

**TOWNSHIP OF MOUNT PLEASANT  
COLUMBIA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 46-08**

AN ORDINANCE OF THE TOWNSHIP OF MT. PLEASANT, COLUMBIA COUNTY, PENNSYLVANIA, IMPOSING RESTRICTIONS AS TO THE WEIGHT OF VEHICLES OPERATED UPON CERTAIN TOWNSHIP ROADS; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE POSTING OF SECURITY FOR THE MOVEMENT OF VEHICLES OF A 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 Mount Pleasant, Columbia County, and Commonwealth of Pennsylvania, as follows:

**SECTION 1. SHORT TITLE**

This Ordinance shall be known as "Motor Vehicle Weight Limitation and Bonding Ordinance of Mount Pleasant Township".

**SECTION 2. ENACTMENT**

This Ordinance is enacted pursuant to the authority conferred by the "Vehicle Code", Act of 1976, June 17, 1962, No. 81, Section 1, effective July 1, 1977 (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 under the "Vehicle Code", by way of illustration and not limitation, under Sections 4902(1) and 6103 (75 Pa. C.S.A. §~4902(f) and 6103).

**SECTION 3. DEFINITIONS**

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

Motor Vehicle - any vehicle or combination as defined and/or governed by the "Vehicle Code," 75 Pa. C.S.A., §101 et seq., as amended.

Local Traffic - emergency vehicles and school buses, defined hereinafter, 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 or which can be reached only via a posted highway.  
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 or assistant chief, or ambulance corps commander or assistant commander, or of a river rescue commander used for answering emergency calls, or other vehicle designated by the State Police under §61 06 of the "Vehicle Code" (relating to designation of emergency vehicles by Pennsylvania State Police).

School Bus - a motor vehicle designated for carrying more than ten (10) passengers, exclusive of the driver, and used for the transportation of school children.

**SECTION 4. FINDINGS OF THE BOARD OF SUPERVISORS OF MOUNT PLEASANT TOWNSHIP**

The Board of Supervisors has determined and hereby determines based upon engineering studies by the Township Engineer 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. A complete list of the roads, identified by their Route Number, Road Name, Part of the Road Restricted and Weight Limit, is attached hereto as Exhibit "A" and is made a part hereof.

#### **SECTION 5. VEHICLE WEIGHT LIMITS ESTABLISHED**

(A) Pursuant to the findings under Section 4, supra., and by authority of §4902 of the "Vehicle Code" and regulations promulgated there under, no motor vehicle or combination shall be operated upon any of the roads listed in Exhibit "A" with gross weight in excess of the weight limits listed for said road in Exhibit "A".

(B) Local traffic as defined in Section 3 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 Mount Pleasant Township Police and/or the Pennsylvania State Police. After two (2) business days following delivery of the notice, or after five (5) days following mailing of the notice, such local traffic vehicles shall not exceed the weight limits except in accordance with Section 6 hereof.

#### **SECTION 6. PERMITS AND SECURITY**

Individuals or entities wishing to operate vehicles in excess of established weight limits on restricted weight Township roads may apply for a permit to do so on a form provided by the Township, Said permit application will be referred to the Township Roadmaster who shall:

a. Place the issue on the agenda for a meeting of the Board of Supervisors; and

b. Present a recommendation to the Supervisors to include the amount of security to be posted by the applicant if the permit is approved. The amount of security shall be based upon the security the Roadmaster deems necessary to cover the costs of anticipated or probable repairs and restoration necessitated by the permitted movement of vehicles. The amount of security shall be calculated in accordance with Title 67, Chapter 189 of the Pennsylvania Code or its equivalent.

No permit will be issued until the application is approved by the Board of Supervisors at a scheduled public meeting and, if required, security has been posted with the Township Secretary. The security shall be in the form of a performance bond with surety by a company authorized to do business in the Commonwealth; or, in the form of a certified or cashier's check, bank account, or irrevocable letter of credit in favor of Mt. Pleasant Township; or in some other form that is acceptable to Mt. Pleasant Township.

When the amount of damage in excess of normal maintenance to a posted highway is estimated by Mt. Pleasant Township to constitute 75% or more of the amount of the security posted, Mt. Pleasant Township may require the highway to be maintained or reconstructed within 30 days unless the permittee agrees to provide such additional security as Mt. Pleasant Township shall determine.

The Board of Supervisors may, by resolution, delegate the authority to approve permits and set security to the Roadmaster or other official of the Township.

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 road 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 road.

**SECTION 8. PENALTIES FOR VIOLATION**

Any person operating a vehicle or combination upon a highway or bridge in violation of a prohibition or restriction imposed under Section 5 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 weight 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 Mt. Pleasant Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause or section not been included herein.

**SECTION 10.**

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

**SECTION 11. REPEALS**

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

**DULY ENACTED AND ORDAINED** this 8<sup>th</sup> day of December 2008, by the Board of Supervisors of the Township of Mt. Pleasant, Columbia County, Pennsylvania.

BOARD OF SUPERVISORS OF  
MT. PLEASANT TOWNSHIP

By: John R. Gordner

By: Roy M. Shaffer

By: Albert E. Wagner

ATTEST:

Coralee Kindt  
Secretary  
(SEAL)

Mount Pleasant Township, Columbia County  
EXHIBIT "A"

Route Number	Road Name	Between	Weight Limit
426	Coleman Hollow Road	Entire Road	10 Tons & Closed
427	Thomas Road	Entire Road	15 Tons
430	Rhodomoyer Road	Entire Road	12 Tons
432	Rote Hollow Road	Entire Road	10 Tons
434	Hogs Back Road	Entire Road	10 Tons
436	Kyttle Hollow Road	Entire Road	10 Tons
438	Ikeler Hill Road	Entire Road	10 Tons
440	Hillside Drive	Entire Road	20 Tons
441	Woodside Drive	Entire Road	20 Tons
493	Morrison Road	Entire Road	10 Tons
495	English Hill Road	Entire Road	20 Tons
497	Fox Hollow Road	Entire Road	10 Tons
499	Ellis Turner Road	Entire Road	10 Tons
500	County Home Road	Entire Road	10 Tons
502	Peacock Corners Road	Entire Road	15 Tons
504	Oman Road	Entire Road	10 Tons
506	Lick Run Road	Entire Road	10 Tons
510	Schatz Road	Entire Road	10 Tons
512	Crouse Hollow Road	Entire Road	10 Tons
518	Mellick Hollow Road	Entire Road	20 Tons
519	McWilliams Road	Entire Road	10 Tons
520	Huckleberry Hill Road	Entire Road	10 Tons
521	Evert Road	Entire Road	10 Tons
522	Kashner Road	Entire Road	10 Tons
523	Boudman Road	Entire Road	10 Tons
526	Hemsarth Road	Entire Road	10 Tons
539	Crawford Road	Entire Road	10 Tons
540	Shaner Road	Entire Road	10 Tons
541	Mordansville Road	Entire Road	10 Tons
545	Kindt Road	Entire Road	10 Tons
547	Johnson Road	Entire Road	10 Tons
550	Short Road	Entire Road	10 Tons
551	Lamoreaux Road	Entire Road	10 Tons
552	Fester Road	Entire Road	10 Tons
559	Welliversville Road	Entire Road	10 Tons
575	Black Road	Entire Road	10 Tons
577	Turner Highview Road	Entire Road	10 Tons
600	Robbins Road	Entire Road	No Weight Limit