

ORDINANCE NO. 1 of 2022

LeBOEUF TOWNSHIP, ERIE COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF LeBOEUF, ERIE COUNTY, PENNSYLVANIA ESTABLISHING RESTRICTIONS ON THE USE OF CERTAIN TOWNSHIP HIGHWAYS, AUTHORIZING THE SUPERVISORS TO IMPOSE RESTRICTIONS AS TO WEIGHT, PROVIDING FOR THE ISSUANCE OF PERMITS, AND PROVIDING FOR PENALTIES IN THE EVENT OF VIOLATION.

AND NOW, this 24th day of AUGUST, 2022, the Supervisors of LeBoeuf Township, Erie County, Pennsylvania, do hereby enact and ordain as follows:

WHEREAS, the Supervisors are by virtue of the Laws and Constitution of the Commonwealth of Pennsylvania, including the provisions of the Act of 1976, June 17, P.L. 162, No. 81, S 1, et. seq. (75 Pa.C.S.A. Section 4902, et. seq.), as the same may be hereinafter amended, empowered to establish limitations and restrictions as to the weight or size of vehicles operated upon certain Township highways; and

WHEREAS, the Supervisors have examined the condition of certain Township highways and, based upon completed Engineering and Traffic Studies, have determined that certain restrictions should be imposed upon certain highways of the Township under the circumstances herein set forth.

NOW THEREFORE, the Supervisors do enact and ordain and it is enacted and ordained for LeBoeuf Township, Erie County, Pennsylvania, as follows:

SECTION 1.

The following words when used in this Ordinance 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 a river rescue commander used for answering emergency calls or other vehicle designated by the State Police under Section 6016 of the Vehicle Code (relating to designation of emergency vehicles by Pennsylvania State Police).

Local Delivery Vehicle - Vehicles, implements of husbandry, and combinations going to or coming from a residence, commercial establishment, or farm located on a posted highway or which can be reached only via a posted highway.

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

School Bus - A motor vehicle designed for carrying more than ten passengers, exclusive of the driver, and used for the transportation of school children.

Implements of Husbandry - A vehicle designed or adapted to be used exclusively for agricultural purposes and only incidentally operated or moved upon highways.

SECTION 2.

The Supervisors have hereby determined that certain roads under the jurisdiction of the Township may be damaged and destroyed unless the permissible weight limit of motor vehicles or combinations is limited, and accordingly, no motor vehicle having a gross weight in excess of twenty thousand (20,000) pounds shall be operated upon the following sections of roads and highways owned and/or maintained by LeBoeuf Township and located within the jurisdiction of LeBoeuf Township:

<u>TOWNSHIP ROAD</u>	<u>ROUTE</u>	<u>FROM</u>	<u>TO</u>
1. Old Meadville Road	T-300	Main Street	Union-LeBoeuf Road
2. Stone Quarry Road	T-301	Flatts Road	Union-LeBoeuf Road
3. Hill Road	T-303	Plank Road	Washington Twp. boundary
4. Plank Road	T-304	Smedley Road	Waterford Twp. boundary
5. Waterhouse Road	T-323	U.S. Route 6/19	Mystic Road
6. Smith Road	T-325	Old Meadville Road	Westerly terminus
7. Gorman Road	T-327	Frisbeetown Road	Crawford County line
8. Conneauttee Road	T-349	U.S. Route 6/19	Washington Twp. boundary
9. Woods Road	T-351	Mill Village Borough line	Westerly terminus
10. Church Road	T-371	U.S. Route 19	Washington Twp. boundary

<u>TOWNSHIP ROAD</u>	<u>ROUTE</u>	<u>FROM</u>	<u>TO</u>
11. McGahen Hill Road	T-373	Old Route 19	Old Plank Road
12. Lewis Road	T-411	Old Plank Road	Hill Road
13. Moore Road	T-415	Old Route 19	Flatts Road
14. Smedley Road	T-550	Lewis Road	Waterford Twp. boundary
15. Hennrous Road	T-554	State Route 3022	Conneauttee Road
16. Old Plank Road	T-556	McGahen Hill Road	Washington Twp. boundary
17. South Old Route 19	T-558	U.S. Route 6/19	U.S. Route 6/19
18. Old Route 19	T-560	U.S. Route 19	Waterford Twp. boundary
19. Waite Road	T-562	Conneauttee Road	Church Road
20. White Oak Drive	T-566	Dutchtown Road	Easterly terminus
21. Mystic Road	T-570	U.S. Route 6/19	Crawford County line
22. Kinter Road	T-572	McGahen Hill Road	Northerly terminus
23. Dutchtown Road	T-592	Flatts Road	Crawford County line
24. Porter Road	T-594	Woods Road U.S. Route 6	Dutchtown Road Woods Road
25. Whiteley Road	T-614	Flatts Road Smith Road	Smith Road Crawford County line
26. Holmes Road	T-616	Old Meadville Road	U.S. Route 6
27. Gourley Road	T-618	U.S. Route 6	Stone Quarry Road
28. Frisbeetown Road	T-632	U.S. Route 6	Crawford County line
29. Willey Road	T-634	Stone Quarry Road	Old Meadville Road

