

**TOWNSHIP OF CROSS CREEK
WASHINGTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 3-98

**AN ORDINANCE OF THE TOWNSHIP OF CROSS CREEK,
WASHINGTON COUNTY, PENNSYLVANIA, ESTABLISHING
WEIGHT RESTRICTIONS ON VARIOUS TOWNSHIP ROADS AND
PROVIDING FOR PENALTIES FOR VIOLATION THEREOF**

WHEREAS, Cross Creek Township has had a survey conducted of various Township roads so as to document their physical condition and weight bearing capacity; and,

WHEREAS, Cross Creek Township is in receipt of a report dated April 13, 1998 by William R. Galanko, Professional Engineer, recommending that certain weight limitations be placed on various roads throughout the Township; and,

WHEREAS, pursuant to the authority granted under Title 75, the Pennsylvania Motor Vehicle Code, §4902 and the Second Class Township Code, it is deemed that restrictions on the use of these various roads be established.

NOW, THEREFORE, be it ordained by the Board of Supervisors of Cross Creek Township, Washington County, Pennsylvania, that the following roads shall have the weight limits herein indicated:

SECTION 1.

1. Cooke Road (Township Road 733) - length 2.09 miles - six tons
2. Buxton Road (Township Road 434) - length 1.44 miles - six tons
3. Sugar Camp Road (Township Road 713) - length 0.99 miles - six tons
4. Perry Road (Township Road 442) - length 1.16 miles - six tons

5. Vance Drive (Township Road 436) - length 1.08 miles - six tons
6. Parker Road (Township 433) - length 4.26 miles - six tons
7. Maple Road (Township Road 435) - from the southwestern terminus to the intersection of Perry Road a distance of 1.29 miles - six tons
8. Paris Road (Township Road 779) - length 1.06 miles - eight tons
9. Stolze Road (Township Road 437) and Maple Road (Township Road 435) from the Perry Road intersection to the Stolze Road intersection a distance of .26 miles and from the Stolze Road intersection to the Smith Township boundary a distance of .51 miles - ten tons

SECTION 2. Any vehicle with a gross vehicle weight over twenty thousand pounds (20,000) must obtain a road use permit on a form to be provided by the Township and post a fee of Twenty-five Dollars (\$25.00) for road inspection.

SECTION 3. No other vehicles in excess of the weight limit shall travel upon said roads unless bond is posted to the Township pursuant to Chapter 189 of the Pennsylvania Department of Transportation regulations, as amended, or such other regulations as may now or hereafter be adopted, said bond to be in a cash, certified check, bond certificate or other form satisfactory to the Board of Supervisors of Cross Creek Township, either in cash or with corporate surety, conditioned upon the faithful compliance of the provisions of this Ordinance. The principal amount of the bond shall be in an amount as determined by the Board of Supervisors of Cross Creek Township to reasonably assure the repair and maintenance of the road(s) covered by the bond for the duration of the use of said roads by each applicant, except that the following vehicles shall be exempt from bonding regulations:

1. School buses;
2. Residential solid waste vehicles;

3. Township public works vehicles;
4. Township fire vehicles;
5. Milk trucks; and,
4. Local delivery trucks.

SECTION 4 Any person who shall violate this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of One Hundred Fifty Dollars (\$150.00) for each five hundred pounds (500 lbs.), or part thereof, in excess of three thousand pounds (3,000 lbs.) over the maximum allowable weight, plus costs of prosecution. In addition, the Township reserves the right to proceed with appropriate actions at law or equity to enjoin violations of this Ordinance and to seek money damages for costs of repair of any physical damage caused to said road as a result of a violation of this Ordinance.

SECTION 5 If any section or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

ORDAINED AND ENACTED by the Board of Supervisors of Cross Creek Township, Washington County, Pennsylvania, this 15th day of September, 1998.

ATTEST:

TOWNSHIP OF CROSS CREEK

Secretary

By
Gary A. Stokum, Chairman

ORDINANCE NO. 6-04

**AN ORDINANCE OF THE TOWNSHIP OF CROSS CREEK,
WASHINGTON COUNTY, PENNSYLVANIA,
AMENDING ORDINANCE NO. 3-98 ADDING NICKOLAY ROAD
TO THE LIST OF TOWNSHIP ROADS SUBJECT TO WEIGHT
RESTRICTIONS AND PROVIDING FOR PENALTIES FOR
VIOLATION THEREOF**

WHEREAS, Cross Creek Township previously adopted Ordinance No. 3-98 setting weight limits on various township roads; and,

WHEREAS, pursuant to the authority granted under Title 75 of the Pennsylvania Motor Vehicle Code, Section 4902, and the Second Class Township Code, Cross Creek Township has conducted the necessary engineering studies on Nickolay Road and has determined that weight restrictions for the use of Nickolay Road should be established.

NOW, THEREFORE, be it ordained by the Board of Supervisors of Cross Creek Township, Washington County, Pennsylvania, that Section 1 of Ordinance No. 3-98 shall be revised so as to add Nickolay Road (Township Road 783, length .815 miles) as having a six (6) ton weight limit.

All other terms and conditions of Ordinance No. 3-98 shall remain in full force and effect.

ORDAINED AND ENACTED by the Board of Supervisors of Cross Creek Township, Washington County, Pennsylvania, this 21ST day of DECEMBER, 2004.

ATTEST:

CROSS CREEK TOWNSHIP

Rachel Warner Blosser, Secretary

By _____
Dean F. Casciola, Chairman

By _____
Tim Paris, Supervisor

By _____
John Rush, Supervisor