

**NEWBERRY TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 413

**AN ORDINANCE OF NEWBERRY TOWNSHIP, YORK COUNTY,
PENNSYLVANIA, REPEALING ORDINANCE NO. 408 AND
REGULATING VEHICLE TRAFFIC ON RIVER ROAD AND
MIDWAY ROAD, IN NEWBERRY TOWNSHIP**

WHEREAS, Newberry Township, York County, Pennsylvania (the “**Township**”) is a second class township and municipal corporation organized under the Pennsylvania Second Class Township Code; and

WHEREAS, 75 Pa.C.S. §§ 4902(b) & 6109(a) authorize the Township by ordinance to impose vehicle size regulations on Township streets; and

WHEREAS, the Township engineer has performed traffic studies on River Road and Midway Road within the Township and recommended certain vehicle size regulations on said streets; and

WHEREAS, the Township had previously enacted Ordinance No. 408 to restrict vehicles of certain lengths on River Road and Midway Road; and

WHEREAS, the Board of Supervisors believe it is in the best interest of the health, safety, and welfare of the residents of the Township to repeal and replace Ordinance No. 408 and to restrict vehicles exceeding certain lengths in the manner recommended by the Township engineer as set forth herein.

NOW, THEREFORE, be it ordained and enacted and it is hereby ordained and enacted as follows:

Section 1. Vehicle Length Restrictions on Midway Road

A. For the entirety of Midway Road, motor vehicles and combinations (as defined in 75 Pa.C.S. § 102), inclusive of any load and bumpers, exceeding thirty-six (36) feet in length shall be prohibited.

B. Notwithstanding the foregoing, local deliveries shall be exempt from this restriction, as permitted under 75 Pa.C.S. § 4902(b). Local deliveries shall be defined as any delivery to or pick up from a specific address on Midway Road or to any streets only accessible by way of Midway Road. Using Midway Road as a thoroughfare shall not constitute a local delivery, unless there are no other reasonable alternative routes available to the restricted vehicle.

C. School buses and emergency vehicles shall be exempt from this restriction, as permitted under 75 Pa.C.S. § 4902(b).

Section 2. Vehicle Length Restrictions on River Road

A. For the entirety of River Road, motor vehicles and combinations (as defined in 75 Pa.C.S. § 102), inclusive of any load and bumpers, exceeding thirty-six (36) feet in length shall be prohibited.

B. Notwithstanding the foregoing, local deliveries shall be exempt from this restriction from Cly Road to 365 River Road, as permitted under 75 Pa.C.S. § 4902(b). All such exempt restricted vehicles shall only enter River Road by way of a right-hand turn from Cly Road. All local deliveries exiting River Road shall be restricted to left-hand turns onto Cly Road. Local deliveries shall be defined as any delivery to or pick up from a specific address on River Road or to any streets only accessible by way of River Road. Using River Road as a thoroughfare shall not constitute a local delivery, and restricted vehicles shall be prohibited from entering River Road from York Haven Road or from exiting River Road onto York Haven Road.

C. School buses and emergency vehicles shall be exempt from this restriction, as permitted under 75 Pa.C.S. § 4902(b).

Section 3. Penalties for Violations

Violations of this Ordinance shall be subject to the penalties as set forth in 75 Pa.C.S. § 4902(g), as revised from time to time.

Section 4. Repealer

This Ordinance explicitly repeals and replaces Ordinance No. 408. Further, all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. Effective Date

The Ordinance shall become effective five (5) days after date of enactment as provided by law.

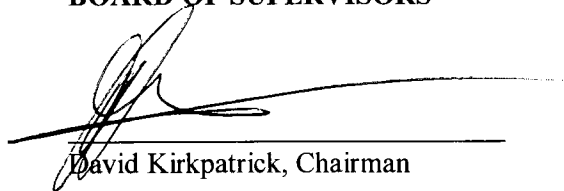
ORDAINED AND ENACTED this 25th day of February, 2020.

ATTEST:

**NEWBERRY TOWNSHIP
BOARD OF SUPERVISORS**



Secretary



David Kirkpatrick, Chairman

(SEAL)

CERTIFICATE

I, the undersigned, Secretary of the Board of Supervisors of the Township of Newberry, York County, Pennsylvania (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which was duly enacted by 4 to 1 affirmative vote majority of the members of the Board of Supervisors of the Township at an open public meeting held after notice required by law on Feb. 25, 2020, and that said Ordinance has been recorded in the Ordinance Book of the Township; that said Ordinance was duly published as required by law; and that said Ordinance remains in effect, unaltered and unamended as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township on this 25th day of February, 2020.



, Secretary

