

**Chapter 16**

**Part G: *Vehicle Weight Limit on Streets***  
**(OR6-2008)**

**100.00 Motor vehicle Weight Limitation:**

100.10 This Ordinance shall be known as “Motor Vehicle Weight Limitation Ordinance of Borough of Saegertown.”

**200.00 ENACTMENT:**

200.10 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. or any updates to the code), 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 or any updates to the code and all Pennsylvania Department of Transportation regulations promulgated or to be promulgated under the Vehicle Code.

**300.00 DEFINITIONS:**

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

**301.00 Emergency Vehicle:**

301.10 As defined in 75 Pa.C.S.A. §102 “Emergency Vehicle.”

**302.00 Local Traffic:**

302.10 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.

**303.00 Motor Vehicle:**

303.10 Any vehicle or combination as defined and/or governed by the Vehicle Code, 75 Pa.C.S.A. §101 et seq..

**304.00 School Bus:**

304.10 As defined in 75 Pa.C.S.A. §102 “School Bus.”

**400.00 FINDINGS OF COUNCIL OF THE BOROUGH OF SAEGERTOWN:**

400.10 The Council for the Borough of Saegertown has determined and hereby determines based upon engineering studies prepared by : Hill 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:

400.11	<u>STREET NAME</u>	<u>BETWEEN</u>	<u>WEIGHT LIMIT (TON)</u>
	<b>Bell Drive</b>	<b>Erie St. South to End</b>	<b>10 Ton</b>
	<b>Lynnhaven Drive</b>	<b>Erie St. South to End</b>	<b>10 Ton</b>
	<b>Parkview Drive</b>	<b>Erie St. South to End</b>	<b>10 Ton</b>
	<b>Ross Drive</b>	<b>Erie St. South to End</b>	<b>10 Ton</b>
	<b>Valleyview Drive</b>	<b>Erie St. South to End</b>	<b>10 Ton</b>
	<b>Windvale Drive</b>	<b>Erie St. South to End</b>	<b>10 Ton</b>

400.20 And such other roads identified by Borough Council and properly established by duly adopted Resolution of Borough Council.

**500.00 VEHICLE WEIGHT LIMITS ESTABLISHED:**

500.10 Pursuant to the findings under Section 400, 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 400 with gross weight in excess of the weight limits listed for said road in Section 400.

500.20 Local traffic as defined herein shall be exempted from the restrictions imposed under Section 400 above; however, if Borough Council determines that any local traffic is likely to damage the road, Borough Council 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.

**600.00 PERMITS AND SECURITY:**

600.10 Council for the Borough of Saegertown may issue permits for the movement of motor vehicles or combinations with weights in excess of the restrictions imposed under Section 400 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.

600.11 Local delivery for construction projects may be permitted with prior approval of the Borough. Single delivery vehicles such as cement mixers and roofing material delivery vehicles may be permitted; however equipment carried on low-boy type trailers will require street bonding.

600.20 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.

**700.00 ERECTION OF SIGNS:**

700.10 The Borough 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 accordance with this Ordinance.

700.20 In the case of a restriction on a road which has not begun or ended at an intersection with an unrestricted highway, the Borough 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.

**800.00 PENALTIES FOR VIOLATION:**

800.10 Any person operating a motor vehicle or combination upon a road or bridge in violation of a prohibition or restriction imposed under Section 400 is guilty of a summary offense and shall, upon conviction, be sentenced to pay a Class C fine as set by resolution of Council 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 Class C fine as set by resolution of Council plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight (or an updated amount as set by resolution of Borough Council)

**900.00 SEVERABILITY:**

900.10 The provisions of this Ordinance are severable.

900.20 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.

900.30 It is hereby declared to be the intent of Council for the Borough of Saegertown that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

**1000.00 EFFECTIVE DATE:**

1000.10 This Ordinance shall become effective five (5) days after its enactment.

**1100.00 REPEALS:**

1100.10 All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

**1200.00 Enacted:**

1200.10 ENACTED AND ORDAINED this 13th day of October, 2008.