<u>TOWNSHIP ROAD</u>	<u>ROUTE</u>	<u>FROM</u>	<u>TO</u>
30. Dewey Road	T-636	Wheelertown Road	Stone Quarry Road
31. Vincent Road	T-652	Stone Quarry Road	U.S. Route 6
32. Flaugh Road	T-654	U.S. Route 6	Vincent Road
33. Short Hare Road	T-656	State Route 97	Waterford Twp. boundary
34. Union-LeBoeuf Road	T-672	State Route 97	Crawford County line
35. Middleton Road	T-674	State Route 97	Waterford Twp. boundary
36. Henry Road	T-887	U.S. Route 6	U.S. Route 6

SECTION 3.

The Supervisors shall cause the affected section of roads and highways to be posted for the applicable prohibitions and limitations, said posting to be in accordance with the requirements of the Pennsylvania Motor Vehicle Code and other applicable laws and regulations of the Commonwealth of Pennsylvania.

SECTION 4.

The Supervisors may issue permits for movements of vehicles in excess of the prohibitions and restrictions established hereunder. Applications for a permit shall be made in writing to the Township and shall contain such information as the Township shall require pertaining to the applicant, area of operations and municipal roads to be traveled, and:

a. The application shall also include a description of all motor vehicles and equipment to be used in the transporting of all materials. Such list shall include among other things each vehicle's registration number, plate number, make, model and color.

b. The application shall also include a copy of all valid local, state and/or federal permits, contracts and agreements which are required to be obtained by the operator or owner of the motor vehicle.

c. Shall be accompanied by a signed "Excess Maintenance Agreement" which, inter alia, obligates the permittee to make repairs of damages caused to the roads by the permittee's activities.

d. Submit such bond or other collateral acceptable to and in the favor of the Township as the Township may require to ensure faithful compliance with the provisions of this Ordinance.

The requirements of this Section 4. shall be deemed to run in the favor of the Township, and the failure of the Township to insist upon compliance with each of the requirements set forth herein shall not render this Ordinance moot or otherwise preclude the Township from seeking enforcement of the various provisions of the Ordinance.

A separate permit must be obtained for each motor vehicle operating in excess of the prohibitions established hereunder, and the permit so issued shall be carried in said motor vehicle at all times during which it shall be operated on or across the section of Township road so permitted.

Implements of husbandry are specifically exempt from the requirements of this Ordinance.

SECTION 5.

There is hereby established an application fee of one hundred dollars (\$100.00) for the above referenced permit which application fee may be raised or lowered by subsequent resolution of the Township.

SECTION 6.

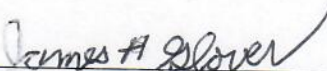
Should any section or portion of this Ordinance be found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

SECTION 7.


Any person, firm or corporation operating a vehicle or combination upon the portions of Township roads designated in Section 2. of this Ordinance in violation of a prohibition or restriction imposed under this Ordinance shall, upon conviction of summary proceedings, be sentenced to pay a fine of seventy five dollars (\$75.00) for each violation, except that any person, firm or corporation 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 one hundred fifty dollars (\$150.00) plus one hundred fifty dollars (\$150.00) for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight. In default of payment of the fine, said persons shall be sentenced to ten (10) days in jail.

IN WITNESS WHEREOF, the Supervisors of LeBoeuf Township, Erie County, Pennsylvania have adopted and enacted this Ordinance the day and year first above written.

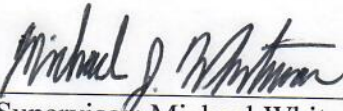
SUPERVISORS OF LeBOEUF TOWNSHIP



Supervisor: James H. Glover

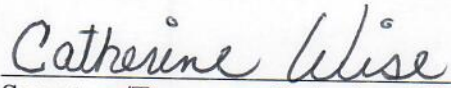


Supervisor: Michael Porter



Supervisor: Michael Whitman

ATTEST:



Secretary/Treasurer: Catherine Wise



8-24-2022