

**WASHINGTON TOWNSHIP  
FRANKLIN COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 277**

**ORDINANCE AMENDING THE VEHICLES AND TRAFFIC  
CHAPTER OF THE CODE – AMENDING WEIGHT LIMITS  
FOR BRIDGES IN WASHINGTON TOWNSHIP**

**WHEREAS**, Section 1506 of the Second Class Township Code states: “The board of supervisors may make and adopt any ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary for the proper management, care and control of the township and its finances and the maintenance of peace, good government, health and welfare of the township and its citizens, trade, commerce and manufacturers.”

**WHEREAS**, Section 4902(a)(1) of the Pennsylvania Vehicle Code authorizes local authorities to impose restrictions as to the weight or size of vehicles operated upon a bridge when they determine by conducting an engineering and traffic study that the bridge may be damaged or destroyed unless use by vehicles is prohibited or the permissible size or weight of vehicles is reduced; and

**WHEREAS**, the bridge in Washington Township on Skiway Road was inspected in November 1985 by Nassaux-Hemsley, Inc., of Chambersburg, Franklin County, Pennsylvania, and William J. Walsh, P.E., and was determined by the inspecting engineers to require a weight limit of 17 tons for single vehicles and 30 tons for combination vehicles; and

**WHEREAS**, the bridge in Washington Township on Baer Road was inspected on November 2, 2018, by C.S. Davidson, Inc., of Chambersburg, Franklin County, Pennsylvania, and Jubum Kim, P.E., and was determined by the inspecting engineers to require a weight limit of 20 tons for single vehicles and 24 tons for combination vehicles; and

**WHEREAS**, the bridge in Washington Township on Waterloo Road was inspected on November 11, 2019, by C.S. Davidson, Inc., of Chambersburg, Franklin County, Pennsylvania, and Jubum Kim, P.E., and was determined by the inspecting engineers to require a weight limit of 18 tons for single vehicles and 27 tons for combination vehicles; and

**WHEREAS**, the last ordinance passed by Washington Township regulating the weight limits on bridges within the Township was in 1985; and

**WHEREAS**, the Board of Supervisors finds it would be in the public interest of the Township and its citizens to update the existing provisions regarding bridge weight limits and to add the above weight limits for the Waterloo Road Bridge.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania as follows:

**I.** Article II of Chapter 333 of the Washington Township Code is repealed in its entirety and replaced with the following:

**“§ 333-3 Definitions**

The following terms, when used in this article, shall have the meaning ascribed to them in this section except in those instances where the context clearly indicates a different meaning:

**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 any other emergency vehicle designated by the State Police under 75 Pa.C.S. § 6106.

**MOTOR VEHICLE**

Any vehicle or combination which is defined and/or governed by the Vehicle Code, 75 Pa.C.S. § 101 et seq., as amended.

**SCHOOL BUS**

A motor vehicle which is designed to carry 11 passengers or more, including the driver and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.

**VEHICLES MAKING LOCAL DELIVERIES OR PICKUPS**

Vehicles or combinations going to or coming from a residence, commercial establishment, or farm, located on a highway which can be reached only via a public highway with a posted bridge for which proof of the local delivery is available. Proof of local delivery shall be a bill of lading, shipping order, or similar document which shows the destination beyond the posted bridge. Exemptions for local delivery or pickup does not include traffic going to or coming from a site at which minerals, natural gas or natural resources are developed, harvested or extracted, notwithstanding whether the site is located at a residence, a commercial site or on farmland. Delivery or pickup of logs or other forest products to or from permanent processing mills located on or reachable only through posted highways shall be considered local delivery or pickup. Delivery or pickup of coal to or from permanent coal reprocessing or preparation plants located on or reachable only through posted highways and not on the same posted highway as a site at which coal is extracted shall be considered local delivery or pickup.

**§ 333-4 Vehicle weight limits established**

**A.** No motor vehicle or combination shall operate on any of the following bridges with a gross weight exceeding the maximum gross weight limit listed for said bridge:

|  | <b>Maximum Gross Weight Except in Combination</b> |               |
|--|---|---------------|
|  | <b>(tons)</b>                                     | <b>(tons)</b> |
| Baer Road Bridge over Red Run Creek<br>(T-370)   | 20  | 24            |
| Skiway Road Bridge over Red Run Creek<br>(T-808) | 17  | 30            |
| Waterloo Road Bridge over Falls Creek<br>(T-374) | 18  | 27            |

B. Exceptions. The following motor vehicles shall be exempted from the above restrictions:

- (1) School buses.
- (2) Emergency vehicles.
- (3) Vehicles making local deliveries or pickups.

#### **§ 333-5 Permits**

The Board of Supervisors of the Township may issue permits for the movement of motor vehicles or combinations of size and weight in excess of the restrictions imposed under § 333-5, and require such undertaking or security as the Board deems necessary to cover the cost of anticipated or probable repairs and/or restoration necessitated by the permitted movement of vehicles. All actions taken under the authority of this section shall be taken in accordance with the rules and regulations adopted from time to time by the Board of Supervisors and, in the absence thereof, in accordance with the rules and regulations adopted by the Department of Transportation of the Commonwealth of Pennsylvania, as found in Title 67 of the Pennsylvania Code.

#### **§ 333-6 Erection of signs**

The Township shall erect or cause to be erected and maintained restriction signs designating the restrictions at each end of the bridge restricted as provided in this article. No person shall be convicted of violating any section of this article unless the restriction sign designating the restricted bridge to traffic moving in the direction the person was driving was posted as required in this section. However, failure to post a restriction sign designating the restricted bridge to traffic moving in the opposite direction or failure to post any advance informational sign shall not constitute a defense to a violation of this section.

**§ 333-7 Violations and penalties**

Any person operating a motor vehicle or combination upon a bridge in violation of a prohibition or restriction imposed under § 333-4 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.”

**II. SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by any Court or competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such portion shall not affect the validity of the remaining portions hereof.

**III. REPEAL**

This ordinance repeals the portions of any and all other resolutions and ordinances which are inconsistent with the terms of this ordinance. Any and all such provisions not inconsistent with this ordinance are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Supervisors of the Township. It is the intention of said Board of Supervisors that only such provisions as this ordinance expressly amends shall be deemed repealed, and only changed provisions in this ordinance shall be deemed to be enacted from the effective date of this ordinance.

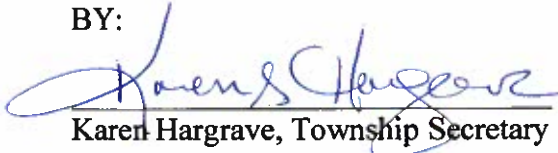
**IV. ENACTMENT**

This ordinance shall take effect five (5) days after enactment.

DULY ENACTED AND ORDAINED this 3rd day of August 2020, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BY:

  
Karen Hargrave, Township Secretary

WASHINGTON TOWNSHIP  
BOARD OF SUPERVISORS

  
Chad Reichard, Chairman