

Ordinance No. 254

AN ORDINANCE OF THE BOROUGH OF CLYMER, COUNTY OF INDIANA, AND COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR WEIGHT RESTRICTIONS ON CERTAIN BOROUGH STREETS.

WHEREAS, it has been determined by the Borough Council of the Borough of Clymer, Indiana County, Pennsylvania that certain streets within the Borough may be damaged or destroyed as a result of being subjected to heavier loads than those for which they were designed or which they can support; and

WHEREAS, the Borough Council of the Borough of Clymer believes that additional regulations are necessary to adequately protect the safety of the residents of the Borough and all others who may use said roads.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Clymer, Indiana County, Pennsylvania, and it is hereby ORDAINED AND ENACTED as follows:

SECTION 1. That from and after the effective date of this Ordinance, no vehicle or mechanized equipment of any kind or type whatsoever, in excess of ten (10) tons gross weight, including cargo, whether motor propelled, or otherwise, shall be permitted to travel on Fifth Street from Franklin Street to Sherman Street and Sherman Street from Fifth Street to Sixth Street unless a sufficient bond is posted for the borough of Clymer.

SECTION 2. Any person who shall violate the provisions of this Ordinance shall be guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of Seventy-Five Dollars (\$75.00), except that any person convicted of operating a vehicle with a gross weight in excess of a posted weight limit 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.

SECTION 3. In the alternative, and in the event that the provisions of Section 2 herein are adjudged invalid, any person who shall violate the provisions of this Ordinance shall be subject to conviction of a summary offense before any Magistrate having proper jurisdiction and shall be subject to a fine not in excess of Three Hundred Dollars (\$300.00) for each and every offense and the costs thereof; default of payment of such fine and costs, said person convicted shall be imprisoned for a period not exceeding thirty (30) days.

SECTION 4. This Ordinance is severable and should any section or provision hereof be the legislative intent of the Borough Council of the Borough of Clymer that this Ordinance is considered to be adopted as if such invalid provisions had not been included therein.

SECTION 5. All Ordinance or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

APPROVED this *Seventh* day of *January*, 1991

BOROUGH OF CLYMER

Attest:

Connie T. Carter
Secretary

Thomas L. Gibson
President

Joseph E. Kriolick
Mayor