

ORDINANCE NO.3 OF 2002

FISHING CREEK TOWNSHIP, COLUMBIA COUNTY,
PENNSYLVANIA

ESTABLISHING CERTAIN MAXIMUM SPEED LIMITS UPON CERTAIN
TOWNSHIP ROADS, AND PRESCRIBING PENALTIES FOR VIOLATION.

WITNESSETH AS FOLLOWS:

WHEREAS, the Board of Supervisors, (the "Board"), of Fishing Creek Township, (the "Township"), has caused to be completed certain traffic studies with respect to various Township streets and highways; and

WHEREAS, as a result of such studies, the Board has determined that the imposition of certain traffic regulations is necessary and proper for the safety and welfare of the residents, citizens and users of Township streets and highways.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1: Maximum Speed Established on Certain Streets. Maximum speed limits are established on portions of specified streets, 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:

<u>Street</u>	<u>Maximum Speed</u>
Bendertown Road, (TR-878), to and from Ridge Road and the Township line, approximately 1.49 miles	40 m.p.h.
Bendertown Road, (TR-878), to and from Zaners Bridge Road and Ridge Road, approximately .76 mile	40 m.p.h.

Section 2. Penalties for Violation. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of thirty-five (\$35.00) dollars. Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of two (\$2.00) dollars per mile for each mile in excess of five miles per hour over the maximum speed limit.

Section 3. Authority to Township Police Officers.

A. All police officers appointed by the Township are authorized to enforce the provisions of this Ordinance.

B. The Township hereby authorizes the usage of all speed timing devices as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with Section 3368 of the Vehicle Code and all regulations pursuant thereto, for the purpose of determination of the speed of vehicles. This Section authorizes the use of said devices upon all highways within the Township, be they Township, County or State highways and is an election to exercise all powers granted to "local authorities" under the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa.C.S.A. §6101 et seq., as currently in effect and as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

Section 4. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 5. 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 of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance shall be construed as adopted without the unconstitutional, illegal, or invalid sentence, clause, section, or part.

Section 6. Effective Date. This Ordinance shall become effective at the earliest possible date following its enactment.

SO ENACTED, on this the 5th day of June, 2002, at the regularly scheduled public meeting of the Board of Supervisors of Fishing Creek Township, after due and proper notice in the Press Enterprise, a newspaper of general circulation in the Township.

BOARD OF SUPERVISORS

Randy A. Hack

Roy W. Beishline

Randall Laubach