

**ORDINANCE NO. 505**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF WORMLEYSBURG, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES OF THE BOROUGH OF WORMLEYSBURG ENTITLED “MOTOR VEHICLES” TO MODIFY PART 3 ENTITLED “RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD” SECTION 302 ENTITLED “RESTRICTIONS ON SIZE OF VEHICLES ON CERTAIN STREETS AND BRIDGES”**

**WHEREAS**, Section 4902(b) of the Pennsylvania Vehicle Code (75 Pa.C.S.A. § 4902(b)) gives municipalities the power to prohibit the operation of vehicles and impose restrictions as to the weight or size of vehicles operated upon highways and bridges within the municipality; and

**WHEREAS**, the Borough Council of the Borough of Wormleysburg (“Borough Council”) has determined that hazardous conditions and/or other safety factors exist on Pine Street and Chestnut Street requiring such prohibitions and/or restrictions; and

**WHEREAS**, Borough Council has determined that it is in its best interest and general welfare to adopt and enforce an axel limit on vehicles traveling on Pine Street and Chestnut Street; and

**WHEREAS**, Borough Council deems it to be in the best interest and for the general welfare of the citizens and residents of the Borough to amend Chapter 15 of the Code of Ordinances of the Borough of Wormleysburg to include such aforementioned restrictions to Part 3.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED** by the Mayor and Borough Council of the Borough of Wormleysburg, Cumberland County, Pennsylvania, and it is enacted and ordained as follows:

**SECTION I:** Chapter 15 of the Code of the Borough of Wormleysburg entitled “Motor Vehicles”, Part 3 entitled “Restrictions on Size, Weight, and Type of Vehicle and Load”, section 302 entitled “Restrictions on Size of Vehicles on Certain Streets and Bridges” is hereby amended and shall read as follows:

**§15-302. Restriction on Size of Vehicles on Certain Streets and Bridges.**

On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, it shall be unlawful for any person to drive any vehicle or combination in violation of the size restrictions prescribed below for that bridge or street or part of street:

<b>Street or Bridge</b>	<b>Between</b>	<b>Restriction</b>
Pine Street	Entire length	No vehicle with more than three (3) axels is permitted.
Chestnut Street	Entire length	No vehicle with more than three (3) axels is permitted.

**SECTION II:** SAVINGS CLAUSE. In all other respects, the Code of Ordinances of the Borough of Wormleysburg shall remain as heretofore enacted, ordained and amended.

**SECTION III:** SEVERABILITY. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

**SECTION IV:** REPEALER. All provisions of previous Ordinances of the Borough of Wormleysburg which are contrary to this Ordinance are expressly repealed.

**SECTION V:** EFFECTIVE DATE. This Ordinance shall be effective immediately.

**ENACTED AND ORDAINED** this 9th day of August, 2016, by the Council of the Borough of Wormleysburg, Cumberland County, Pennsylvania.

ATTEST:

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Gary W. Berresford, Borough Secretary

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Thomas L. Martini, Council President

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

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George O. Preble, Mayor