

99-2-ROAD  
ORDINANCE: TOWNSHIP OF CHEST

FILED

JAN 22 1999

William A. Shaw  
Prothonotary

99-02-Road

TOWNSHIP OF CHEST  
Clearfield County, PA  
Ordinance # 2-97

115

AN ORDINANCE OF THE TOWNSHIP OF CHEST, CLEARFIELD COUNTY, PENNSYLVANIA IMPOSING RESTRICTIONS AS TO THE WEIGHT OF VEHICLES OPERATING UPON THE TOWNSHIP ROADS ; PROVIDING FOR THE ISSUING OF SPECIAL PERMITS FOR MOVEMENT OF VEHICLES OF WEIGHTS IN EXCESS OF MAXIMUM WEIGHT ESTABLISHED; AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT RESOLVED, and it hereby resolved, by the Board of Supervisors of the TOWNSHIP OF CHEST, a municipal corporation of the Commonwealth of Pennsylvania, being situate in the County of Clearfield of said Commonwealth, as follows:

**SECTION 1: SHORT TITLE**

This Ordinance shall be known and may be cited as "Motor Vehicle Size, Weight and Load Limitations Ordinance of the Township of Chest.

**SECTION 2: ENACTMENT**

This Ordinance is enacted pursuant to the authority conferred by the "Vehicle Code", Act of 1976, June 17, P.L. 162, No. 81 Sl, effective July 1, 1977 (75 Pa. C.S.A. S101 et. seq.) as amended.

**SECTION 3: EFFECTIVE DATE**

This Ordinance shall become effective in thirty days.

**SECTION 4: DEFINITIONS**

The following words when used in this Ordinance shall have the meaning ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning;

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 section 6106 of the Vehicle Code (relating to designation of emergency vehicles by Pennsylvania State Police).

**Motor Vehicle** - Any vehicle or combination which is defined and/ or governed by the "Vehicle Code", 75 Pa. C.P.S. S101 et seq. as amended.

**School Bus** - A motor vehicle designed for carrying more than ten passengers, exclusive of the driver, and used for the transportation of school children.

**Local Delivery or Pickup** - A motor vehicle designated to deliver any utility substance, such as fuel, gas, heating oil, or garbage disposal for household residents.

**SECTION 5:  
FINDINGS OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP**

The Board of Supervisors have determined and hereby determine that the following roads under the jurisdiction of the Township may be damaged or destroyed unless the permissible weight of motor vehicles or combinations is reduced to the weight limits listed.

ROAD	LOCATION	WEIGHT LIMIT
1. 134	S.R. 3006 to Dead End	10 Ton
2. 144	S.R. 3003 to Dead End	10 Ton
3. 317	S.R. 3014 to Burnside Twp. Line	10 Ton
4. 409 (East)	S.R. 3014 to Dead End	10 Ton
5. 409	T 412 to S.R. 3003	10 Ton
6. 411	S.R. 0036 to S.R. 0036	10 Ton
7. 412	T 134 to S.R. 0036	10 Ton
8. 414	S.R. 3022 to S.R. 3014	10 Ton
9. 415	S.R. 3003 to Dead End	10 Ton
10. 416	S.R. 3022 to S.R. 3014	10 Ton
11. 417	S.R. 3022 to Jordon Township Line	10 Ton
12. 934	S.R. 3003 to Dead End	10 Ton

**SECTION 6: VEHICLE WEIGHT LIMITS ESTABLISHED**

(A) Pursuant to the findings under section 5, supra, no motor vehicle or combination shall, when operated on any of the roads listed in Section 5, have a gross weight exceeding the

weight limit listed for said road in Section 5.

(B) The following motor vehicles shall be exempted from the restrictions imposed under subsection (A) above:

- (1) School Buses
- (2) Emergency Vehicles
- (3) Vehicles making Local deliveries or pickups

#### **SECTION 7: PERMITS AND SECURITY**

The Board of Supervisors of the Township may issue permits for the movement of motor vehicles or combinations of size and weight in excess of the restrictions imposed under Section 6, supra, and require such undertaking or security as the Board of Supervisors deems necessary to cover the cost of anticipated or probable repairs and/or restoration necessitated by the permitted movement of vehicles.

All actions taken under the authority of this section shall be taken in accordance with the rules and regulations adopted from time to time by the Board of Supervisors and in the absence thereof in accordance with the rules and regulations adopted by the Commonwealth of Pennsylvania, Department of Transportation OAS found in Title 67 of the Pennsylvania Code.

#### **SECTION 8: ERECTION OF SIGNS**

The Township shall erect or cause to be erected and maintained restriction signs designating the restrictions at each end or portion of road restricted as provided in this Ordinance. In the case of a restriction on a road which does not begin or end at an intersection with an unrestricted road, the Township shall also place an advance informational sign at the intersection nearest each end of the restricted portion of road which would allow drivers to avoid the restricted portion of road. No person shall be convicted of violating any section of this Ordinance

unless the restriction sign designating the restricted portion of road to traffic moving in the direction the person was driving was posted as required in this section. However, failure to post the restriction sign designating the restricted portion of road to traffic moving in the opposite direction or failure to post any advance informational sign shall not constitute a defense to a violation of this section.

#### **SECTION 9: PENALTIES FOR VIOLATION**

Any person operating a motor vehicle or combination upon a road or bridge in violation of a prohibition or restriction imposed under Section 6 is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75.00, 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 10: 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 the Township of Chest that this Ordinance would have been adopted and such unconstitutional, illegal, or invalid sentence, clause or section not been included herein.

## SECTION 11: REPEALS

All Ordinances or parts of Ordinances inconsistent with the Ordinance are hereby repealed in so far as they may be inconsistent herewith.

ENACTED AND ORDAINED THIS 9<sup>th</sup> day of August, 1997.

THE BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF CHEST

BY Michael P. Kunsman  
Chairman of the Board  
Michael P. Kunsman

BY Dan W. Sunderland  
Vice-Supervisor  
Dan W. Sunderland

BY Rodney A. Davis  
Supervisor  
Rodney A. Davis

ATTEST:

Tanya M. Kunsman  
Secretary  
Tanya M. Kunsman

(SEAL)

## ACKNOWLEDGMENT

### COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA

I, DAVID S. AMMERMAN in and for said County, in the State aforesaid, do certify that Michael P. Kunsman, Dan W. Sunderland, and Rodney A. Davis personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, and desired the same to be recorded as such.

Given under my hand and official seal, this 22 day of JANUARY A.D. 1999.

Michael P. Kunsman  
Michael P. Kunsman

Dan W. Sunderland  
Dan W. Sunderland

Rodney A. Davis  
Rodney A. Davis

SEAL

  
Notary

NOTARIAL SEAL  
DAVID S. AMMERMAN, NOTARY PUBLIC  
CLEARFIELD BORO., CLEARFIELD CO., PA.  
MY COMMISSION EXPIRES NOV. 20, 2003

FILED  
R# 209446  
Court

JAN 2 2 1999  
William A. Shaw  
Prothonotary  
No Art (Open) *E. K. H.*