

**BOROUGH OF LANGHORNE MANOR
BUCKS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE BOROUGH OF LANGHORNE MANOR, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE LANGHORNE MANOR BOROUGH CODE OF ORDINANCES SO AS TO IMPOSE RESTRICTIONS AS TO VEHICLE SIZE, WEIGHT, AND TYPE UPON CERTAIN BOROUGH ROADS; PROVIDING FOR PERMITTING FOR VEHICLES IN EXCESS OR RESTRICTIONS; AND, PRESCRIBING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED, and it is hereby ordained and resolved, by the Langhorne Manor Borough Council in the Commonwealth of Pennsylvania, as follows:

SECTION 1: SHORT TITLE - This Ordinance shall be known as “Motor Vehicle Weight Limitation Ordinance of 2020.”

SECTION 2: ENACTMENT - This Ordinance is enacted pursuant to the authority conferred by the “Vehicle Code,” Act of 1976, June 17, P.L. 1962, No. 81, Section 1, effective July 1, 1977 (75 Pa.C.S.A. Sec. 101 et seq.), as amended and is intended to include and be subject to all provisions of Section 4902 of the “Vehicle Code,” 75 Pa.C.S.A., Section 4902 and all Pennsylvania Department of Transportation regulations promulgated or to be promulgated under the “Vehicle Code,” by way of illustration and not limitation, under Sections 4902(1) and 6103 (75 Pa. C.S.A., Section 4902(f) and 6103).

SECTION 3: DEFINITIONS - The following words when used in this Ordinance shall have the following meanings, unless the context clearly indicates otherwise:

Motor Vehicle - any vehicle or combination as defined and/or governed by the “Vehicle Code,” 75 Pa.C.S.A., Section 101 et seq., as amended.

Local Traffic - emergency vehicles and school buses, defined hereinafter, vehicles and combinations or governmental entities and utilities in the performance of services and/or maintenance performed pursuant to a contract with a local governmental entity and/or 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 farm located on a posted highway or which can be reached only via a posted highway.

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

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

SECTION: 4 - FINDINGS OF THE COUNCIL OF LANGHORNE MANOR BOROUGH -

The Borough Council has determined and hereby determines based upon engineering studies conducted by the Borough Engineer and otherwise that the following roads may be damaged or destroyed unless the permissible weight of motor vehicles is restricted as noted below.

STREET NAME	BETWEEN	RESTRICTION
Central Avenue	Hulmeville Avenue (SR 2047) and End	***
Highland Avenue	Hulmeville Avenue (SR 2047) and Bellevue Avenue (SR 413 & 2049)	***
Hill Avenue	US 1 Service Road and Langhorne Borough Line	***
Hill Avenue	US 1 Service Road and Comly Avenue (SR 2008)	***
North Avenue	West Elm Avenue and Comly Avenue (SR 2008)	***
Station Avenue	US 1 Service Road and Langhorne Borough Line	***
Station Avenue	US 1 Service Road and Comly Avenue (SR 2008)	***
West Elm Avenue	Hulmeville Avenue (SR 2047) and Bellevue Avenue (SR 413)	***
West Fairview Avenue	Hulmeville Avenue (SR 2047) and Bellevue Avenue (SR 413)	***
West Gillam Avenue	Hulmeville Avenue (SR 2047) and Middletown Township Line	***
West Park Avenue	Hulmeville Avenue (SR2047) and Bellevue Avenue (SR 413)	***
West Prospect Avenue	Hulmeville Avenue (SR2047) and Bellevue Avenue (SR 413)	***

*** All Trucks Restricted; Except Local Deliveries (school buses, emergency vehicles, government vehicles, utility vehicles and their contractors, vehicles and combinations going to or coming from a residence, commercial establishment, or farm located on the posted roadway, or which can be reached only via the posted roadway).

SECTION 5: VEHICLE WEIGHT LIMITS ESTABLISHED

(A) Pursuant to the findings under Section 4, supra., and by authority of Section 4902 of the “Vehicle Code” and regulations promulgated thereunder, no motor vehicle or combination shall be operated upon any of the roads listed in Section 4 with gross weight in excess of the weight limits listed for said road in Section 4.

(B) Local traffic as defined herein shall be exempt from the restrictions imposed under Section (A) above. However, if the Borough Council determines that any local traffic is likely to damage the road, the Borough Council will so notify the registrants of the motor vehicle or combination and will also notify State Police. After two (2) business days following delivery of the notice, or after five (5) days following mailing of the notice, such local traffic vehicles shall not exceed the weight limits except in accordance with Section 6 hereof. Pa.C.S. Title 75 section 4902 (a) states “School buses, emergency vehicles and vehicles making local deliveries or

pickups may be exempted from restriction on the use of highways imposed under this subsection.”

SECTION 6: PERMITS AND SECURITY – Individuals or entities wishing to operate vehicles in excess of established weight limits on restricted weight Borough roads may apply for a permit to do so on a form provided by the Borough, said permit application will be referred to the Borough Engineer, Code Enforcement Officer, or other designated representative of the Borough who shall:

- (a) Place the issue on the agenda for a meeting of the Borough Council; and
- (b) Consult with the Borough Engineer or other designated representative of the Borough, as 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; and
- (c) Present a recommendation to the Borough Council to include the amount of security to be posted by the applicant if permit is approved.

No permit will be issued until the application is approved by the Borough Council at a scheduled public meeting and, if required, security has been posted with the Borough Secretary. The Borough Council may, by resolution, delegate the authority to approve permits and set security to the Streets and Sidewalks Chairperson or other official of the Borough.

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 7: ERECTION OF SIGNS - The Borough shall erect or cause to be erected and maintained restriction signs designating the restrictions at the end of the portion of road restricted as provided in this Ordinance. In the case of a restriction on a road which has not begun or ended at an intersection with an unrestricted highway, the Borough shall also place an advance informational sign at the intersection nearest each end of the restricted portion of the road which would allow drivers to avoid the restricted portion of road.

SECTION 8: 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 4 shall, upon conviction by a Magisterial District Justice, pay a fine consistent with the applicable section of the Pennsylvania Motor Vehicle Code in effect at the time of the violation.

SECTION 9: SEVERABILITY - The provision 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 Langhorne Manor Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

SECTION 10: This ordinance shall become effective five (5) days after enactment.

SECTION 11: REPEALS – All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

ENACTED AND ORDAINED into law this 6th day of October, 2020

ATTEST:

LANGHORNE MANOR BOROUGH COUNCIL

Borough Secretary

BY: _____
Dawn Seader
Council President

APPROVED: _____
Robert C. Byrne
Mayor