

~~120-0596~~

ORDINANCE # 1-83

AN ORDINANCE REGULATING TRAFFIC AND PARKING THROUGHOUT THE TOWNSHIP OF HAMILTONBAN; PROVIDING FOR THE ENFORCEMENT OF SAID ORDINANCE; AND SETTING FORTH PENALTIES FOR VIOLATION OF SAID ORDINANCE.

BE IT ENACTED AND ORDAINED by the supervisors of Hamiltonban Township, Adams County, Pennsylvania, and it is hereby enacted and ordained by authority of the same, as follows:

ARTICLE I

GENERAL REGULATIONS

Section 1. Definitions and Interpretation

- (a) Words and phrases, when used in this Ordinance, except for sections or articles to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code (the act of June 17, 1976 P.L. 162 No. 81), as amended, except that, in this Ordinance, the word "street" may be used interchangeably with the word "highway", and shall have the same meaning as the word "highway" as defined in the Vehicle Code.
- (b) In this Ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

Section 2. Temporary and Emergency Regulations

- (a) The Chief of Police of Hamiltonban Township shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
 - (1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations; and
 - (2) In the case of emergency public works or public events of limited scope or duration, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.

- (b) These temporary and emergency regulations shall be enforced by the township supervisors and the police department in the same manner as permanent regulations. Any person who drives or parks a vehicle in violation of any such regulation shall be guilty of a violation of this Ordinance and, upon conviction, shall be liable to the penalties set out in the law or elsewhere in this Ordinance for a violation of that nature, and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this Ordinance, to a fine of \$25.00 and cost.

Section 3. Experimental Regulations

The Board of Supervisors may, from time to time, designate places upon and along the streets and highways in the township where, for a period of not more than ninety days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate those locations by proper signs and markings. Those regulations, prohibitions and restrictions shall be effective just as if they had been specified in this Ordinance. No person shall drive or park a vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who violates any provision of this section, shall, upon conviction, be liable to the penalties set out in the law or elsewhere in this Ordinance for a violation of that nature, and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this Ordinance, to a fine of \$25.00 and cost. The purpose of this section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the township relative to traffic and parking.

Section 4. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events

- (a) The township supervisors shall have authority to close any street or specific part of a street or highway to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or while a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.
- (b) The township supervisors shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or signalling that vehicle, by a flag

or other device, not to proceed.

- (c) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25.00 and costs.

Section 5. Authority of Police Officers

The police officers of the township shall have authority to direct traffic on the streets or highways in the township, at intersections in public and in other places where the Vehicle Code or this Ordinance applies.

ARTICLE II

TRAFFIC REGULATIONS

See Ord 5-96

Section 1. Maximum Speed Limits Established on Certain Streets and Highways

- (a) Maximum speed limits are established on portions of specified streets and highways as follows, and it shall be unlawful for any person to drive a vehicle, on any part of a street where a maximum speed limit applies, at a higher speed than the maximum prescribed for that part of the street:
- (1) Thirty-five (35) miles per hour on township road No. 303 located between Legislative Route No. ³⁰²¹01015 and Legislative Route No. ⁰¹⁰²¹01053.
 - (2) Thirty-five (35) miles per hour on township road No. 321 located between Legislative Route No. 01001 and Pennsylvania State Highway Route No. 116. ³⁰¹¹
 - (3) Forty (40) miles per hour on that section of Legislative Route No. ³⁰¹¹01001, located between Pennsylvania State Highway Route No. 116 and the intersection of Legislative Route No. ³⁰¹¹01016 where it meets township road No. 321 at Legislative Route No. 01001.
 - (4) Twenty-five (25) miles per hour on township Route No. 314 in the village of Orrtanna between its intersection with Legislative Route No. ³⁰¹¹01001 and its intersection with Legislative Route No. ³⁰¹¹01057, and on Legislative Route No. 01057 in the village of Orrtanna, between its intersection with township Route No. 314 and the Highland Township line.
 - (5) Thirty-five (35) miles per hour on old Route 16 (T-809),

and on Cold Spring Road (T-307), and Gum Spring Road (T-300; and T-305).

