

**WAYNE TOWNSHIP, SCHUYLKILL
COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1 of 2023

**AN ORDINANCE OF WAYNE TOWNSHIP, SCHUYLKILL COUNTY,
PENNSYLVANIA, TO PROVIDE FOR RESTRICTIONS ON SIZE, WEIGHT, AND
TYPE OF VEHICLES ON TOWNSHIP ROADS.**

WHEREAS the authority conferred by the Vehicle Code, Act of 1976, June 17, 1962, No. 81, §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 §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 §§4902(1) and 6103, 75 Pa.C.S.A. §§4902(f) and 6103 enables townships to restrict vehicular traffic on township roadways based on size, weight and type of vehicle.

WHEREAS, the Board of Supervisors of Wayne Township desires to exercise such restrictions on township roadways

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Wayne, Schuylkill County, Pennsylvania, pursuant to the authority conferred by the Pennsylvania Vehicle Code as follows:

Section 1. Definitions.

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

Emergency vehicle - a fire department vehicle, police vehicle, ambulance, blood delivery vehicle, Armed Forces emergency vehicles, 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 §6106 of the Vehicle Code (relating to designation of emergency vehicles by Pennsylvania State Police).

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 a farm located on a posted highway or which can be reached only via a posted highway.

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.

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

Section 2. Findings of the Board of Supervisors of Wayne Township.

The Board of Supervisors has determined and hereby determines based upon weight and size restrictions based on highway conditions and studies and otherwise that the roads and bridges on Exhibit "A" attached hereto, would be damaged or destroyed unless the permissible weight of motor vehicles is restricted to the weight limits listed.

Section 3. Vehicle Size and Weight Limits Established.

A. Pursuant to the findings in this Part, and by authority of §4902 of the Vehicle Code and regulations promulgated thereunder, no motor vehicle or combination shall be operated upon any of the roads or bridges listed in this Part with a size or gross weight in excess of the weight limits listed for said road or bridge.

B. Local traffic as defined herein shall not be exempt from the restrictions imposed under this Ordinance except if granted a special exception pursuant to Section 4.

C. Emergency vehicles and School Buses are exempt from the restrictions imposed under this Ordinance.

Section 4. Permits and Security.

A. Individuals or entities wishing to operate vehicles in excess of established size and weight limits on restricted Township roads or bridges 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:

- i. Place the issue on the agenda for a meeting of the Board of Supervisors.

ii. Consult with the Township Engineer regarding the safety of the limited exception.

iii. Consult with the third party consultant if necessary to determine the amount of security bond to be posted by the applicant. The amount of security shall be calculated in accordance with Title 67, Chapter 189, of the Pennsylvania Code or its equivalent.

iv. Present a recommendation to the Supervisors to include the amount of security to be posted by the applicant if the permit is approved.

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

C. 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 5. 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 or bridge restricted. In the case of a restriction on a road or bridge 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 or bridge which would allow drivers to avoid the restricted portion of road or bridge.

Section 6. Penalties for Violation.

1. Any person operating a motor vehicle or combination upon a road or bridge in violation of a prohibition or restriction imposed under this Part shall, upon conviction by a district judge, pay a fine consistent with the applicable section of the Pennsylvania Motor Vehicle Code in effect at the time of the violation.

2. The current applicable section of the Code, §4902(g), states:

(g) Penalty.

(1) Any person operating a vehicle or combination upon a highway or bridge in violation of a prohibition or restriction imposed under subsection (a) 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.

(2) Any person operating a vehicle or combination in violation of a prohibition or restriction imposed under subsection (b) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$500.

Route No.	Road Name	Between	Size Limit
T-669	Lutz Valley Rd.	SR183 - Freemans Rd	30 Feet in Length or 20 Foot Wheel Base

