

**TOWNSHIP OF WEST VINCENT
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 189-2020

AN ORDINANCE OF WEST VINCENT TOWNSHIP, CHESTER COUNTY, DESIGNATING A MAXIMUM SPEED LIMIT FOR A CERTAIN LOCAL TOWNSHIP ROAD, PROVIDING FOR THE POSTING OF SAID SPEED LIMIT AT REQUIRED INTERVALS.

WHEREAS, Hilltop Road (T495), between Flowing Spring Road (T513) and Sheeder Mill Road (T491), is a local Township road, located wholly within the municipal boundaries of West Vincent Township; and

WHEREAS, pursuant to the Sections 6109(a)(10) and (23) of the Pennsylvania Motor Vehicle Code (the "Code"), the Board of Supervisors wishes to properly establish and designate upon said Road a maximum speed limit of twenty-five (25) miles per hour, as allowed by the Commonwealth of Pennsylvania for said Road; and

WHEREAS, Section 3362(a)(1.2) of the Code establishes a maximum speed limit of twenty-five (25) miles per hour on roads in residential districts, provided that the road is not a numbered route and it is classified by the Pennsylvania Department of Transportation ("PennDOT") as a local highway; and

WHEREAS, the above-referenced portion of Hilltop Road is located in a residential district, is not a numbered route and is classified by PennDOT as a local highway; and

WHEREAS, Section 3363 of the Code provides that local authorities, upon the basis of an engineering and traffic investigation, may determine that the maximum speed limit permitted on a Township highway is greater or less than is reasonable and safe under the conditions found to exist, and that such local authorities may establish a reasonable and safe maximum limit; and

WHEREAS, the West Vincent Township Police Department has conducted a speed study on said portion of Hilltop Road and has determined that vehicles traveling thereon have traveled an average speed of 29 miles per hour; and

WHEREAS, under Section 3362(b)(1) of the Code, the maximum speed limit is effective only if the road is posted in accordance with PennDOT regulations at the beginning and end of each speed zone and at intervals of not greater than one-half (1/2) mile; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST VINCENT, AND IT IS ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME:

Section 1. No vehicle shall be operated upon the following road at any time at a speed in excess of twenty-five (25) miles per hour:

HILLTOP ROAD (T495) between Flowing Springs Road (T513) and Sheeder Mill Road (T491)

Section 2. There shall be procured all official signs and signals required under any of the Sections of this Ordinance or any future amendment hereof or additions hereto, which shall be erected, posted and maintained so as to properly give effect to the provisions of all of the sections of this Ordinance pursuant to 75 Pa.C.S. § 3362(b)(1), and so as to properly comply with law, including the requirements set forth in the rules and regulations of the Department of Transportation of the Commonwealth of Pennsylvania. To wit, the maximum speed limit for the above-referenced road shall be posted at the beginning and end of the speed zone and at intervals of not greater than one-half (1/2) mile, pursuant to 75 Pa.C.S. § 3362(b)(1).

Section 3. This Ordinance shall be enforced in accordance with the provisions of the Pennsylvania Motor Vehicle Code as it pertains to fines and other penalties. Any person in violation of any of the provisions of any section of this Ordinance shall upon summary conviction be sentenced to pay such fines and in default of payment shall undergo imprisonment as shall be provided in the Pennsylvania Motor Vehicle Code as now in effect or hereafter amended for summary convictions.

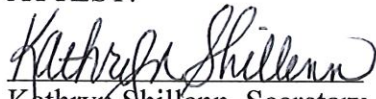
Section 4. Any provision of any prior Ordinance which may be in conflict with this Ordinance is hereby repealed insofar as a conflict may exist.

Section 5. Should any provision of this Ordinance be found unconstitutional or otherwise illegal or in any other manner unenforceable, the remaining sections of the Ordinance shall remain in full force and effect.

Section 6. This Ordinance shall take effect five (5) days after enactment thereof.

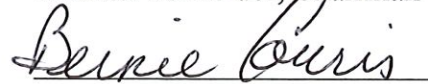
ORDAINED AND ENACTED this 15th day of June, 2020.

ATTEST:


Kathryn Shillenn, Secretary

WEST VINCENT TOWNSHIP
BOARD OF SUPERVISORS


Michael Schneider, Chairman


Bernie Couris, Vice Chairman


Sara Shick, Member