

ORDINANCE NO. 11

AN ORDINANCE RELATING TO THE CONDUCT OF LOGGING;
ESTABLISHING PROCEDURES THEREFOR; PROVIDING FOR
ADMINISTRATION AND ENFORCEMENT; PROVIDING FOR
PENALTIES; AND OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Second Class Township Code, Act of May 1, 1933,
P. L. 103, Article 1, Section 101, et seq., as amended, provided
Supervisors of Second Class Townships with the power, inter
alis, to promote the public safety and health of the citizens of
a second class township; and

WHEREAS, the Township of Farmington deems it necessary for
the safety and health of the citizens of said Township to
regulate the conduct of logging on Township roadways;

NOW, THEREFORE, the Township of Farmington Board of Supervisors
FINDS AND DETERMINES that an Ordinance for the procedure and
rules and regulations for conducting logging on Township roads is
necessary to protect the health, safety and welfare of the
citizens of the Township of Farmington, Tioga County, Pennsylvania;

NOW, THEREFORE, it is ORDAINED by the Supervisors of the
Township of Farmington, Tioga County, Pennsylvania, as follows:

SECTION 1: DEFINITION

As used in this Ordinance, unless the context requires
otherwise, logging means the procurement and transportation of
logs from the woods over and on roadways governed by the Township
of Farmington, Tioga County, Pennsylvania. The term "logging"
shall be only applicable to those persons and/or persons
transporting logs on the Township roadways including and above
the weight of ten (10) tons.

SECTION 2: BASIC CLAUSE

(A) It shall be unlawful for any person and/or persons
engaged in logging to use the roadways of the Township of
Farmington unless a Bond has been first obtained from the Township
of Farmington pursuant to this Ordinance.

(B) Any and all loading or unloading of logs done as part of any logging operation shall be done on private property and not on any part of any Township of Farmington roadway or right-of-way.

SECTION 3: BOND REQUIREMENT

No person and/or persons may use the roadways of the Township of Farmington for logging unless said person and/or persons provides the Township with a Bond as herein provided.

A Bond in the amount of Six Thousand and no/100 (\$6000.00) Dollars shall be posted with the Township of Farmington prior to the time that the person and/or persons engages in logging and the use of the roadways of the Township of Farmington. The Bond of Indemnity shall be in a form approved by the Solicitor for the Township of Farmington or a cash deposit to save and protect the Township roadways and all other Township property from any and all damage that may be caused by said person or persons engaged in logging activities on the roadways of the Township. Said Bond and/or monies to be used, if necessary, to restore the roadways to a safe condition and to pay any and all charges and losses to the Township for damages to the roadways.

SECTION 4: PROOF OF BOND

Any person and/or persons engaged in logging and the use of the roadways of the Township of Farmington shall, prior to the commencement of logging, provide the Township of Farmington Board of Supervisors with a Six Thousand and no/100 (\$6000.00) Dollar Bond together with a list of the Township roadways which will be used by the person and/or persons in their logging activities.

SECTION 5: ADDITIONAL REQUIREMENTS

Any person and/or persons engaged in logging in the Township of Farmington shall, prior to the commencement of logging activities, provide evidence to the Township that any and all permits and licenses as required by state and county statutes and rules and regulations enacted thereunder have been obtained or will be obtained.

SECTION 6: PENALTIES

Any person or persons engaged in logging and the use of the roadways of the Township of Farmington without filing with the Township an approved Bond and/or cash deposit together with meeting other requirements of this Ordinance, shall upon conviction thereof by any District Justice be subject to a fine of not more than Two Hundred and no/100 (\$200.00) Dollars, together with any and all costs imposed thereon. In default of the payment of any fine, the said person shall be sentenced to jail for a period not to exceed thirty (30) days.

SECTION 7: CONFORMANCE WITH OTHER LAW

This Ordinance shall in no way be a substitute for, nor eliminate the necessity of, complying with any other state, county or township ordinances which are now or may be in the future in effect which pertain to the conduct of logging within said Township.

ORDAINED AND ENACTED as an Ordinance of the Township of Farmington, Tioga County, Pennsylvania, this 1 day of July, 1985.

TOWNSHIP OF FARMINGTON
COUNTY OF TIOGA
STATE OF PENNSYLVANIA

ATTEST:

By

Madeline Smith
Township Secretary

Keith D. Baker
Duane A. Stewart

Alvert L. Kemp