

**BOROUGH OF VANDERGRIFT  
ORDINANCE NO. 2 OF 2022**

**AN ORDINANCE OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 470, ARTICLE IX OF THE VANDERGRIFT BOROUGH CODE TO ESTABLISH A WEIGHT LIMIT ON ARIZONA AVENUE.**

WHEREAS, the Borough of Vandergrift is empowered to establish Ordinances to protect the health, safety, and welfare of the public and for the benefit of the residents, citizens, and traveling public of the Borough of Vandergrift by and through the powers granted under and pursuant to the Borough Code of the Commonwealth of Pennsylvania at 8 Pa.C.S. Section 101 et. seq.

WHEREAS, Title 75 Pa.C.S. Section 4902(a) provides that the Commonwealth and local authorities, with respect to highways and bridges under their jurisdiction, may prohibit the operation of vehicles and may impose restrictions as to the weight or size of vehicles operated on a highway or bridge only when they determine by conducting an engineering and traffic study as provided for in department regulations that the highway or bridge may be damaged or destroyed unless use by vehicles is prohibited or the permissible size or weight of the vehicles is reduced.

WHEREAS, pursuant to Title 75 Pa.C.S. Section 4902(a), school buses, emergency vehicles, and vehicles making local deliveries or pick-ups may be exempted from restrictions on the use of highways imposed under Section 4902(a) of Title 75.

NOW THEREFORE, the Borough of Vandergrift does hereby enact and ordain as follows:

**1. SECTION 470-69. WEIGHT LIMITS ESTABLISHED ON CERTAIN STREETS.**

Section 470-69(A) of the Code of the Borough of Vandergrift shall be deleted in its entirety and shall be replaced with the following for clarity and for the purpose of adding provisions for Arizona Avenue and First Street:

- A. Under and pursuant to Title 75 Pa.C.S. Section 4902(a) of the Pennsylvania Motor Vehicle Code, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for the streets or the parts of the street (as the case may be) as follows:

<b>Street</b>	<b>Between</b>	<b>Maximum Gross Weight (tons)</b>
Delaware Avenue	Entire length of street	10
Pennsylvania Avenue	Entire length of street (SR 4054 to SR 0056)	10

Arizona Avenue	Entire length of street	5
First Street	Intersection of SR 0056 and First Street to intersection of First Street and Eighth Street	10

**2. SECTION 470-72. PERMITS AND SECURITY.**

Section 470-72 (A) of the Code of the Borough of Vandergrift shall be deleted in its entirety and shall be replaced with the following to clarify:

- A. Individuals or entities wishing to operate vehicles in excess of established weight limits on restricted-weight Borough roads may apply for a permit to do so on a form provided by The Borough of Vandergrift subject to any and all conditions, requirements and regulations of the Borough of Vandergrift and the Pennsylvania Department of Transportation. Said permit application will be referred to the Borough Secretary or other designated decision maker, who shall:

(The balance of Vandergrift Borough Code Section 470-72, namely, subsections A (1)-(3), B and C shall remain unchanged.)

**3. SECTION 470-16. VEHICLE WEIGHT LIMIT ESTABLISHED ON FIRST STREET.**

Section 470-16 of the Code of the Borough of Vandergrift shall be deleted in its entirety due to the weight limit for First Street being included within the amended Section 470-69(A).

4. **ENACTMENT.** This Ordinance shall be effective upon enactment.
5. **SEVERABILITY.** Any part or portion of this Ordinance that is deemed unconstitutional shall be stricken only as to the extent of said language. The balance of the Ordinance shall remain in full force and effect.
6. **CODIFICATION.** The provisions of this Ordinance shall be codified, annually, by update of the Code of the Borough of Vandergrift.

**THIS ORDINANCE BEING ORDAINED AND ENACTED THIS \_\_\_\_ DAY OF JULY, 2022 BY THE COUNCIL OF THE BOROUGH OF VANDERGRIFT AT A PUBLIC MEETING OF THE BOROUGH COUNCIL OF THE BOROUGH OF VANDERGRIFT IN VANDERGRIFT, PENNSYLVANIA.**

**BOROUGH OF VANDERGRIFT**

By:



**TOM HOLMES**, Vice President  
Vandergrift Borough Council

ATTEST:

 (SEAL)

**STEPHEN J. DELLEDONNE,**  
Borough Secretary

APPROVED:

  
LENNY COLLINI, Mayor