

ORDINANCE NO. 2004-7

AN ORDINANCE AMENDING CHAPTER 58 OF THE BOROUGH OF NORTHUMBERLAND CODE TO ADD A NEW PROVISION LIMITING THE USE OF CERTAIN COMMERCIAL VEHICLES IN DESIGNATED AREAS OF THE BOROUGH AND ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, Borough Council has determined that noise in the Borough caused by certain commercial truck traffic is an increasing problem which must be addressed; and

WHEREAS, Borough Council has determined that the need for commercial truck traffic in the Borough must be balanced against the desire of its residents to live in a peaceful and tranquil community; and

WHEREAS, the purpose of this Ordinance is to amend Chapter 58 of the Borough of Northumberland Code to add a new provision which limits the use of certain commercial vehicles in designated areas and to establish penalties for violations.

NOW, THEREFORE, it is hereby enacted and ordained as follows:

1. A new Section 58-48, etc., is hereby enacted to provide as follows:

58.48. A. Definitions.

- a. Commercial Vehicle-Any vehicle licensed as a commercial vehicle.
- b. Truck-Any vehicle with a gross weight equal to or exceeding ten thousand (10,000) pounds, including, but not limited to, twin axle or multiple axle trucks, vans, or tractor-trailers of any configuration.

58.49. Rules and Regulations.

- a. It shall be unlawful for any person to operate a commercial vehicle or truck upon any street, alley or other public roadway or portion thereof in the Borough of Northumberland, except as follows:

2-

<u>Name of Street</u>	<u>Limits</u>
Duke Street	From Water Street to west Borough line
Water Street	From the entrance on US Route 11 at the Bridge to the North Borough line on US Route 11
King Street	From the entrance on State Route 147 at the Bridge to Front Street
Front Street	From the North Borough line to King Street
Eighth Street	From Duke Street to Orange Street

B. Commercial vehicles and trucks shall be permitted upon any street, avenue, alley or other public roadway not mentioned in this section for the purpose of making deliveries or picking up goods, wares, merchandise or other material from premises situate upon any such street, avenue, alley or other public roadway.

58.50-Exclusions. The provisions contained herein shall not apply to fire prevention apparatus, garbage removal equipment, snow removal equipment, emergency equipment, or other vehicles destined to make repairs of any type within the Borough.

58.57-Penalties. Any individual, business or legal entity which violates the terms and conditions of this Ordinance shall, upon conviction, be fined the sum of [All penalties for this section of the Borough Code shall be determined by council resolution].

58.52-Effective Date. This Ordinance shall be effective as of _____, 2004.

3-

ENACTED AND ORDAINED into an Ordinance this _____ day of _____, 200____ by the Northumberland Borough Council in the lawful public session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

Secretary

Mayor