

**WARRIOR RUN BOROUGH  
LUZERNE COUNTY, PENNSYLVANU**

**ORDINANCE NO. 2 of 2020**

**ORDINANCE NO. 2 of 2020 AN ORDINANCE OF THE BOROUGH OF  
WARRIOR RUN, ESTABLISHING MAXIMUM TRUCK SIZE RESTRICTIONS ON BOROUGH  
STREETS AND PROVIDING FOR POSTING AND PENALTIES FOR VIOLATIONS THEREOF.**

*WHEREAS*, the Borough of Warrior Run recognizes the need for length and height limits regarding vehicles traveling upon certain Borough roads in order to maintain the public safety of the Borough roads and protect the health, safety and welfare of those residents and others traveling within the Borough; and

*WHEREAS*, the Pennsylvania Motor Vehicle Code establishes certain restrictions and authorizes municipalities to regulate the same; and

*WHEREAS*, the Borough Council of the Borough of Warrior Run determines it is in the best interest of the Borough and its residents to regulate by local Ordinance the size (length and height) of vehicles traveling on certain Borough roads by prohibition, permit issuance and prescribing penalties for violations; and

*NOW, THEREFORE*, be it enacted and ordained and it is hereby enacted and ordained by the Borough Council of Warrior Run Borough as follows:

- 1) By reason of hazardous traffic conditions on the streets and the parts of streets within the Borough, by authority granted by §4902(a) of the Vehicle Code, 75 Pa C.S.A. §4902(a) it shall be unlawful for any person or persons to drive any vehicle or combination of vehicles over the length of not more than 42 feet and over the height of not more than 12'6" feet over the following streets:

FRONT STREET  
ORCHARD STREET  
BEAUMONT STREET  
CHESTNUT STREET

- 2) Any person who violates any provision of this section shall be prosecuted under §4902(a) and §4902 (g) (1) of the Vehicle Code, 75 Pa C.S.A. 4902(a), §4902(g) (1) and upon conviction shall be sentenced to pay a fine of \$ 300.00 and costs.

- 3) For the purpose of clarity, the following words when used in this Ordinance shall have the following meanings, unless the context clearly indicates otherwise:

- Motor Vehicle - any vehicle or combination as defined and/or governed by the MVC, 76 Pa. C.S.A. §101 et seq., as amended.

- \* Local Traffic- emergency vehicles and school buses, defined hereinafter, vehicles and combinations or governmental entities and utilities where their contractors are engaged in construction or maintenance on a posted highway or in an allocation which can be reached only via a posted highway, and vehicles and combinations going to or coming from a residence or farm located on a posted highway or which can be reached only via a posted highway.

- \* Emergency Vehicle- a fire department vehicle, police vehicle, ambulance. Armed Forces emergency vehicle, one private vehicle of a fire or police chief or assistant chief, or ambulance agent, or other vehicle designated by the State Police under §105 of the "Vehicle Code" (relating to designation of emergency vehicles by Pennsylvania State Police).
  - \* School Bus- a motor vehicle designated for carrying more than ten (10) passengers, exclusive of the driver, and used for the transportation of school children.
- 4) The Borough Council may, by resolution, delegate the authority to approve permits and set security to another official of the Borough Council, if it so chooses.
  - 5) All Council actions taken under the authority of this section shall be taken in accordance with the rules and regulations adopted by the Commonwealth of Pennsylvania, Department of Transportation, as found in Title 57 of the Pennsylvania Code.
  - 6) The Borough of Warrior run shall erect or cause to be erected restriction signs designating the restrictions at the beginning of the portion of road restricted as provided in the Ordinance and in the case of a restriction on a road which does not begin at an intersection with an unrestricted highway or roadway, the Borough shall also place an advance informational sign at the intersection nearest each end of the restricted portion of the road which would allow drivers to avoid the restricted portion of road.
  - 7) The provisions of this Ordinance are severable and if any sentence, clause, or section 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, or sections of this Ordinance. It is hereby declared to be the intent of the Borough Council of Warrior Run that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause or section not been included herein.
  - 8) All prior Ordinances and Resolutions of the Borough of Warrior Run which is in conflict herewith are hereby repealed.
  - 9) This Ordinance shall become effective five (5) days after enactment.

**ENACTED AND ORDAINED** by the Council of Warrior Run Borough on the 10th day of NOVEMBER 2020.

ATTEST:

  
Thomas Kniedinger, Secretary

  
Tom Shypulefski, Mayor

WARRIOR RUN BOROUGH

By   
Larry Carbohn, Council President