

WEST MEAD TOWNSHIP
Crawford County, Pennsylvania
Ordinance No. 2017 - 1

AN ORDINANCE OF WEST MEAD TOWNSHIP, ESTABLISHING WEIGHT LIMITS FOR CERTAIN TOWNSHIP ROADS, PROHIBITING THE USE OF SUCH ROADS BY OVERWEIGHT VEHICLES, EXEMPTING LOCAL TRAFFIC, PERMITTING USE UNDER DULY ISSUED PERMITS, PROVIDING FOR ADMINISTRATION AND ENFORCEMENT , AND PROVIDING PENALTIES FOR VIOLATION.

WHEREAS, the Board of Supervisors of West Mead Township has determined that certain West Mead Township roads may be seriously damaged or destroyed unless vehicles of excessive weight are prohibited; and

WHEREAS, the Township has authority under Sections 4902 and 6109(a)(7) of the Pennsylvania Vehicle Code to impose weight restrictions and to prohibit use of Township roads by overweight vehicles under these circumstances.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of West Mead Township, Crawford County, Pennsylvania, and it is hereby enacted and ordained by and with the authority of same as follows:

Section 1. *Title.* The title of this Ordinance is the West Mead Township Road Weight Limit Ordinance.

Section 2. *Authority.* This Ordinance is enacted and shall be administered and enforced in accordance with the authority set forth in Section 4902 and Chapters 63 and 65 of the Pennsylvania Vehicle Code, other applicable Pennsylvania Department of Transportation (PennDOT) regulations, and other applicable laws and regulations, as amended from time to time.

Section 3. *Definitions.* Definitions set forth in Section 102 of the Pennsylvania Vehicle Code, 75 Pa. C.S. § 102, and the PennDOT regulations found at 67 Pa. Code § 189.1, *et seq.*, as amended from time to time, shall apply in interpreting the provisions of this Ordinance. Other definitions include the following:

Local Traffic – Shall mean and include emergency vehicles; school buses; vehicles of governmental agencies and utilities and their contractors engaged in maintenance or construction on a posted highway or at a location which can only be reached by the posted highway; and vehicles going to or coming from a residence, commercial establishment, or farm located on a posted highway. This definition shall incorporate definitions set forth in PennDOT regulations as amended from time to time.

Person – Any individual, partnership, corporation, association, institution, cooperative enterprise, governmental entity or agency, or any other legal entity which is recognized by law. In any provision of this Ordinance prescribing a fine or penalty, the term person shall include the officers and directors of any corporation or other legal entity having officers and directors.

PennDOT – Pennsylvania Department of Transportation and its successors.

Township – West Mead Township, its Supervisors and their duly appointed representatives.

Section 4. *Weight Limits for Township Roads Established.* Based on the results of engineering studies, the weight limits set forth on the attached “Schedule of Weight Limits for West Mead Township Roads” are the weight limits for vehicles and combinations established for Township roads and portions thereof identified in the attached Schedule. The attached Schedule of Weight Limits for West Mead Township Roads is incorporated into and made a part of this Ordinance.

Section 5. *Overweight Vehicles Prohibited on Designated Township Roads.* No vehicle or combination, including but not limited to, any truck, tractor, trailer, semi-trailer, commercial vehicle, construction equipment, or other vehicle or equipment, with a gross weight in excess of the weight limit established by this Ordinance and set forth in the attached Schedule, shall be operated on a Township road which is subject to a weight restriction imposed by this Ordinance unless exempt or operating under a permit as provided in this Ordinance.

Section 6. *Exemptions.* The following vehicles shall be exempt from the weight restrictions imposed by this Ordinance: emergency vehicles, school buses and local traffic as defined in the applicable PennDOT regulations. If the Township determines that local traffic being driven to or from a particular destination is likely to damage the road, then upon notice required by law, vehicles, with a gross weight in excess of the weight limit using the posted road to or from that destination shall not be exempt. Vehicles used in the oil and gas drilling and extraction process, and logging, are not and shall not be exempt from the weight limit restrictions as local traffic.

Section 7. *Permits and Bonds Required for Use by Overweight Vehicles.* Any person desiring to operate or to move any truck, tractor, trailer, semi-trailer, commercial vehicle, construction equipment or other vehicle or equipment of any nature whatsoever in excess of the weight limits provided herein, over the Township roads restricted as to weight as herein provided, with the specific exemptions set forth above, shall apply to the Township for a permit for the movement of such vehicle in the manner established by this Ordinance. If it is determined by the Township Supervisors that such movement requested by the applicant for the permit can be made without causing excessive damage to the road, or the destruction of the road or a traffic hazard to other users of the road and the public, then the Township Supervisors may grant such permits subject to and conditional

upon execution of an Excess Maintenance Agreement in the form approved by the Supervisors, the provision of security in the nature of a surety bond or other security approved by the Township for the protection of the Township and the road and the performance of all other requirements imposed by the applicable PennDOT regulations relating to hauling in excess of posted weight limits, as amended, and such other reasonable conditions as may be appropriate under the circumstances.

