

ORDINANCE NO. 117

AN ORDINANCE OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA, IMPOSING RESTRICTIONS AS TO THE WEIGHT OF VEHICLES AND THEIR LOADS OPERATED ON TOWNSHIP ROADS AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR EXCESSIVE WEIGHT.

WHEREAS, the Supervisors do deem it necessary to protect the safety of users of Township highways and roads, and to promote the efficient movement of traffic and to protect those roads and highways maintained by Pymatuning Township, to impose limitations on the weights of vehicles and loads operated thereon.

NOW THEREFORE, be it enacted and ordained by the Board of Supervisors of Pymatuning Township, Mercer County, Pennsylvania, and it is hereby enacted and ordained by authority of the same and pursuant to the authority granted by the "Vehicle Code," Act No. 81 of June 17, 1976, P.L. 162, as amended, as follows:

SECTION 1. No vehicle or tractor which, together with its load, shall be of a greater gross maximum weight than ten (10) tons shall be operated upon any road or highway under the jurisdiction of, and for the maintenance of which Pymatuning Township is responsible, unless a special permit has been issued by the Secretary of Highways of the Commonwealth of Pennsylvania or by the Board of Supervisors of Pymatuning Township as hereinafter provided.

SECTION 2. The Board of Supervisors of Pymatuning Township may, in its sole discretion, upon application in writing, accompanied by a fee as provided by law, and good cause being shown therefore, issue special permits, in writing, authorizing the applicant to operate vehicles or to move upon any road and/or highway under the jurisdiction of Pymatuning Township, in excess of the posted weight limits, provided the applicant, if requested, shall provide a bond in such amount as may be designated by the

Board of Supervisors for the restoration or replacement of any section of road, highway, or bridge damaged as result of such movement, whether or not said damage is attributable to the negligence of the permittee.

SECTION 3. Permits may be conditioned by limiting the number of trips or by establishing seasonal or other time limitations or geographic limitations, including limitations as to prescribed roads or highways or by otherwise limiting or prescribing conditions of operation under the permit as the Board of Supervisors of Pymatuning Township shall deem necessary to protect the safety of highway users, to promote the efficient movement of traffic or to protect the roads and highways of the Township.

SECTION 4. Every permit shall be carried in the towing vehicle to which it refers, and shall be open to inspection by any police officer or authorized agent of the Township of Pymatuning, or any person having an accident involving a permitted vehicle.

SECTION 5. Any such permit issued shall be subject to revocation at anytime, upon reasonable notice, within the sole discretion of the Board of Supervisors of Pymatuning Township, when said Board deems such revocation to be necessary in order to protect the safety of highway users, to promote the efficient movement of traffic or to protect the roads, highways, and bridges of the Township.

SECTION 6. Any person, firm, corporation or other entity violating any of the provisions of this Ordinance shall be subject to the penalties as provided by law.

SECTION 7. The provisions of this Ordinance are severable and if any section, part of section or provision thereof shall be held to be illegal or otherwise invalid by a Court of competent jurisdiction, such decision shall not affect the validity of any of the remaining sections, part of sections

or provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such illegal or otherwise invalid provision not been a part thereof.

SECTION 8. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ORDAINED AND ENACTED into law by the Township of Pymatuning, Mercer County, Pennsylvania, this 13TH day of MAY, 1982.

ATTEST:

TOWNSHIP OF PYMATUNING

Saida Sekman
Township Secretary

By _____
William E. Blak
Charles E. Beukert