

ORDINANCE NO. 25

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, COUNTY OF INDIANA, AND COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR WEIGHT RESTRICTIONS ON TOWNSHIP ROADS.

WHEREAS, it has been determined by the Board of Supervisors of the Township of Montgomery, Indiana County, Pennsylvania, that certain roads in Montgomery Township may be damaged or destroyed as a result of being subjected to heavier loads than those for which they were designed or which they can support; and

WHEREAS, the Board of Supervisors of the Township of Montgomery believes that additional regulations are necessary to adequately protect the health, safety, and welfare of the residents of the Township and all others who may use these roads and to safeguard the integrity of these roads.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Montgomery Township, Indiana County, Pennsylvania, and it is hereby enacted and ordained as follows:

Section 1. After the effective date of this Ordinance, no vehicle or mechanized equipment of any kind or type in excess of ten (10) tons gross weight, including cargo, whether motor propelled or otherwise, shall be permitted to travel upon any of the following roads in Montgomery Township, Indiana County, Pennsylvania:

- a. T-436 Brown Road
- b. T-520 Burns Road
- c. T-543 Snyder Road
- d. T-547 Lentz Road
- e. T-548 Rowley Cemetery Road
- f. T-677 Hazelet Road

- g. T-679 Hileman Road
- h. T-681 Irwin Hill Road
- i. T-683 Pearce Road
- j. T-685 Number 11 Road
- k. T-686 Upper Wilgus Road
- l. T-687 Gorman Road
- m. T-688 Ball Park Road
- n. T-689 Lucas Road
- o. T-695 Benzie Road
- p. T-697 Lutman Road
- q. T-711 Stewart Road
- r. T-828 Gorman Summit Road
- s. T-840 Blose Road
- t. T-850 Bugay Road
- u. T-851 Bowdertown Road
- v. T-928 Churchill Road
- w. T-930 Moyer Road
- x. T-934 Shields Road
- y. T-935 Bennett Road
- z. T-936 Rod & Gun Club Road
- aa. T-937 Kerr Avenue
- bb. T-938 Cush Creek Road
- cc. T-939 Peles Road
- dd. T-940 Clark Road
- ee. T-941 Rock Run Road
- ff. T-944 Henry Road
- gg. T-946 King Road
- hh. T-948 Williams Road
- ii. T-952 Deyarmin Road

Section 2. Any person operating a vehicle or combination upon any road listed in this Ordinance in violation of a prohibition or restriction imposed is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of Seventy-Five Dollars (\$75.00); except any person convicted of operating a vehicle with a gross weight in excess of the posted weight shall, upon conviction, be sentenced to pay a fine of One Hundred Fifty Dollars (\$150.00) plus One Hundred Fifty Dollars (\$150.00) for each five hundred (500) pounds or part thereof, in excess of three thousand (3,000) pounds over the maximum allowable weight.

Section 3. In the event that the provisions of Section 2 are judged invalid, any person who shall violate the provisions of this Ordinance shall be subject to conviction of a summary offense before any District Justice having proper jurisdiction and shall be subject to a fine of Three Hundred Dollars (\$300.00) for each and every offense and the costs thereof. Upon default of payment of such fine and costs, the person thus convicted shall be imprisoned for a period not exceeding thirty (30) days.

Section 4. This Ordinance is severable and, should any section or provision hereof be declared invalid in any Court of competent jurisdiction, this decision shall not affect the validity of the rest of this Ordinance. It is hereby declared that the legislative intent of the Supervisors of Montgomery Township is that this Ordinance is considered to be adopted as if such invalid provisions had not been included.

Section 5. All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict. Any lower weight limits placed on the roads or bridges in Montgomery Township, Indiana County, Pennsylvania, shall remain in full force and effect including the three (3) ton gross weight limit on Bridge No. 9A located on Township Road No. 436, also known as Brown Road.

Section 6. This Ordinance shall become effective immediately upon enactment.

ORDAINED AND ENACTED this 03 day of June, 1998.

Attest:

TOWNSHIP OF MONTGOMERY

Paula Barta
Secretary

William Z. Barta
Supervisor

Bruce A. Gardner
Supervisor

Joseph A. Barta
Supervisor

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