

TOWNSHIP OF SOUTH MIDDLETON
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 01-07

AN ORDINANCE ESTABLISHING STOP INTERSECTIONS AT WEST EPPLEY DRIVE AND ARLINGTON DRIVE, FENWICK DRIVE AND WEST EPPLEY DRIVE, AND FENWICK DRIVE AND ARLINGTON DRIVE AND PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the Township of South Middleton is a Local Authority under the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81), as amended (75 Pa C.S.A 101, et. seq.), having certain roads or highways under its jurisdiction; and

WHEREAS, pursuant to Section 6109 (e) of said Vehicle Code, said Township of South Middleton has caused certain engineering and traffic investigations to be made of certain of its roads or highways, and

WHEREAS, said investigations have determined that certain intersections require traffic control in order to promote safety to vehicular and pedestrian travel; and

WHEREAS, said Township of South Middleton deems it in the best interests of its residents and the users of said roads and highways to control intersections by "stop signs".

NOW, THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Township Supervisors in and for the Township of South Middleton, Cumberland County, Pennsylvania, as follows:

SECTION 1: PREAMBLE AND POLICY

The foregoing paragraphs or preamble are incorporated herein as the background and policy of this Ordinance.

SECTION 2: DEFINITIONS AND INTERPRETATION

Words and phrases used in this Ordinance shall have the meaning ascribed to them in the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81), as amended, except that in this Ordinance the word "road" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

SECTION 3: STOP INTERSECTIONS ESTABLISHED AND PENALTIES FOR VIOLATION THEREOF

- (a) The following intersections are hereby established as stop intersections and official stop signs shall be erected within the legal right-of-way limits in such a position as to face traffic approaching the intersection as hereafter set forth:
 - 1. West Epley Drive at its westbound approach to the intersection with Arlington Drive.
 - 2. Fenwick Drive at its southbound approach to the intersection with West Epley Drive.
 - 3. Fenwick Drive at its northbound approach to the intersection with Arlington Drive.
- (b) Every driver of a vehicle approaching the above mentioned intersection in the direction indicated in each case in Subsection (a) shall stop the vehicle as required by Section 3323 (b) of the Vehicle Code, and shall not proceed into, through or across said intersection of streets until he had followed all applicable requirements of that section of the Code.
- (c) Upon conviction by a District Justice shall pay a fine in an amount consistent with the applicable fine set forth in the Pennsylvania Motor Vehicle Code at the time of the violation.

SECTION 4: SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is declared to be the legislative intention that this Ordinance would have been enacted had the unconstitutional, illegal or otherwise invalid provisions not been included in the Ordinance.

SECTION 5: CONTINUATION OF EXISTING REGULATIONS

The provisions of this Ordinance insofar as they are the same as those ordinances and regulations in force immediately before the enactment of this Ordinance are intended as a continuation of those earlier ordinances and regulations. Nothing in this Ordinance shall affect any act done or any suit or prosecution pending or to be instituted under any earlier ordinances or regulations repealed or superseded hereby.

SECTION 6: REPEAL OF CERTAIN ORDINANCES

All prior ordinances of this Township insofar as they deal with the precise subject matter of this Ordinance are repealed and declared to be unenforceable insofar as they are inconsistent prosecution pending or to be instituted under any earlier ordinances or regulations repealed or superseded hereby.

SECTION 7: REPEAL OF CERTAIN PRIOR ORDINANCES

All prior ordinances of this Township insofar as they deal with the precise subject matter of this Ordinance are repealed and declared to be unenforceable insofar as they are inconsistent with any provision of this Ordinance.

SECTION 8: EFFECTIVE DATE

This Ordinance shall take effect in accordance with existing law.

ENACTED AND ORDAINED this 14th day of June 2001.

ATTEST:

BOARD OF SUPERVISORS
SOUTH MIDDLETON TOWNSHIP:

/s/ Sandra A. Quickel
Township Secretary

/s/ Phyllis W. Givler, Vice Chairman
/s/ Thomas E. Faley
/s/ R. Duff Manweiler