- (6) Thirty-five (35) miles per hour on Newman Road (T-304).
- (7) Thirty-five (35) miles per hour on Baker Road (T-301).
- (8) Thirty-five (35) miles per hour on ^{Hickory} Jack Road (T-315).
- (9) Thirty-five (35) miles per hours on Knox Road (T-331).

(10) see
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- (b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$35.00. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2.00 per mile for each mile in excess of five miles per hour over the maximum speed limit.

Section 2. Speed Timing Devices

- (a) The rate of speed of any vehicle may be timed on any highway in the township by a police officer using a motor vehicle equipped with a speedometer. In ascertaining the speed of a vehicle by the use of a speedometer, the speed shall be timed for a distance of not less than three-tenths of a mile.
- (b) In timing the rate of speed by the use of a speedometer, the speedometer of the police officer shall have been tested for accuracy within a period of sixty (60) days prior to the alleged violation. A certificate from the station showing that the test was made, the date of the test and the degree of accuracy of the speedometer shall be competent and prima facie evidence of those facts in every proceeding in which a speed violation is charged.
- (c) The rate of speed of any vehicle may be timed on any highway in the township by a police officer using a mechanical or electrical speed timing device. All mechanical, electrical or electronic devices shall be of a type approved by the Department of Transportation of the Commonwealth, which shall appoint stations for calibrating and testing the devices and which may prescribe regulations as to the manner in which calibrations and tests shall be made. The devices shall have been tested for accuracy within a period of sixty (60) days prior to the alleged violation. A certificate from the station showing that the calibration and test were made within the required period, and that the device was accurate, shall be competent and prima facie evidence of those facts in every proceeding where a mechanical, electrical or electronic device test is used to determine the rate of speed.

Section 3. Stop Intersections Established

(a) The following intersections are established as stop intersections, and official stop signs are or shall be erected thereon in such a position as to face traffic approaching the second named street on the first named street. Every driver of a vehicle approaching the intersection on the first named or stop street shall stop the vehicle as required by Section 3323(b) of the Vehicle Code or any subsequent section of the Code which pertains to stop signs and yield signs, and shall not proceed into or across the second named or intersecting or through street until he has followed all applicable requirements of that section of the law.

- (1) On township road 809 at the intersection of Pennsylvania State Highway Route 16, ^{formerly LR 0016} at Fountain Dale.
- (2) On township road 809 at the intersection of Pennsylvania State Highway Route 16, ^{Former LR 0016} at Green's Hill.
- (3) On township road 809 at the intersection of ST Legislative Route ~~01053~~, ³⁰²¹ formerly LR 01053.
- (4) On township road 303 at the intersection of Legislative Route ~~01053~~, ³⁰²¹ formerly LR 01053.
- (5) On township road 303 at the intersection of Legislative Route ~~01015~~, ^{SR 3014} former LR 01021.
- (6) On township road 305 at the intersection of ^{state} Legislative Route ~~01015~~, ³⁰¹⁴ formerly LR 01021.
- (7) On township road 321 at Pennsylvania State Highway Route 116, on the southeast side.
- (8) On township road 321 at the intersection of Pennsylvania State Highway Route 116, ^{formerly LR 44} on the northwest side.
- (9) On township road 321 at the intersection of ^{state} Legislative Route ~~01001~~, ³⁰¹¹ formerly LR 01001.
- (10) On township road 307 at the intersection of ^{state} Legislative Route ~~01001~~, ³⁰¹¹ on the east side.
- (11) On township road 307 at the intersection of ^{state} Legislative Route ~~01001~~, ³⁰¹¹ on the west side.
- (12) On township road 308 at the intersection of township road 307.

(13) On township road 307 at the intersection of township road 304 (west side).

(14) On township road 307 (^{NORTH} east side) at the intersection of township Route 304.

(15) On township road 304 at the intersection of township road 307 at the northwestern corner of Route 304.

(16) On township road 301 at the intersection of township road 304.

(17) On township road 331 at the intersection of ~~Legislative~~ ^{SE} Route ~~01001~~, ^{Formerly L.R. 01001} ₂₀₁₁

(18) On township road 315 at the intersection of ~~Legislative~~ ^{SE} ~~Route 01001~~. _{Truck 314 Form}

(19) At the intersection of Thunder Trail and ~~Legislative~~ ^{SE} Route ~~01015~~, ^{Formerly L.R. 01021} ₂₀₁₄

~~(20) On township Route 300 at the intersection with township Route 305.~~

(b) Any person who violates any provisions of this section shall, upon conviction, be sentenced to pay a fine of \$25.00 and costs.

