

**WASHINGTON TOWNSHIP
SCHUYLKILL COUNTY
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. 2023-01**

**AN ORDINANCE OF WASHINGTON TOWNSHIP,
SCHUYLKILL COUNTY, PENNSYLVANIA RESTRICTING
TRUCK TRAFFIC ON CERTAIN LOCAL ROADS.**

WHEREAS, Section 1527 of the Second Class Township Code, as amended, (53 P.S. 66527) authorizes the Board of Supervisors of Second Class Townships to adopt ordinances to secure the safety of persons or property within the Township; and

WHEREAS, the Pennsylvania Vehicle Code provides local authorities with the right to prohibit or restrict the use of highways at particular places or by particular class of vehicles whenever the highway or portions of the highway may be seriously damaged by the use or the movement of the vehicles would constitute a safety hazard [75 Pa. C.S.A. § 6109 (a)(7)]; and

WHEREAS, the Pennsylvania Vehicle Code also provides that local authorities with respect to highways under their jurisdiction may prohibit the operation of vehicles and may impose restrictions as to the weight or size of vehicles operated upon a highway whenever they determine that hazardous traffic conditions or other safety factors require such prohibitions or restrictions [75 Pa. C.S.A. § 4902 (b)]; and

WHEREAS, the Pennsylvania Vehicle Code further provides that local authorities may exercise the powers granted in the Code only by duly enacted ordinances of their governing bodies [75 Pa. C.S.A § 6109 (b)(1)]; and

WHEREAS, Act 31 of 2018 revised the truck restrictions laws in the vehicle code, Title 75, Section 4902 and Section 6109 to allow municipalities to restrict trucks allowed under the federal Surface Transportation Authorization Act (STAA) without a traffic study; and

WHEREAS, the Board of Supervisors of Washington Township deem it to be in the interest and welfare of the residents of the Township to enact an ordinance restricting truck traffic on certain local roads as set forth below:

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Washington Township, Schuylkill County, Pennsylvania, pursuant to the authority as described above, as follows

SECTION 1: RESTRICTIONS ON SIZE OF VEHICLES.

To relieve hazardous traffic conditions vehicles exceeding forty-five (45) feet in length are prohibited from operation on the following township roads:

- a. Oak Road (T544) beginning at the intersection of Oak Road and SR0443 Deturksville Road travelling South 2,418 feet. (Exhibit A attached)

SECTION 2: EXEMPTIONS

The following vehicles shall be exempt from the restrictions imposed hereunder:

- a. School buses, provided they meet any weight restrictions.
- b. Emergency vehicles.
- c. Vehicles making local deliveries or pickups.
- d. Operation of trucks upon any street where necessary to conduct business at a destination point, provided that streets upon which such traffic is permitted are used reaching the intersection nearest the destination point.
- e. The operation of trucks owned or operated by the Township, public utilities or any contractor or material man while engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the Township.

SECTION 3: SIGNAGE

Truck restriction signs shall be posted at the nearest intersections to each road listed above. The specifications for the signs shall be in accordance with state laws and regulations.

SECTION 4: PENALTIES FOR VIOLATION

Any person operating a vehicle or combination in violation of a prohibition or restriction imposed under Section 4902(b) of the Vehicle Code, is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than Five-Hundred Dollars (\$500.00) per occurrence.

SECTION 5: REPEALS

Any ordinance or resolution, or any portion of any ordinance or resolution, or any portion of a Washington Township ordinance, which is inconsistent with the contents of the present ordinance shall be, and the same is hereby, repealed insofar as the same is affected by or inconsistent with the provisions of the present ordinance.

SECTION 6: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed to be a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the present ordinance.

SECITON 7: EFFECTIVE DATE

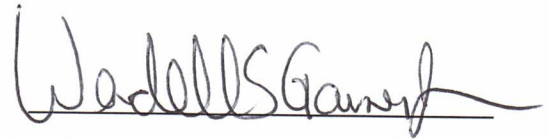
The ordinance shall be effective on and as of the 16th day of January,
20 23.

DULY ENACTED AND ORDAINED this 16th day of January 2023.

