

TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA

ORDINANCE NO. 229

**AN ORDINANCE REDUCING THE SPEED LIMIT
FROM 40 MPH TO 35 MPH ON A SECTION OF
MENTZER GAP ROAD T-378**

WHEREAS, Mentzer Gap Road from Fish & Game Road T- 375 west to Polidor Road T- 356 is currently posted 40 MPH; and

WHEREAS, the Washington Township Board of Supervisors, in order to advance the welfare and safety of the residents of the Township and such other persons who use Mentzer Gap Road, deem it necessary to reduce the speed limit from 40 MPH to 35 MPH on this section of Mentzer Gap Road from Fish & Game Road to Polidor Road; and

WHEREAS, Section 1527 of the Second Class Township Code, as amended, (52 P.S. § 66527) authorizes the Board of Supervisors of Second Class Townships to adopt ordinances to secure the safety of persons or property within the Township; and

WHEREAS, the Pennsylvania Vehicle Code provides that altering speed limits and regulating traffic by means of traffic control devices pursuant to Subchapter F of Chapter 33 of the Vehicle Code are presumed to be reasonable exercises of police power by local authorities [75 Pa. C.S.A. § 6109(a)(2)(10)]; and

WHEREAS, the Vehicle Code provides that local authorities may enact the regulations in this ordinance by duly enacted ordinances of their governing bodies [75 Pa. C.S.A. § 6109-b(1)]; and

WHEREAS, the Vehicle Code authorizes local authorities on highways under their respective jurisdiction to establish reasonable and safe maximum speed limits (75 Pa. C.S.A. § 3363); and

WHEREAS, the Vehicle Code also requires that engineering and traffic investigation be completed prior to altering the speed limit (75 Pa. C.S.A. § 3363); and

WHEREAS, the traffic study prepared by Grove Miller Engineering Incorporated, for the section of Mentzer Gap Road between Fish & Game Road (T-375) and Polidor Road (T-356) dated October 12, 2010 has concluded that the current posted speed limit of 40 MPH on that portion of Mentzer Gap Road is unreasonable and unsafe and has recommended a reasonable and safe maximum speed limit of 35 MPH for said portion of Mentzer Gap Road; and

WHEREAS, the Board of Supervisors, after completing a traffic study of this section of Mentzer Gap Road, feel it appropriate to reduce the speed limit from 40 MPH to 35 MPH on this section of Mentzer Gap Road

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania pursuant to the authority as described above that Chapter 333, Article 1 of the Code of the Township of Washington, be amended as follows:

Section 1. Section 333-1, Speed limits established in the Code of the Township of Washington, shall be amended as follows:

<u>Road</u>	<u>From</u>	<u>To</u>	<u>Speed Limit</u>
1. Mentzer Gap Road T-378	Fish & Game Road T-375	Polidor Road T-356	35 MPH
2. Mentzer Gap Road T-378	Polidor Road T-356	Fish & Game Road T-375	35 MPH

Section 2. This Ordinance shall be enforced in accordance with the provisions of the Vehicle Code of Pennsylvania as it pertains to fines and other penalties.

Section 3. Should any provision of this Ordinance be found unconstitutional or otherwise illegal or in any other manner unenforceable, the remaining sections of the Ordinance shall remain in full force and effect.

Section 4. This Ordinance shall become effective as provided by law.

DULY ENACTED AND ORDAINED, this 15th day of November 2010, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

**WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

BY Karen S. Hargrave
Karen S. Hargrave, Secretary

BY Stephen D. Kulla
Stephen D. Kulla, Chairman