

**UPPER BERN TOWNSHIP
COUNTY OF BERKS
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO.: 163-2022

**AN ORDINANCE IMPOSING RESTRICTIONS AS TO VEHICLES OPERATED UPON
THE BRIDGE ON KAUFFMAN LANE (T-715) AND PRESCRIBING PENALTIES FOR
VIOLATIONS.**

WHEREAS, Section 4902 of the Vehicle Code (75 Pa. C.S. § 4902) authorizes municipalities to set weight limits for highways and bridges within their jurisdiction; and

WHEREAS, on May 6, 2022, the Township Engineer presented the Township with a Bridge Evaluation Report, which determined that the use of the bridge should be limited to vehicular traffic only; and

WHEREAS, it is necessary in order to insure the welfare and safety of the public that certain restrictions be applied to the bridge on Kauffman Lane (T-715).

BE IT ORDAINED, that the Board of Supervisors of West Penn Township do hereby enact the following:

Section 1: Definitions. The following words when used in this Ordinance shall have the following meanings, unless the context clearly indicates otherwise:

- A. Passenger Car - A motor vehicle, except a motorcycle, designed primarily for the transportation of persons and designed for carrying no more than 15 passengers, including the driver, and primarily used for the transportation of persons, as defined and/or governed by the Vehicle Code, 75 Pa. C.S. Section 101, et seq., as amended.

Section 2: Findings of the Board of Supervisors. The Board of Supervisors has determined based upon engineering studies and bridge evaluation from McCarthy Engineering, Township Engineer, dated 5/6/22 that the bridge on Kauffman Lane (T-715) may be damaged or destroyed unless the motor vehicles use is restricted to Passenger cars only.

Section 3: Signs. The Township shall erect or cause to be erected and maintained restriction signs designating the restrictions at either end of the Kauffman Lane Bridge(T-715) provided in this Ordinance.

Section 4: Penalties. Any person violating any of the provisions of this Ordinance shall, upon summary conviction before a District Magistrate, be sentenced to pay a fine of not less than One Hundred Dollars (\$100.00) and not more than Three Hundred Dollars (\$300.00) and the cost of prosecution, such fines to be collected as like fines are now collected by law, and in default shall undergo imprisonment not exceed thirty (30) days.

Section 5: Repealer. All Ordinances or Resolutions, or parts of Ordinances or Resolutions, insofar as they are inconsistent herewith, shall be in the same or hereby repealed.

Section 6: Validity. If any Section or part of a Section of this Ordinance shall be declared invalid, such invalidity shall not affect the remaining parts or Sections of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been enacted as if such invalid Section or portion thereof had not been included therein.

Section 7: Effective Date. This Ordinance shall become effective upon adoption.

ORDAINED AND ENACTED this 9th day of June, 2022, by a vote of 3 Yes
 No Abstained Absent.

BOARD OF SUPERVISORS OF
UPPER BERN TOWNSHIP



Gloria Grim-Chairperson

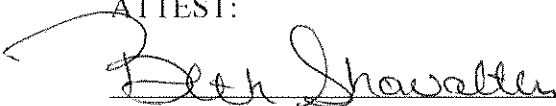


Michael Fisher- Vice- Chairperson



Arthur Lambert- Supervisor

ATTEST:



Secretary

