NEWBERRY TOWNSHIP
YORK COUNTY, PENNSYLVANIA

ORDINANCE NO. 417

AN ORDINANCE OF NEWBERRY TOWNSHIP, YORK COUNTY, PENNSYLVANIA LIMITING THE SIZE OF TRUCKS ON CULHANE ROAD

WHEREAS, Newberry Township, York County, Pennsylvania ("Township") is a second class township and municipal corporation duly organized and existing under the Second Class Township Code ("SCTC"); and,

WHEREAS, pursuant to Section 1506 of the SCTC, 53 P.S. § 66801, the Township is authorized to adopt ordinances necessary for the peace, good government, health and welfare of the Township; and

WHEREAS, the Board of Supervisors (the "Board") of the Township has determined that it is in the best interests for the health and welfare of the residents of the Township to impose truck restrictions on Culhane Road (T-905) between Sipe Road (T-953) and Sheep Bridge Road (SR 4016); and

WHEREAS, as required by Section 6109(a)(7) and (e) of the Pennsylvania Motor Vehicle Code ("MVC"), 75 Pa.C.S.A. §6109(a)(7) and (e), a traffic study was conducted on March 22, 2022 (the "Traffic Study") which recommended truck restrictions on Culhane Road (T-905) between Sipe Road (T-953) and Sheep Bridge Road (SR 4016), specifically the prohibition of trucks greater than twenty-five (25) feet in length; and

WHEREAS, the Pennsylvania Department of Transportation ("PennDOT") is required to approve the portion of the proposed restrictions relating to signs at the intersection of Culhane Road and Sheep Bridge Road (SR 4016) because the required signs at that intersection would be in the right-of-way of the state road, Sheep Bridge Road (SR 4016); and

WHEREAS, PennDOT has approved, or is expected to approve, the placement of the proposed truck restriction signs at the intersection of Culhane Road and Sheep Bridge Road (SR 4016):

NOW, THEREFORE, BE IT ORDAINED AND ENACTED as follows:

SECTION 1. Truck Restriction. Trucks greater than twenty-five (25) feet in length shall be, and are hereafter, prohibited on Culhane Road for its entire length, from its intersection with Sipe Road (T-953) to its intersection with Sheep Bridge Road (SR 4016).

SECTION 2. Signage. Pursuant to Section 6109(c) of the MVC, 75 Pa.C.S.A. §6109(c), appropriate traffic control devices in the form of appropriate signage shall be posted as follows:

A. Signs prohibiting trucks over twenty-five (25) feet in length shall be placed on Culhane Road within twenty-five (25) feet of its intersection with Sipe Road (T-953) and of its intersection with Sheep Bridge Road (SR 4016), consistent with the Traffic Study. Each such sign shall include a sign stating "Except Local Deliveries", or other similar language.

B. Signs prohibiting left turns onto Culhane Road of trucks over twenty-five (25) feet in length shall be placed on the southbound side of Sipe Road and the eastbound side of Sheep Bridge Road at their intersection with Culhane Road, consistent with the Traffic Study.

C. All signage shall conform to the recommendations of the Traffic Study, and all appropriate state and federal requirements.

SECTION 3. Repealer. In the event that this Ordinance shall be in conflict with any other duly adopted Ordinance of the Township, or section of the Code, it is hereby ordained that this Ordinance shall govern.

SECTION 4. Severability. In the event any provision, section, sentence, clause or part of this Ordinance shall be held by any Court or Administrative tribunal of competent jurisdiction to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

SECTION 5. Effective Date.

A. This Ordinance shall be effective five (5) days after enactment, as directed by Section 1601(a.1) of the SCTC, 53 P.S. §66601(a.1).

B. As to the signage within the right-of-way of Sheep Bridge Road, the Ordinance shall be effective five (5) days after enactment, or upon the approval of PennDOT, whichever is later.

C. The restrictions set forth in Section 1 shall be effective upon the placement of the required signage as set forth in Section 3, as required by Section 6109(c) of the MVC, 75 Pa.C.S.A §6109(c).

ORDAINED AND ENACTED this 24th day of May, 2022.

ATTEST:

NEWBERRY TOWNSHIP
BOARD OF SUPERVISORS

Anthony Miller, Secretary

By: Dave Kirkpatrick, Chairman

(SEAL)