ARTICLE III

RESTRICTIONS ON WEIGHT AND TYPE OF VEHICLES

Section 1. Vehicle Weight Limits Established on Certain Roads

(a) It shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of ten tons on that portion of Cold Spring Road (T-307) at its intersection with Legislative Route 01001 - Carrolls Tract Road to the Highland Township line.

(b) Any person who violates subsection (a) hereof shall be guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75.00 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight.

Section 2.

(a) It shall be unlawful for any person to drive a vehicle other than a passenger car or standard pick-up truck on Route 321

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- (1) 809 Old 16 thru Fountain Dale at Rt 16
- (2) 809 Old 16 at Rt 16 before JACKS Mountain Rd.
- (3) 809 Old 16 at JACKS Mountain Rd. 01053
- (4) 303 Zoo Rd at 01053 JACKS Mountain Rd.
- (5) 303 Zoo Rd at leg Rt 01015 ⁰¹⁰²¹ ~~Fairfield Station Rd~~ ^{Iron Springs Rd} ?
- (6) 305 Lower Gum Springs Rd at leg ~~Rt 01015~~ ?
Should be 01021 IRON SPRINGS Rd.
- (7) 321 Bullfrog Rd at PA RT 116
- (8) 321 Bullfrog Rd at PA RT 116 on NW side
- (9) 321 Bullfrog Rd at Leg Rt 01001 Carrolls Tract Rd.
- (10) 307 Cold Springs Rd at Leg Rt 01001 Carrolls Tract Rd
East Side
- (11) 307 Cold Springs Rd at Leg Rt 01001 Carrolls Tract Rd
West Side
- (12) 308 Moritz Rd at 307 Cold Springs Rd
- (13) 307 Cold Springs at 304 Newman Rd (west side)
- (14) 307 Cold Springs ^{east side} at 304 Newman Rd
- (15) 304 Newman Rd at 307 Cold Springs Rd at
NW corner of route 304
- (16) 301 Baker Rd at 304 Newman Rd.
- (17) 331 Knox Rd at leg Rt 01001 Carrolls Tract Rd
- (18) 315 Hickory Bridge Rd at Leg Rt 01001 Carrolls
Tract Rd. ?
- (19) Thunder Trail at Leg Rt ⁰¹⁰²¹ ~~01015~~ Iron Springs Rd ?

between Route 116 and Legislative Route 01001 (Carrolls Tract Road). Provided, however, that nothing in this section shall prohibit any person from driving an emergency vehicle on said road or part of road, or from driving a truck or other commercial vehicle making local deliveries to or pick-ups from premises located along said road.

- (b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25.00 and costs.

ARTICLE IV

PARKING

Reserved.

ARTICLE V

INTERPRETATION AND REPEAL

Section 1. Severability

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is declared as a legislative intent that this Ordinance would have been enacted had that unconstitutional, illegal, or otherwise invalid provision not have been included in the Ordinance.

Section 2. Provisions to be Continuation of Existing Regulations

The provisions of this Ordinance, so far as they are the same as those of ordinances and regulations in force immediately before the enactment hereof, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Ordinance shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

Section 3. Repeal of Certain Prior Ordinances

The following ordinances or Hamiltonban Township which previously pertained to traffic regulations are hereby repealed:

- (a) Ordinance No. 3-67 regulating stop intersections enacted November 6, 1967.

- (b) Ordinance No. 73-2 creating speed zones within Hamiltonban Township enacted October 1, 1973.
- (c) Ordinance No. 6-64 establishing weight limits for vehicles on township roads, enacted September 21, 1964.

Section 4. Effective Date

This Ordinance shall take effect August 11, 1983.

DULY ENACTED AND ORDAINED this 11th day of July, 1983,
by the Board of Supervisors of Hamiltonban Township, ~~Adams~~ County,
Pennsylvania.

ATTEST:

Doulene D. Selmer
Secretary

Stephen M. Jacobs
President
CHRYSLER