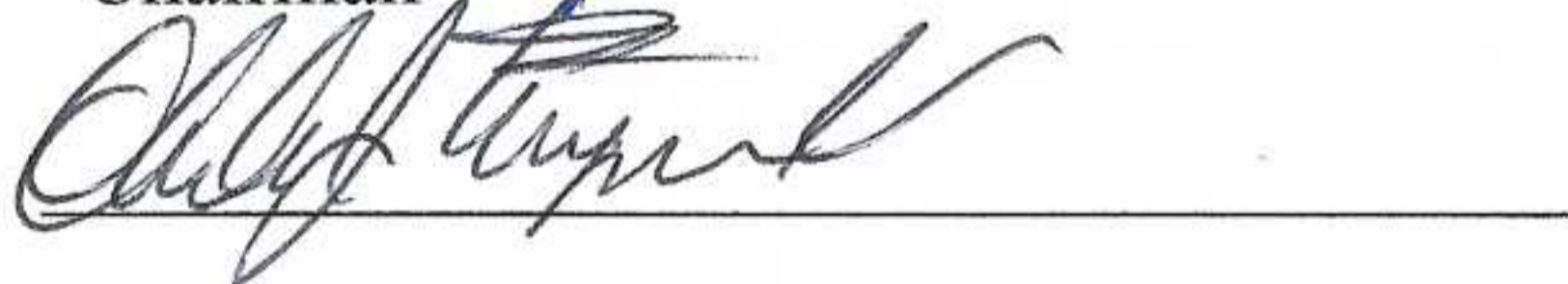
EXHIBIT "A"

DULY ORDAINED and ENACTED as an Ordinance this 18 day of January, 2023.

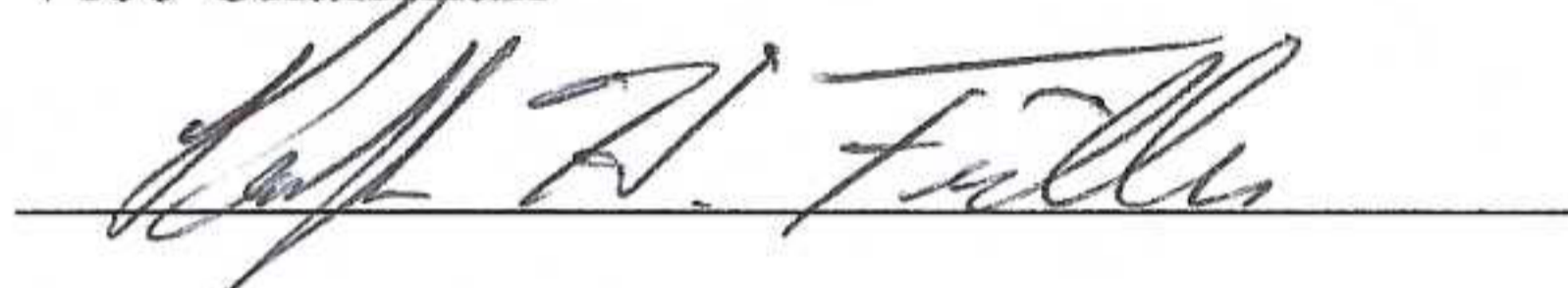
BOARD OF SUPERVISORS OF
WAYNE TOWNSHIP,
SCHUYLKILL COUNTY, PENNSYLVANIA



Chairman

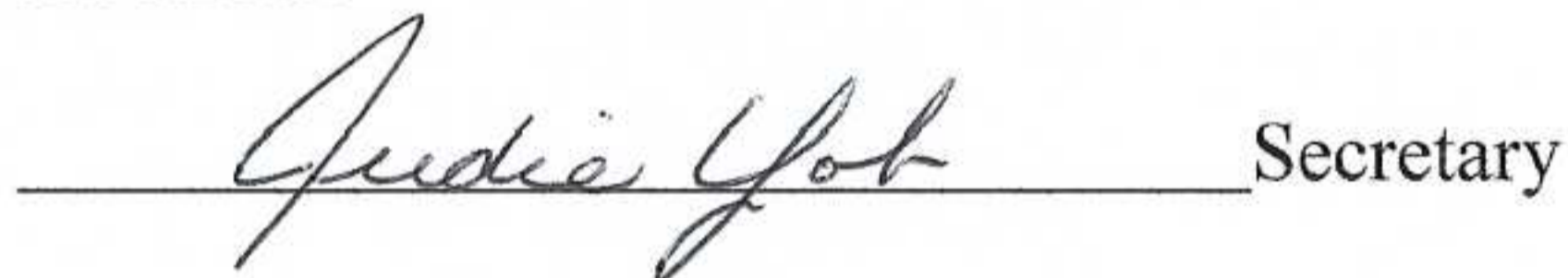


Vice Chairman



Member

ATTEST:

 Secretary

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 1-2023 adopted by the Board of Supervisors of Wayne Township, Schuylkill County, Pennsylvania at a regular meeting held on January 18, 2023, pursuant to notice as required by law.

Dated: 1/18/23

Judie Got
Wayne Township Secretary