

ORDINANCE NO. 2017-01

**AN ORDINANCE OF ELDRED TOWNSHIP REDUCING THE VEHICLE SPEED
LIMIT ON MEIXSELL VALLEY ROAD, T389; AND PROVIDING FOR OTHER
MISCELLANEOUS MATTERS**

WHEREAS, Eldred Township, Monroe County, Pennsylvania, is a Pennsylvania second class township, organized and operating under the Pennsylvania Second Class Township Code (“Township Code”), 53 P.S. Sec. 65101, et seq.; and

WHEREAS, pursuant to Sec. 1505 of the Township Code, 53 P.S. Sec. 66505, the corporate powers of the Township shall be exercised by the Township Board of Supervisors; and

WHEREAS, Section 1506 of the Township Code, 53 P.S. Section 66506, authorizes the Board of Supervisors to make and adopt any ordinances, by-laws, rules and regulations not inconsistent with or restrained by the Constitution and the laws of this Commonwealth necessary for the proper management, care and control of the Township, and its finances and maintenance of peace, good government, health, and welfare of the Township and its citizens, trade, commerce and manufactures; and

WHEREAS, the Pennsylvania Motor Vehicle Code (the “Vehicle Code”), Title 75 Pa.C.S.A., authorizes the Township to regulate the speed of vehicles on Township roads; and

WHEREAS, pursuant to such authority, the Township previously established a vehicle speed limit on Meixsell Valley Road, T389;

WHEREAS, the Township has received complaints that the speed of vehicles, and the current speed limit, on Meixsell Valley Road, T389, constitute a danger to other vehicles, pedestrians, adjacent property owners, or other users of the Township Road;

WHEREAS, the Township Roadmaster, after being a duly qualified by the Commonwealth for such purposes, has completed a traffic study, concluding that the speed limit on Meixsell Valley Road, T389, should be reduced for safety reasons;

WHEREAS, the Board of Supervisors has determined, based on such complaints and the Roadmaster’s study, that a reduction of the Meixsell Valley Road, T389, speed limit is appropriate;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Eldred Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

Section 1. Meixsell Valley Road Vehicle Speed Limit. No vehicle shall be operated on Meixsell Valley Road, T389, between the intersection with Fiddletown Rd. SR 3005 and the Eldred Township boundary at any time in excess of 40 miles per hour.

Section 2. Signage. Proper signage which conforms to the requirements of the Pennsylvania Department of Transportation shall be erected, and/or maintained, as the case may be, on Meixsell Valley Road giving notice of the vehicle speed limit.

Section 3. Penalty for Violation. Any operator of a vehicle who shall exceed the established speed limit for Meixsell Valley Road, T389, shall upon conviction thereof, be sentenced to pay a fine as provided pursuant to the Vehicle Code.

Section 4. 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 remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that such remainder shall be and shall remain in full force and effect.

Section 3. Repealer. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith. To the extent the provisions of this Ordinance are the same as any provisions of an ordinance in force immediately prior to adoption of this Ordinance, the provisions of this Ordinance are intended as a continuation of such prior provisions and not as new provisions. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall such provisions affect any suit or prosecution pending or to be initiated to enforce any right or penalty or to punish any offense under the authority of any ordinance in force prior to adoption of this Ordinance.

Section 3. Effective Date. This Ordinance shall take effect five (5) days after the date of its enactment.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Eldred Township, Monroe County, Pennsylvania this ____th day of _____, 2017.

TOWNSHIP OF ELDRED
BOARD OF SUPERVISORS

Chairperson

Vice Chairperson

Supervisor

(TOWNSHIP SEAL)

Township Secretary