

BOROUGH OF CHAMBERSBURG
FRANKLIN COUNTY, PENNSYLVANIA

ORDINANCE NO. 2022- _____

AN ORDINANCE OF THE BOROUGH OF CHAMBERSBURG, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 286-16 TO ADD A NEW SECTION 286-16.1 PROHIBITING THE OPERATION OF MOTOR VEHICLES EXCEEDING A SPECIFIED LENGTH ON CERTAIN BOROUGH HIGHWAYS AND ROADWAYS; AND FURTHER RESTRICTING THE ACCESS OF MOTOR VEHICLES REGULATED UNDER THE FEDERAL SURFACE TRANSPORTATION ASSISTANCE ACT (“STAA”) AND EXCEEDING FIFTY (50) FEET IN TOTAL LENGTH FROM OPERATING ON SPECIFIED SECTIONS OF PROGRESS ROAD

WHEREAS, the Borough Code, 8 Pa. C.S. § 101, *et seq.*, at Section 1202(5), authorizes the Borough of Chambersburg (the “Borough”) to make regulations as may be necessary for the health, safety, morals, general welfare, cleanliness, convenience, comfort, and safety of the Borough; and

WHEREAS, Section 1203 of the Borough Code, 8 Pa. C.S. §1203, authorizes the Borough to make and adopt all ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of the Pennsylvania and laws of this Commonwealth as may be expedient or necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, safety and welfare of the Borough; and

WHEREAS, Section 6109(a)(7) of the Pennsylvania Vehicle Code, 75 Pa. C.S. §6109(a)(7), authorizes a Borough to impose motor vehicle size and weight restrictions and prohibit the operation of such vehicles upon highways and bridges under the jurisdiction of the Borough when it is determined hazardous traffic conditions or other safety factors require such a prohibition or restriction; and

WHEREAS, the Town Council for the Borough of Chambersburg (“Town Council”) has already adopted motor vehicle weight regulations prohibiting vehicles exceeding a specific weight from operating on certain Borough highways, codified at Section 286-16, respectively, of the Code of the Borough of Chambersburg (the “Code”); and

WHEREAS, the Mayor and Town Council of the Borough have determined it is in the best interest, health, safety, and general welfare of the residents and visitors of the Borough to amend certain provisions of Chapter 286 of the Code to prohibit the operation of motor vehicles exceeding a specified length on certain Borough highways and roadways; and

WHEREAS, notwithstanding the requirement that a Borough is not required to complete an independent engineering or traffic study when restricting the operation of motor vehicles regulated under the federal Surface Transportation Assistance Act (“STAA”) beyond the access limitations prescribed under 23 CFR 658.19 (*See*.75 Pa. C.S. §6109(e)), the Borough has studied and documented the use of the Borough-road known as Progress Road by tractor-trailers and other large motor vehicles; and

WHEREAS, the Borough has determined the operation of motor vehicles regulated by the federal Surface Transportation Assistance Act (“STAA”) and exceeding fifty (50) feet in total length (including any trailer attached thereto), along Progress Road between Benedict Drive and Orchard Drive, endangers the health, safety, and general welfare of residents and children who live within the neighborhood through which Progress Road passes; and

WHEREAS, the Borough has determined that the segment of Progress Road between Benedict Drive and Orchard Drive is a neighborhood road for which motor vehicles regulated by the federal Surface Transportation Assistance Act (“STAA”) and exceeding fifty (50) feet in total length (including any trailer attached thereto) are not compatible; and

WHEREAS, the Mayor and Town Council of the Borough of Chambersburg have determined it is in the best interest health, safety, a general welfare of the residents and children whom live in the residential neighborhood through which Progress Road passes to amend certain provisions of Chapter 286-16.2 of the Code to prohibit motor vehicles regulated by the federal Surface Transportation Assistance Act (“STAA”) and exceeding fifty (50) feet in total length (including any trailer attached thereto) from operating on Progress Road between the sections of Benedict Drive and Orchard Drive,

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and Town Council of the Borough of Chambersburg, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

SECTION 1. Chapter 286 of the Code is hereby amended to add a new Section 286-16.1, to be entitled “Vehicle Length Limits”, which shall state as follows:

- A. It shall be unlawful for any person to operate any class or type of motor vehicle, tractor, trailer or tractor-trailer combination having a total length in excess of that herein respectively prescribed upon any of the following highways or portions thereof, unless expressly exempted:

Highway	Location	Class or Type of Vehicle	Total Length
Progress Road	Between Benedict Drive and Orchard Drive	Vehicles regulated by the federal Surface Transportation Assistance Act (“STAA”)	Exceeding a total length of fifty (50) feet (including any trailer attached thereto)

B. Exemptions.

- (1) School buses operating on regular routes
- (2) Emergency Vehicles
- (3) Vehicles of government agencies or public utilities or their contractors
- (4) Local Deliveries.

SECTION 2. Repealer. All provisions of previous Ordinances of the Borough, which are contrary to this Ordinance, are expressly repealed.

SECTION 3. Savings Clause. In all other respects, the Ordinances of the Borough of Chambersburg shall remain as previously enacted and ordained.

SECTION 4. Severability. The provisions of this Ordinance are severable, and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provision shall not affect or impair any remaining sections, clauses, or sentences of the same.

SECTION 5. Effective Date. This Ordinance shall become effective in accordance with law.

ENACTED, ORDAINED, AND APPROVED this _____ day of _____, 2022.

ATTEST:

Allen B. Coffman
President of Town Council

Jamia L. Wright
Secretary of Town Council

Kenneth Hock
Mayor