

CITY OF JEANNETTE  
WESTMORELAND COUNTY, PENNSYLVANIA

BILL NO. 18-07

ORDINANCE NO. 18-06

AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, AMENDING §§ 521.01 AND 527.05 OF THE CODIFIED ORDINANCES OF THE CITY TO ADOPT A REVISED TRUCK ROUTE MAP AND TO REQUIRE OVERWEIGHT VEHICLES TO USE SAID REVISED TRUCK ROUTE, OBTAIN A PERMIT, AND ENTER INTO AN EXCESS MAINTENANCE ROAD PROTECTION AND REPAIR AGREEMENTS WITH THE CITY; REPEALING ALL INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Jeannette has determined that overweight vehicle cause substantial damage to the streets, roads, and other infrastructure of the City of Jeannette; and

WHEREAS, the City Council of the City of Jeannette has determined that such street, road, and infrastructure damage creates substantial remediation and repair costs for the City; and

WEHEREAS, the City Council of the City of Jeannette has determined that overweight truck traffic and such street, road, and infrastructure damage creates public health and safety concerns for residents of the City; and

WHEREAS, the City of Jeannette has the power and authority to place weight limits on public streets, to require agreements to protect and bond roads; and

WHEREAS, the Third Class City Code, 53 P.S. § 37403(16), affords the City of Jeannette with the power “to prohibit nuisances;” and

WHEREAS, the Third Class City Code, 53 P.S. 37403(60), affords the City of Jeannette with the power “to make and adopt all such ordinances, by-laws, rules and regulations, not inconsistent with or restrained by the Constitution and laws of this Commonwealth, as may be expedient or necessary for the proper management, care and control of the city and its finances, and the maintenance of the peace, good government, safety and welfare of the city, and its trade, commerce and manufactures;” and

WHEREAS, §§ 521.03 and 515.02 of the Codified Ordinances of the City of Jeannette reserve the right and authorize the City Council of the City of Jeannette to amend the City’s traffic control map and traffic ordinances.

**BE IT ENACTED AND ORDAINED** by the City Council of the City of Jeannette, Fayette County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

**Section 1.** Revised Truck Route Map. The City hereby adopts the Truck Route Map attached hereto and incorporated herein as Exhibit A as the revised truck route map for the City of Jeannette, which revised Truck Route Map shall be a component of the Traffic Control Map of the City of Jeannette. The City's Traffic Control Map shall be revised and updated to include the revised Truck Route Map and all existing traffic signs, signals, zones, designations, and maps presently existing and not otherwise amended herein.

**Section 2.** Use of Local Highways by Commercial Vehicles. § 527.06 shall be amended to read, in its entirety, as follows:

527.06 USE OF LOCAL HIGHWAYS BY COMMERCIAL VEHICLES.

(a) Use of Local Highways. No person shall operate a vehicle exceeding a gross weight of five (5) tons upon any highway in the City other than a State route, except those local highways designated as truck routes and except when such operation is necessary to load or unload property, to go to or from the usual place of storage of such vehicle or to perform any other legitimate business or act other than passage through the City. Operators of vehicles so deviating from either a State route or a designated truck route within the City shall confine such deviation to that required in order to accomplish the purpose of the departure.

(b) Local Permits and Conditions. Upon application and for good cause, the City Clerk may issue a local permit authorizing an applicant to move a vehicle exceeding a gross weight of five (5) tons, an oversize vehicle, or an overweight vehicle, or combination of vehicles upon local highways, which local permit shall otherwise comply with Pennsylvania Department of Transportation laws and regulations.

The City Clerk may grant a permit for a single or round trip, or for such period of time, not to exceed one year, as the City Clerk, in his discretion and with the advice of the City Engineer and City Solicitor, or for the duration of any construction project. The City Clerk may limit or prescribe terms or conditions of operation for such vehicle or combination of vehicles by designating the route, hours, speed, or such other restrictions as may be necessary for the preservation of the public peace, property, health, and safety. The City Clerk shall require the applicant to enter into an excess maintenance road protection and repair agreement in a form substantially similar to the agreement attached hereto and incorporated herein as Exhibit B and to post a bond or other security necessary to compensate the City for any damage to a roadway or road structure.

For each such permit, the City Clerk shall charge an amount set by ordinance or resolution of the City Council and for each hour of time or any part thereof spent by each police officer in supervising the movement of such vehicle, the applicant shall pay an amount set by ordinance or resolution of the City Council.

Signs may be posted indicating such limitations to apprise drivers of the limitations imposed by this section. No driver shall disobey the instructions indicated on any such sign.

Violation of any of the limitations, terms, or conditions of the permit granted by the City

Clerk or the excess maintenance road protection and repair agreement shall be cause for immediate revocation or suspension of such permit, and denial of request for any future permit. Such violations shall also subject the violator to the penalty prescribed by Section 527.99.

**Section 3.** Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

**Section 4.** Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this ordinance is hereby repealed to the extent of any such conflict on the effective date of this ordinance.

**Section 5.** Effective Date. This Ordinance shall become effective ten (10) days after its enactment.

This Ordinance is duly ORDAINED AND ENACTED by a majority of the members of the City Council of the City of Jeannette at a duly advertised public meeting held on the 12th day of April, 2018.

CITY OF JEANNETTE

By: Curtis J. Antoniak  
Curtis J. Antoniak  
Mayor and President of Council

ATTEST: (SEAL)

Michelle Langdon  
Michelle A. Langdon  
City Clerk