

ORDINANCE NO. ~~1995-3~~

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF BETHEL, BERKS COUNTY, PENNSYLVANIA, REGULATING TRUCK TRAFFIC ON CAMP STRAUSS ROAD AND PRESCRIBING PENALTIES FOR VIOLATION.

THE FOLLOWING ORDINANCE IS ENACTED AND ORDAINED by the Board of Supervisors of Bethel Township, Berks County, Pennsylvania, by authority of the same:

Section 1. Vehicle Weight Limits Established on Camp Strauss Road.

A. The Township of Bethel has determined, after evaluation of the condition of Camp Strauss Road utilizing the AASHTO Method, that the structural condition of Camp Strauss Road is not suitable for truck traffic other than local deliveries by two-axle or three-axle trucks. By authority granted by Section 4902(a) of the Vehicle Code, it shall be unlawful for any person or persons to drive any four-axle or five-axle vehicle or combination on Camp Strauss Road without a permit, except the following:

1. Local delivery trucks, including trucks delivering construction equipment or materials for a construction activity for which a building permit has been obtained from the Township.

2. Trucks necessary for normal farming practices. For purposes of this ordinance, normal farming practices does not include forestry or the harvesting of trees.

B. No permit to drive a four-axle or five-axle vehicle or combination on Camp Strauss Road shall be issued by the Township unless the applicant executes an agreement with the Township, acceptable in the sole discretion of the Township, to provide for the repair and restoration of Camp Strauss Road necessitated by the permitted movements of vehicles; and provided further, that the applicant shall provide financial security to the Township, acceptable in the sole discretion of the Township, to ensure the completion of the aforesaid repair and restoration. In addition, an applicant shall pay a permit fee of one hundred fifty dollars (\$150.00). A permit issued hereunder shall be valid for a maximum term of one year.

C. Any person who violates any provision of this section shall be prosecuted under Section 4902(g)(1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of seventy-five dollars (\$75.00), and costs.

Section 2. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 3. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township of Bethel that this ordinance would

have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, or part thereof not been included herein.

Section 4. Effective Date. This ordinance shall become effective five days after enactment.

ENACTED AND ORDAINED this 21st day of August, 1995.

BOARD OF SUPERVISORS OF BETHEL
TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

BY: John L. Brown
Chairman

ATTEST: Randall A. Haag
Secretary

CERTIFICATE OF ENACTMENT

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 1995-3 of Bethel Township, Berks County, Pennsylvania, which was adopted by the Board of Supervisors of said Township at a regular meeting held pursuant to notice as required by law on Aug. 21, 1995.

WITNESS my hand and seal this 21 day of Aug., 1995.

Randall A. Haag
Secretary, Bethel Township