

ORDINANCE NO. 148-2013

AN ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 26A-1993 FURTHER AMENDED BY ORDINANCE NO. 83-1999, BY AMENDING ARTICLE II, TRAFFIC REGULATIONS, SECTION 8, MAXIMUM SPEED LIMITS, REDUCING THE SPEED LIMIT ON A PORTION OF PLUM ROAD TO TWENTY-FIVE (25) MILES PER HOUR; AUTHORIZING THE BOROUGH TO PLACE SIGNS ALONG PLUM ROAD INDICATING THE ABOVE-REFERENCED MAXIMUM SPEED LIMIT; AND AMENDING ORDINANCE NO. 83-1999, ARTICLE II, TRAFFIC REGULATIONS, BY ADDING A NEW SECTION 9.A. PENALTIES FOR VIOLATION

WHEREAS, the Board of Supervisors of the Township of Centre, Berks County, Pennsylvania (the "Township") is authorized pursuant to the Township Code to enact ordinances to protect public health, safety, and welfare;

WHEREAS, it has come to the attention of the Township that there is inadequate (safe) sight distance for the current posted speed limit of thirty-five (35) miles per hour on a portion of Plum Road, particularly at the intersection of Plum and Ernst Roads;

WHEREAS, the Township Engineer has explored other options to correct the sight distance deficiency and has determined all other possible remedies were not feasible and could not be implemented due to constraints at said intersection;

WHEREAS, the Township Engineer has determined that the best course of action to resolve the sight distance deficiency is to reduce the speed limit on a portion of Plum Road;

WHEREAS, under the Pennsylvania Motor Vehicle Code Title 75 PA. C.S. §362 and 6109(a)(10), 6109(b)(1), 6109(c), and 6109(e), a municipality is authorized to reduce the maximum speed limit for vehicles on roads under its control without the need for a traffic study, if other alternatives to correct the situation have been exhausted and determined not to be feasible;

NOW, THEREFORE, BE IT ENACTED by the Board of Supervisors of the Township of Centre, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. Plum Road Speed Limit. Ordinance No. 26A-1993, Article II, Traffic Regulations, Section 8, Maximum Speed Limits, further amended by Ordinance No. 83-1999, governing maximum speed limits established on portions of certain roads, or for the entire length of certain roads, is hereby amended and restated as to Plum Road as

follows:

<u>"Road</u>	<u>From/To</u>	<u>Miles Per Hour</u>
Plum Road	Intersection with North Garfield Road to Intersection with Ernst Road (approximately 0.6 of a mile)	25"

Section 2. Signage. The Township shall place two (2) speed limit signs of the form and type approved and authorized by the Pennsylvania Department of Transportation ("PADOT"), in the manner required under PADOT regulations, setting forth the aforementioned maximum speed limits along the affected roadway (Plum Road).

Section 3. Penalties for Violations. Ordinance No. 26A-1993, Article II, Traffic Regulations, is amended to add Section 9.A. Penalties for Violations as follows:

"Section 9.A. Penalties for Violation. Any person who shall operate a vehicle at a speed in excess of that established herein, upon any street or portion thereof set forth hereinabove, shall, upon conviction thereof, be sentenced to pay a fine of not less than Thirty-Five Dollars (\$35.00), plus costs of prosecution and any other fees and/or penalties that may be legal imposed by the Court of competent jurisdiction. Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of Two Dollars (\$2.00) per mile per hour for each mile per hour in excess of five (5) miles per hour over the maximum speed limit. Any person so convicted, in default of the payment of such fine and costs, shall be imprisoned, to the extent allowed by law, until payment of said fine and costs.

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 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 would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 5. Repealer. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective five (5) days from the date of enactment hereof.

DULY ENACTED AND ORDAINED this 11th day of March, 2013.

TOWNSHIP OF CENTRE

By: Bay L. Y. Q.
Supervisor

By: Paul W. W.
Supervisor

By: Lee A. Schleppeich
Supervisor

Attest: Debra G. G. (SEAL)
Secretary