

ORDINANCE NO. 661

AN ORDINANCE REGULATING TRAFFIC, PARKING AND USE OF ROADS, STREETS, DRIVES AND BRIDGES IN THE TOWNSHIP OF CONEMAUGH, SOMERSET COUNTY, PENNSYLVANIA, AND REPEALING CERTAIN PRIOR ORDINANCES

The Township of Conemaugh (hereinafter "Township") ordains as follows:

Article I

General Regulations

Section 1. Definitions and Interpretations.

(a) Words and phrases, when used in this ordinance, except for sections or articles to which different or additional definitions apply, shall have the meanings ascribed to them in The Vehicle Code (the Act of June 17, 1976, P.L. 162 No. 81), as amended, except that, in this ordinance, the word "street" may be used interchangeably with the word "highway," and shall have the same meaning as the word "highway" as defined in The Vehicle Code.

(b) The term "legal holidays" as used in this ordinance shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

(c) In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

Section 2. Manner of Adopting Permanent Traffic and Parking Regulations.

All traffic and parking regulations of a permanent nature shall be enacted as ordinances or as parts of ordinances or as amendments to ordinances of the Township of Conemaugh, except where the law specifically authorizes less formal action.

Section 3. Temporary and Emergency Regulations.

(a) The Chairman of the Board of Supervisors, or, in the absence or unavailability of the Chairman, the Vice Chairman, or, in the absence or unavailability of the Vice Chairman, the Secretary, shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

(1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations; and

(2) In the case of emergency public works or public events of limited scope or duration, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than seventy-two (72) hours.

(b) These temporary and emergency regulations shall be enforced in the same manner as permanent regulations. Any person who drives or parks a vehicle in violation of any such regulation shall be guilty of a violation and, upon conviction, shall be liable to the penalty set out in the law or elsewhere in this ordinance for a violation of that nature, and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this ordinance, to a fine of Three Hundred and 00/100 (\$300.00) Dollars and costs.

(c) If such temporary or emergency regulations are imposed by the Supervisors, in the order listed in Section 3(a), shall be informed as soon as practicable. The Board of Supervisors may modify or rescind a temporary or emergency regulation imposed by any single Supervisor.

Section 4. Experimental Regulations.

The Board of Supervisors may, from time to time, designate places upon and along the streets in the Township where, for a period of not more than ninety (90) days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate those locations by proper signs and markings. Those regulations, prohibitions and restrictions shall be effective just as if they had been specified in this ordinance. No person shall drive or park a vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who violates any provision of this section shall, upon conviction, be liable to the penalty set out in the law or elsewhere in this ordinance for a violation of that nature, and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this ordinance, to a fine of Twenty-Five and 00/100 (\$25.00) Dollars and costs. **Provided:** The purpose of this section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township relative to traffic and parking.

Section 5. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.

(a) The Board of Supervisors or the Roadmaster, as their designee, shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.

(b) The Board of Supervisors or the Roadmaster, as their designee, shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.

(c) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of Three Hundred and 00/100 (\$300.00) Dollars and costs.

Sections 6 and 7. *[Reserved for future use.]*

Article II

Traffic Regulations

Section 1. Maximum Speed Limits Established on Certain Township Roads.

(a) Maximum speed limits as have previously been enacted by the Township by prior ordinances are hereby set forth as follows:

<u>Township Road</u>	<u>Miles Per Hour</u>
Park Road (T-767) – 0.3 mile west of Legislative Route 55141	25
Hyasota Hill Road (T-638) – 1500 feet west of State Route 601	25
Country Club Road (T-588) – 3000 feet west of State Route 985	25
Bethel Street (T-758) – Route 601 to dead end	25

Sections 2 through 13. *[Reserved for future use.]*

Section 14. Stop Intersections Established.

(a) Intersections as posted are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the intersecting or through street on the stop street in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the stop street, in the direction indicated in each case, shall stop the vehicle as required by Section 3323(b) of The Vehicle Code, and shall not proceed into or across the intersecting or through street until he has followed all applicable requirements of that section of the law.

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of Twenty-Five and 00/100 (\$25.00) Dollars and costs.

Sections 15 through 19. *[Reserved for future use.]*

Article III

Restrictions on Size, Weight and Type of Vehicle and Load

Section 1. Vehicle Weight Limitations Established on Certain Roads and Bridges.

