00/100 (\$75.00) Dollars, 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 One Hundred Fifty and 00/100 (\$150.00) Dollars plus One Hundred Fifty and 00/100 (\$150.00) Dollars for each five hundred (500) pounds, or part thereof, in excess of three thousand (3,000) pounds over the maximum allowable weight and costs.
- B. Any person who violates any provision of this Ordinance shall be prosecuted under Sections 4902 (a) and 4902 (g) (1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of Seventy Five and 00/100 (\$75.00) Dollars, 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 One Hundred Fifty and 00/100 (\$150.00) Dollars plus One Hundred Fifty and 00/100 (\$150.00) Dollars for each five hundred (500) pounds, or part thereof, in excess of three thousand (3,000) pounds over the maximum allowable weight, and costs.
- C. Any person who violates any provisions of this Ordinance shall be prosecuted and upon conviction thereof by summary proceedings, be sentenced to pay a fine of not less than Two Hundred Fifty and 00/100 (\$250.00) Dollars and not more than One Thousand and 00/100 (\$1,000.00) Dollars and associated costs. In the event the fine

and costs are not paid, the person shall be sentenced to serve no more than thirty (30) days in jail.

- D. The Township reserves the right through its Board of Supervisors to implement a fine of no less than Two Hundred and Fifty (\$250.00) Dollars and up to One Thousand and 00/100 Dollars for each motor vehicle that fails to comply with the terms and conditions of this Ordinance. The aforesaid may be implemented by the Township by way of a certified letter. If the fine is not paid within ten (10) calendar days of the date of service of the certified letter, then the Township reserves the right to proceed with enforcement through paragraph A and/or B as set forth in this Section.

SECTION 9: SEVERABILITY.

The provisions of this Ordinance are hereby declared servable, and if any of its provisions shall be held to be invalid or unconstitutional, or otherwise void for any reason, such decision shall not affect or impair any of the remaining provisions hereof; it is hereby declared to be the intent of the Township that this Ordinance would have been adopted if such invalid, unconstitutional, or otherwise void provision had not been included herein.

SECTION 10: REPEALER.

Any Ordinance containing any provision inconsistent herewith to the extent that such provisions are inconsistent, those provisions are also hereby repealed.

SECTION 11: EFFECTIVE DATE.

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

ORDAINED AND ENACTED into law by the Board of Supervisors of Center Township
in lawful session assembled this 11th day of July, 2023.

ATTEST:

**CENTER TOWNSHIP
BOARD OF SUPERVISORS**



N. Dawn Horr, Secretary/Treasurer

By: 

Harry D. Gillispie, Chairman

By: 

Paul Cook, Vice Chairman

By: 

Daniel R. Stoneking, Third Member