

**BOROUGH OF COOPERSBURG
LEHIGH COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2022 - 682

**AN ORDINANCE PROHIBITING VEHICLES LONGER THAN THIRTY-FIVE (35) FEET ON
SPRINGFIELD STREET BETWEEN EAST STATION AVENUE AND THE END OF THE
BOROUGH (SALEM ROAD) – EXCEPT FOR LOCAL DELIVERIES**

WHEREAS, Sections 6109(a)(7) and (13) of the Vehicle Code, 75 PA. CONS. STAT. §6109(a)(7),(13), permit municipalities to prohibit or restrict the use of highways at particular places or by particular classes of vehicles whenever the movement of the vehicles would constitute a safety hazard, and to prohibit or regulate the use of designated streets by any class or kind of traffic; and

WHEREAS, Section 212.117(c) of the Department of Transportation Regulations, 67 PA. CODE §212.117(c), provides that traffic on a highway may be restricted by size of vehicle when, the following condition is found to be present: A highway has inadequate turning radii or horizontal width at one or more locations; and

WHEREAS, Section 212.4(b) of the Department of Transportation Regulations, 67 PA. CODE §212.4(b), provides that engineering and traffic studies can be performed by police officers, and that the establishment or revision of a traffic restriction may be warranted if one of the following applies: (1) one or more of the engineering and traffic study warrants covered in Chapter 212 of the regulations justifies the traffic restriction; or (2) sound engineering judgment based upon a combination of all data sources substantiates the need for the restriction; and

WHEREAS, an engineering and traffic study performed by the Chief of Police of the Coopersburg Police Department has concluded that Springfield Street, from East Station Avenue to Salem Road, has inadequate turning radii for vehicles greater than thirty-five (35) feet in length at all intersection locations, which has resulted in numerous incidents where portions of such vehicles have extended beyond the cartway when attempting to turn onto or turn off of Springfield Street, and that this condition justifies prohibiting vehicles longer than thirty-five (35) feet on Springfield Street, between East Station Avenue and Salem Road (Borough End), except for local deliveries; and

WHEREAS, Sections 6109(d) of the Vehicle Code, 75 PA. CONS. STAT. §6109(d), provides that no regulation or ordinance enacted under §6109(a)(7) or (13) shall be effective until official traffic-control devices giving notice of the traffic regulations or ordinances are erected upon or at the entrances to the highway or part thereof affected as may be most appropriate, and Section 212.117(d) of the Department of Transportation Regulations, 67 PA. CODE §212.117(d), provides that appropriate signs shall be erected within 25 feet of each end of a restricted portion of a highway whenever vehicles are prohibited under 67 PA. CODE §212.117(c); and

WHEREAS, Section 212.2 of the Department of Transportation Regulations, 67 PA. CODE §212.2, generally adopts the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD); and

WHEREAS, Council desires to prohibit vehicles longer than thirty-five (35) feet on Springfield Street between East Station Avenue and Salem Road; and

WHEREAS, In June and July of 2022, the Borough published a public notice in The Morning Call, a

newspaper of general circulation in the Borough of Coopersburg, of its intention to consider and adopt on this Ordinance; and

WHEREAS, Any person who violates any provision of this Ordinance section shall be prosecuted under the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of not less than \$150, plus costs, if no property damage has occurred, and double (\$300) if the commercial vehicle causes damage;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Borough Council of the Borough of Coopersburg, Lehigh County, Pennsylvania, as follows:

SECTION 1. Codified Ordinances §210-31 Article III (relating to Vehicles and Traffic and Limits on Certain Roads) is amended as:

§210-31 Truck Prohibition Areas Regulation of Vehicles by Kind, Class, Size, or Weight.

(a) Vehicles Longer than Thirty-five (35) Feet.

Vehicles longer than thirty-five (35) feet are prohibited in the following areas (except for local deliveries): Springfield Street, from East Station Avenue to Salem Road (End of Borough)

SECTION 2. As provided in Codified Ordinances §210 (relating to Vehicles and Traffic), the Borough shall erect and maintain official traffic control devices for all locations ordained under Codified Ordinances §210 as amended by this Ordinance, in accordance with regulations of the Pennsylvania Department of Transportation, including the applicable provisions of the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD).

SECTION 3. Fines established for violations at \$150 minimum or double if damage occurs.

This Ordinance shall take effect thirty (30) days after the date of passage of this Ordinance. All Ordinances regarding these roadways inconsistent with this ordinance are hereby repealed.

APPROVED AND ADOPTED this 20th day of September, 2022 at a duly advertised regular public meeting.

ATTEST:

**BOROUGH COUNCIL
BOROUGH OF COOPERSBURG**

Timothy Paashaus
Borough Manager

Dick Poot
President, Borough Council

AND NOW, this 20th day of September, 2022, the above is approved.

Gary Hovis, Mayor