(a) On the following roads and bridges, by authority granted by Section 4902(a) of the Vehicle Code, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum described below for that bridge or road or part of road, as the case may be:

<u>Township Road</u>	<u>Maximum Gross Weight (Tons)</u>
Pleasant View Road (T-720)	12
Govier Lane (T-793)	12
Country Club Road (T-588)	12
Quemahoning Dam Road (T-743)	10

<u>Township Bridges</u>	<u>Maximum Gross Weight (Pounds)</u>
Govier No. 3 Bridge (on T-793)	32,000
Colliver Bridge (on T-433)	8,000
Dalton Run Road Bridge (on T-635)	32,000

Article IV

Stopping, Standing and Parking

Sections 1 and 2. *[Reserved for future use.]*

Section 3. Parking Prohibited.

(a) Parking shall be prohibited at all times on or within the cart way or paved area of all roads, streets or drives within the Township.

(b) Parking shall be prohibited at all times along either side of Route 403 from the Cambria County line north to Catherine Street (T-419).

Sections 4 through 9. *[Reserved for future use.]*

Section 10. Penalty for Violation.

Any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of not more than Twenty-Five and 00/100 (\$25.00) Dollars and costs.

Article V

Snow Removal

Section 1. Snow Removal – Private Property.

No one shall place snow on any Township road by any method whatsoever from any property. All snow removal on property adjacent to all Township roads shall be done in a manner so as not to place or relocate snow on to any Township road.

Section 2. Penalty for Violation.

Any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of not more than Fifty and 00/100 (\$50.00) Dollars and costs.

Articles VI through XI

[Reserved for future use.]

Article XII

Interpretation and Repeal

Section 1. Severability.

The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the validity of any of the remaining provisions of this ordinance. It is declared as a legislative intent that this ordinance would have been enacted had that unconstitutional, illegal or otherwise invalid provision not been included in the ordinance.

Section 2. Provisions to be Continuation of Existing Regulations.

The provisions of this ordinance, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this ordinance, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this ordinance shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

Section 3. Repeal of Certain Prior Ordinances.

All prior ordinances of the Township of Conemaugh insofar as they deal with the regulation of traffic and/or parking are repealed and declared unenforceable insofar as they are inconsistent with or identical to any provision of this ordinance. Prior ordinances not inconsistent with or identical to any provision of this ordinance are not repealed.

Section 4. Effective Date.

This ordinance shall take effect ten (10) days after adoption.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Conemaugh in lawful session assembled this _____ day of _____, 2006.

**TOWNSHIP OF CONEMAUGH
By its Board of Supervisors**

Calvin E. Gindlesperger, Chairman

Wayne A. Kauffman, Vice Chairman

David A. Hart, Secretary/Treasurer

(Township Seal)

SECRETARY'S CERTIFICATE

I, the undersigned, hereby certify that I am the Secretary of the Board of Supervisors of Conemaugh Township, Somerset County, Pennsylvania, and that the foregoing or attached ordinance is a true and correct copy of said ordinance, duly enacted and adopted by the affirmative vote duly recorded of a majority of the members of the Board of Supervisors of said township at a meeting of the Board of Supervisors duly called, posted and advertised, which meeting was held on the _____ day of _____, 2006, at which a quorum was present, and I do further certify that the foregoing or attached ordinance is duly spread upon or attached to the minutes of said meeting and that, as of the date hereof, said ordinance has not been amended, modified or rescinded and is still in full force and effect. I further certify that said ordinance or a summary thereof was duly published prior to adoption as required by law, and after adoption, if required by law, the same was duly filed in the Office of the Recorder of Deeds of Somerset County, Pennsylvania.

The ordinance referred to in this Certificate is titled:

AN ORDINANCE REGULATING TRAFFIC, PARKING AND USE OF ROADS, STREETS, DRIVES AND BRIDGES IN THE TOWNSHIP OF CONEMAUGH, SOMERSET COUNTY, PENNSYLVANIA, AND REPEALING CERTAIN PRIOR ORDINANCES

Witness my hand and the seal of the Township this _____ day of _____, 2006.

Secretary, Board of Supervisors
Conemaugh Township, Somerset County,
Pennsylvania

(Township Seal)