Section 8. *Requirements for Permits.*

- a. An application for permit shall be submitted on forms to be provided by the Township, to the Township Secretary, together with such fee as shall be established by Resolution of the Township Supervisors. In addition to other information as may be required, the application shall include a description of all motor vehicles and equipment to be used in the transportation of materials and materials to be transported, destination(s), frequency of use. The description of vehicles should include, among other things, vehicle manufacturer, state of registration, registration number, plate number, weight classification, model, color and titled owner.
- b. Upon determination that a permit should be granted, the Township Supervisors or their designated representative shall inspect the subject road(s), prepare an inspection report, and obtain the required security and properly executed Excess Maintenance Agreement before issuing the permit.
- c. Before the permit may be issued, the Township shall be provided with security in the form of a bond or other security which complies with applicable PaDOT regulations, and is acceptable to the Township, in such amount as meets the PaDOT requirements or is otherwise agreed upon by the Township. If and when 75% of the posted security is used or needed for road repairs, the person with the permit shall provide the Township with additional security to maintain the amount of security required.
- d. Before the permit may be issued, the person receiving the permit shall execute and deliver to the Township an Excess Maintenance Agreement, substantially in the form of the Agreement adopted from time to time by the Township Supervisors and which is reasonably required to meet applicable state and local regulations.
- e. The Township Supervisors or their designated representative may impose conditions or restrictions on the permit as may be reasonable and necessary for the protection of the road and public such as, but not limited to, time and manner of use, and submission of a plan for performing maintenance.

- f. The Township shall maintain all records relating to any permit granted for so long as the permit remains in effect and for a reasonable time thereafter.

Section 9. *Enforcement.* Enforcement of this Ordinance shall be by action brought before a District Magistrate in the manner provided for the enforcement of summary offenses under the applicable sections of the Pennsylvania Vehicle Code and of the Pennsylvania Rules of Criminal Procedure and in any other manner permitted by law.

Section 10. *Penalty for Violation.* Any person operating or responsible for operation of a vehicle or combination upon a road in violation of the prohibitions and restrictions set forth in this Ordinance, or in violation of the terms of a permit issued in accordance with this Ordinance, shall be guilty of a summary offense, and shall, upon conviction thereof, be sentenced to pay a fine of \$75.00, plus \$150.00 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight. In default of payment of the fine, such person shall be sentenced up to ten (10) days in prison.

Section 11. *Severability.* It is hereby declared to be the intent of this Ordinance that the provisions hereof are severable, and in the event that any section of this Ordinance or part thereof should be declared unlawful or unconstitutional, the balance of this Ordinance shall continue in full force and effect as though said unlawful or unconstitutional provision had been omitted at the original passage of the Ordinance.

Section 12. *Repeal.* All ordinance or parts of ordinances inconsistent herewith shall be and the same are hereby repealed. This Ordinance replaces Ordinances No. 1992-5 and No. 1991-1.

Section 13. *Effective Date.* This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED by the Board of Supervisors of West Mead Township this 10TH
day of October, 2017.

WEST MEAD TOWNSHIP BOARD OF SUPERVISORS

By: William J. Pasenberg
Chairman

By: Michael J. Jordan
Supervisor

By: John A. Pharr
Supervisor

ATTEST:

William J. Pasenberg
Secretary

SCHEDULE OF WEIGHT LIMITS FOR WEST MEAD TOWNSHIP ROADS

Adopted as Schedule to West Mead Township Road Weight Limit Ordinance

Ordinance No. 2017 - 1

The following identified roads are subject to a maximum gross vehicle weight of: TEN (10) TONS

<u>TOWNSHIP ROAD</u>	<u>ROUTE #</u>	<u>FROM</u>	<u>TO</u>
Arthur Street	915	Liberty St Ext	Graff St
Barton Road	513	Williamson Rd	Alden St Ext
Byham Road	487	Franklin Pike	Williamson Rd
Devore Road	463	Williamson Rd	Pettis Rd
Graff Street	912	Arthur St	Meadowland Dr
Hobbs Road	591	State Rt 77	Townline Rd
Leslie Road	589	State Rt 27	Limber Rd
Liberty St. Ext.	526	Meadville City Boundary	US322
Limber Road	584	Woodcock Twp Boundary	Leslie Rd
Limber Road	584	Meadville City Boundary	Beechwood Dr
Meadowland Drive	905	Graff St	Williamson Rd
Oakgrove Ave	998	Alden St Ext	Devore Rd
Phelps Road	439	Williamson Rd	Tamarack Dr
Ryan Road	581	State Hwy 86	Woodcock Twp Boundary
Shartle Road	593	Leslie Rd	East Mead Twp Boundary
Spring Road	610	Pettis Rd	Devore Rd
Spring Rd Ext	609	Devore Rd	Southern Terminus
Stauffer Road	461	Franklin Pike	Williamson Rd

Tamarack Drive	624	Williamson Rd	East Fairfield Twp Boundary
Townline Road	626	Pettis Rd	Hobbs Rd
(This is boundary road between West Mead and East Mead Townships)			
Williamson Road	578	PaDOT Portion of Williamson Rd	East Fairfield Twp Boundary