

ORDINANCE NO. 63

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

WHEREAS, an engineering and traffic study has been completed by the township's engineer for the purpose of posting township roads for a reduced weight limit; and,

WHEREAS, the engineering and traffic study determined that certain roads within the township may be damaged or destroyed unless the permissible weight of vehicles is reduced and further determined that the use of excessive weight vehicles creates a hazardous traffic condition within the township; and,

WHEREAS, the Supervisors of Wayne Township deem it to be in the best interest and general welfare of the citizens and residents of Wayne Township to restrict the weight of vehicular traffic on certain roads located within the township; and,

WHEREAS, the Second Class Township Code and the Pennsylvania Vehicle Code, as amended, authorizes a township to regulate the use of roads, streets, sidewalks, footpaths, and public ways and to impose restrictions as to the weight of vehicles operated on the same;

NOW THEREFORE, BE IT ORDAINED, and it is hereby ordained, by the Board of Supervisors of Wayne Township, Erie County, a political subdivision of the Commonwealth of Pennsylvania, as follows:

SECTION 1. SHORT TITLE: this Ordinance shall be known and may be cited as the *Wayne Township Weight Limit Ordinance*.

SECTION 2. DEFINITIONS: Words and phrases, when used in this ordinance, except for sections to which different or additional definitions apply, shall have the meanings ascribed to them in the Pennsylvania Vehicle Code, as amended, except that, in this ordinance the word "road" shall have the same meaning as the word "highway" as defined in the Pennsylvania Vehicle Code. The following words when used in this ordinance shall have the meaning ascribed to them in this section:

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 a river

vehicle commander used for answering calls or other vehicle designated by the State Police under section 6106 of the Vehicle Code relating to designation of emergency vehicles by the Pa. State Police.

Motor Vehicle – Any vehicle or combination which is defined and/or governed by the Vehicle Code, 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.

**SECTION 3. VEHICLE WEIGHT LIMITS ESTABLISHED ON CERTAIN ROADS:**

Except as herein specifically provided to the contrary, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of 20,000 pounds or 10 tons on the following township roads or parts of township roads located within Wayne Township:

TOWNSHIP ROAD NUMBER	TOWNSHIP ROAD NAME	TOTAL MILES	
T826	Mill	1.02	From intersection with LR 2027 to Warren County Line.
T301	Simmons Road	1.02	From intersection with LR 2025 to LR 2027
T925	Bemis Road	.31	From intersection with T822 to LR 2025
T567	Greeley Road	.68	From intersection with T822 to LR2025
T822	Sciota Road	2.48	From intersection with T561 to LR2025
T501	Hereford Road	1.57	From intersection with LR 2025 to Warren County Line
T499	Crosscut Road	1.39	From intersection with LR2025 to Route 426
T818	Sciota Street	.49	From intersection with LR2025 to Corry City Line
T535	Wheelock Road	1.64	From intersection with T800 to Route 426
T798	King Road	1.07	From intersection with LR2022 to Route 6
T503	Country Club Road	.45	From intersection with T818 to the CCC property
T497	Thompson Road	1.4	From intersection with LR2021 to LR2023
T533	Follett Road	.36	From intersection with T790 to LR2024
T800	Buffalo Road	1.88	From intersection with five Points to the NY State Line

T790	Stuart Road	2.72	From intersection with LR2026 to Route 89N
T495	Ladd Road	.46	From intersection with Route 89N to Stuart & Stuart to its end
T467	Proctor Road	1.31	From intersection with Route 89N to LR2021
T465	Fenno Road	.71	From the intersection with Route 89N to the Amity Twp. Line
T788	Messenger Road	.98	From the intersection with T303 to Union Township. Line
T561	State Line Road	2.19	From the intersection with Route 426 east to LR 2025
T561	State Line Road	4.0	From the intersection with LR2026 east to Route 426
T820	Russell Road	1.15	From the intersection with T501 to the Corry City Line
T808	Hatchery Road	.21	From the intersection with Route 6 to LR2022
T809	W. Smith Street Ext.	.74	From the intersection with Route 6 to the Corry City Line
T810	Hillcrest Drive	.65	From the intersection with T809 in its entirety
T303	Turnpike Road	.63	From the intersection with Route 89N to Union Township Line

**SECTION 4. EXCLUSIONS:** Notwithstanding the foregoing provisions to the contrary, nothing in this ordinance shall prohibit any person from driving an emergency vehicle or school bus on any of the roads on which a weight restriction is imposed, or from driving on any of these roads a truck or other commercial vehicle making local deliveries to or pick-ups from the premises located along any township roadway.

**SECTION 5. SIGNAGE:** The township shall post signs designating the weight restriction within 25 feet of each end of any highway restricted as to the weight of vehicles operated thereon.

**SECTION 6. AGREEMENTS AND/OR BONDS FOR OVER WEIGHT VEHICLES:** The Supervisors of Wayne Township are hereby authorized and empowered to prescribe the terms of any agreement and/or bond which may be posted by any firm or person desiring to operate a motor vehicle upon the township roads listed in Section 3 hereof. The terms of the agreement or the amount of bond shall be fixed by the Supervisors of Wayne Township. The terms and conditions of the agreement and/or bond shall be such that the road user shall promptly, faithfully and properly restore the township road which is to be used to the condition in which it existed prior to the time the overweight use began.

**SECTION 7. PENALTY FOR VIOLATION:** Any person who violates any provision of this ordinance shall be prosecuted under Section 4902 of the Pennsylvania Vehicle Code, and upon conviction, shall be sentenced to pay a fine of One Hundred Fifty (\$150.00) Dollars, plus One Hundred Fifty (\$150.00) for each five hundred (500) pounds, or part thereof, in excess of 3000 pounds over the maximum allowable weight, plus costs.

**SECTION 8. 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 a separate, distinct, and independent provision and such holding shall not effect the validity of the remaining portions of this ordinance.

**SECTION 9. REPEALS:** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed in so far as they may be inconsistent herewith.

ENACTED AND ORDAINED THIS 7<sup>th</sup> day of March, 2005.

THE BOARD OF SUPERVISORS OF  
WAYNE TOWNSHIP

*As recorded on page XXXXXXXX of the Wayne Township Ordinance Book*