BOARD OF SUPERVISORS
WASHINGTON TOWNSHIP



John J. Krause- Chairman

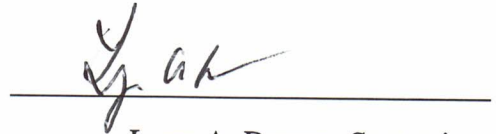


Wendell S. Gainer, Jr.- Vice-Chairman

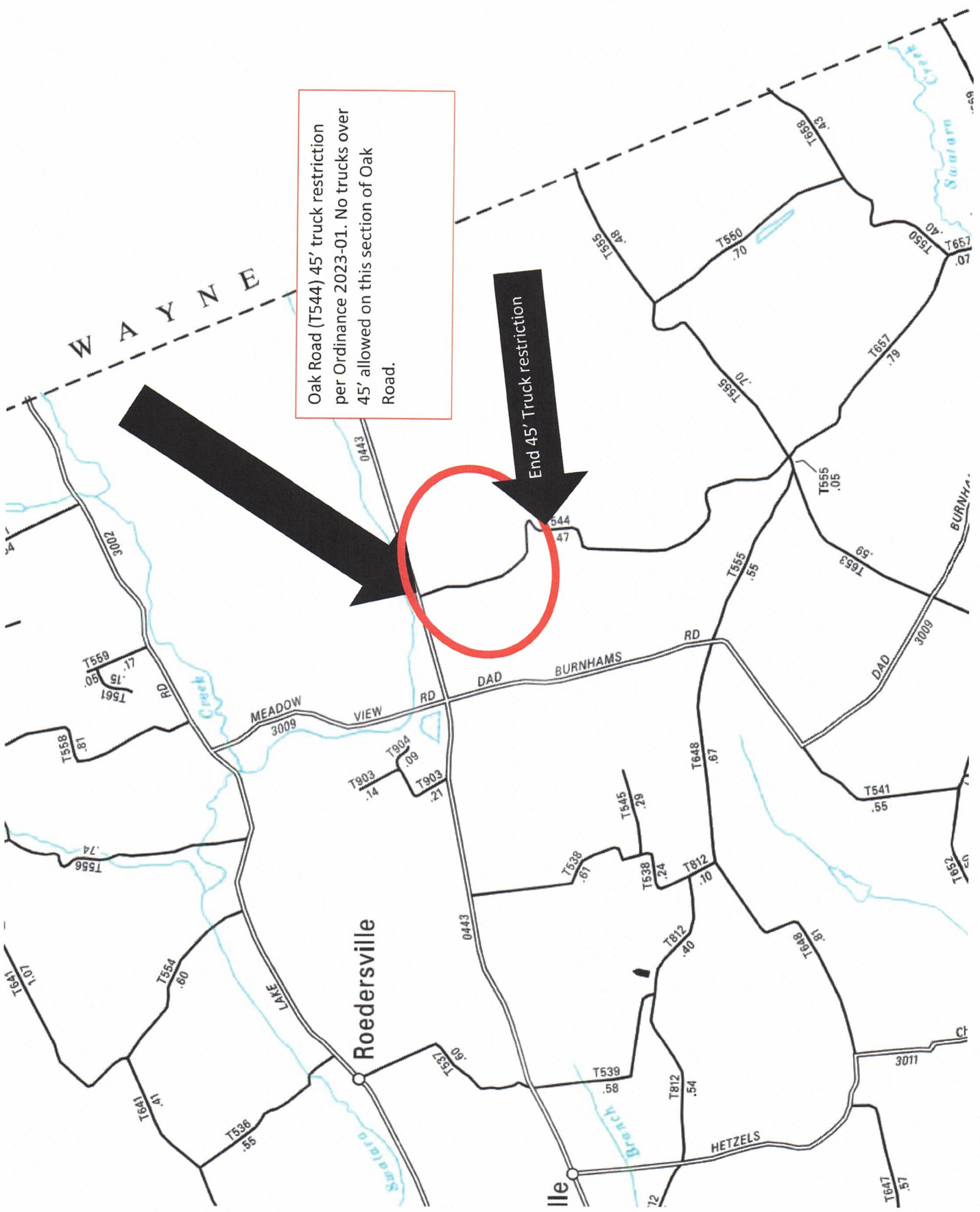
ATTEST:



Dawn A. Koch- Township Manager



Lynn A. Brown- Supervisor



Oak Road (T544) 45' truck restriction per Ordinance 2023-01. No trucks over 45' allowed on this section of Oak Road.

End 45' Truck restriction