

**JACKSON TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA**

ORDINANCE NO. 122

AN ORDINANCE OF THE TOWNSHIP OF JACKSON, CAMBRIA COUNTY, PENNSYLVANIA, IMPOSING RESTRICTIONS AS TO THE WEIGHT OF VEHICLES OPERATED UPON CERTAIN TOWNSHIP ROADS; PROVIDING FOR THE ISSUANCE OF PERMITS FOR MOVEMENT OF VEHICLES OF 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 Jackson, County of Cambria and Commonwealth of Pennsylvania, as follows:

SECTION 1: SHORT TITLE – This Ordinance shall be known as “Motor Vehicle Weight Limitation Ordinance of Jackson Township.”

SECTION 2: ENACTMENT – This Ordinance is enacted pursuant to the authority conferred by the “Vehicle Code,” Act of 1976, June 17, P.L. 1962, No. 81 (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 or to be 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:

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 assistant chief, or ambulance corps commander or assistance commander, or other vehicle designated by the state police under Section 6106 of the Vehicle Code (relating to designation of emergency vehicles by the Pennsylvania State Police).

Local Traffic – Emergency vehicles and school buses, 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 which can be reached only via a posted highway.

Motor Vehicle – Any vehicle or combination as defined and/or governed by the Vehicle Code.

School Bus – A motor vehicle designed for the carrying of more than ten passengers, exclusive of the driver, and used for the transportation of school children.

SECTION 4: FINDINGS OF THE BOARD OF SUPERVISORS OF JACKSON TOWNSHIP –
 The Board of Supervisors have determined and hereby determine based upon engineering studies prepared by Hinks and Locker Engineers, Incorporated, and P. Joseph Lehman, Inc., Consulting Engineers and otherwise that the following roads may be damaged or destroyed unless the permissible weight of motor vehicles is restricted to the weight limits listed:

ROUTE NUMBER	STREET NAME	BETWEEN	WEIGHT LIMIT (TON)
T-424	Fords Corner Road	Plank Rd. (SR 3047) and Rt. 22	12
T-717	Whitetail Road	Rt.22 at Sheep Skin Shop & Nimby Lane	12
T-419	Blackburn Road	Behshoff Hill Rd. and Harmony Dr.	12
T-405	Hunts Road	Twp. Line at Middle Taylor Twp. and Beshoff Hill Road	12
T-445	Wagner Road	Twp. Line at Indiana County and Chickaree Road	12
T-431	Ogden Street	Dead End and Rohrbaugh Rd. and Stagers Road	12
T-431	Ogden Street	Rohrbaugh Rd. and Stagers Rd. To Rt. 22	12
T-433	Rohrbaugh Road	Twp. Line at Cambria County and Ogden St. and Stager Rd.	12
T-739	Simmons Lane	SR 271 North and SR 271 South	12
T-428	Mile Hill Road	SR 0022 to Beshoff Hill Rd.	12
T-833	Cherrywood Drive		10
T-834	Patton Terrace		10
T-835	Maple Leaf Street		10
T-836	Venture Street		10
T-837	Bald Eagle Street		10
T-838	Leidy Lane Ext.		10
T-716	Nedrich Lane		10
T-735	Rosebranch Street		10
T-761	Courter Avenue		10
T-801	Moshannon Drive		10
T-802	Marhefka Drive		10
T-803	Maywood Street		10
T-804	Dry Run Street		10
T-805	Stoneridge Street		10
T-806	Snably Avenue		10
T-807	Chaser Street		10
T-808	Smith Avenue		10
T-809	Broadway Street		10
T-810	Glenn Street		10
T-811	Griffith Avenue		10

T-812	Mackal Street	10
T-813	Price Street	10
T-814	First Street	10
T-815	Coyote Street	10
T-816	Trout Street	10
T-818	Kissell Lane	10
T-819	Shepard Street	10
T-820	Warrior Street	10
T-821	Balsam Street	10
T-822	Fir Street	10
T-823	Thomas Street	10
T-831	Anderson Drive	10
T-832	Zurenda Lane	10
T-388	Kepple Road	10
T-417	Miers Road	10
T-422	Kagey Street	10
T-423	Woodland Street	10
T-425	Lyle Street	10
T-426	Leidy Lane	10
T-429	Adams Avenue	10
T-430	Pergrim Street	10
T-432	Stagers Road	10
T-434	Sharkey Road	10
T-435	Snyder Road	10
T-436	Pennway Drive	10
T-437	Lorraine Road	10
T-438	Harmony Drive	10
T-439	Gillen Lane	10
T-440	Finntown Road	10
T-447	Old Nanty-Glo Road	10
T-482	Bracken Street	10
T-501	Poplar Street	10
T-508	Pike Road (East)	10
T-509	Pike Road (West)	10
T-510	Fairview Avenue	10
T-511	Kline Avenue	10
T-512	Newcomer Road	10
T-714	Brazil Lane	10
T-715	Turkeypath Road	10

SECTION 5: VEHICLE WEIGHT LIMITS ESTABLISHED

(A) Pursuant to the findings under Section 4, above, and by authority of Section 4902 of the Vehicle Code and the 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 the State Police. After two (2) business days following delivery of the notice, or after five (5) days following mailing the notice, such local traffic vehicles shall not exceed the weight limits except in accordance with Section 6 hereof.

SECTION 6: PERMITS AND SECURITY – The Board of Supervisors of Jackson Township may issue permits for the movement of motor vehicles or combinations with weights in excess of the restrictions imposed under Section 4 above and may require such undertaking or security as they deem necessary to cover the costs of anticipated or probable repairs and 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 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 roads 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 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 limit 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.

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 Jackson Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

SECTION 10: EFFECTIVE DATE – This Ordinance shall become effective five (5) days after its enactment.

SECTION 11: REPEALS – All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

ENACTED AND ORDAINED into law this 31st day of October, 2002.

ATTEST:

JACKSON TOWNSHIP BOARD
OF SUPERVISORS

David M. Heika
Secretary

By: David J. Grackner
By: James Baker
By: Robert Stymura