

**TOWNSHIP OF FARMINGTON  
TIOGA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 080310-1 OF 2010**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF FARMINGTON TOWNSHIP, TIOGA COUNTY,  
PENNSYLVANIA, REGULATING THE TRAVEL OF  
OVERSIZE AND/OR OVERWEIGHT VEHICLES ON  
TOWNSHIP OWNED ROADS.**

WHEREAS, FARMINGTON Township is a township governed by the Second Class Township Code. The Second Class Township Code authorizes the Township to enact ordinances for public health, safety and welfare.

WHEREAS, with the volume of truck traffic being on the rise within the Township, resulting in more oversize and overweight vehicles traveling on Township owned roads, the Board of Supervisors has determined that it is necessary to enact an ordinance to protect the township's taxpayers from incurring the costs due to these oversize/overweight vehicles traveling on Township roads.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of FARMINGTON Township, Tioga County, Pennsylvania, as follows:

**SECTION 1.** This Ordinance shall be known as the "FARMINGTON Township Oversize/Overweight Vehicle Ordinance."

**SECTION 2.** On or after August 31, 2010, any person or carrier desiring to operate a vehicle which is oversize or overweight, as defined by law of the Commonwealth of Pennsylvania and in Section 3. of this Ordinance, on the roads owned by FARMINGTON Township, shall file with the Township for a hauling permit and shall pay the required fee for permit by this Section at least 24 hours in advance of such intended hauling. This Ordinance does not apply to state-designated routes that lie within FARMINGTON Township. Movement of oversize/overweight vehicles on state routes within FARMINGTON Township shall be regulated by a permit issued by the Commonwealth of Pennsylvania.

**SECTION 3.** The definition of an oversize/overweight vehicle, for the purpose of this Ordinance, is as follows:

1. any vehicle/load in excess of eighty thousand (80,000) pounds gross weight (exception for fire apparatus or other recognized emergency equipment);
2. any vehicle/load in excess of thirteen (13) feet six (6) inches in height (exception for fire apparatus and overhead light repair vehicles);
3. any vehicle/load in excess of eight (8) feet six (6) inches in width (except those exempted in PA Motor Vehicle Code § 4921 (B));
4. any single vehicle in excess of forty (40) feet in length; and,
5. any combination/load that has a nondivisible load that exceeds seventy (70) feet in length.

**SECTION 4.** The permit fees for oversize/overweight vehicles on Township roads shall be as follows:

1. Fifteen dollars (\$15) general issuance fee for all oversize vehicles.
2. One hundred twenty five dollars (\$125) blanket permit. Blanket permits are not valid for any overweight movement in excess of eighty thousand (80,000) pounds gross vehicle weight. Blanket permits are valid only for oversize vehicle loads and shall be good for the calendar year in which issued and will expire on December 31 of said year.
3. All future increases in said fees pertaining to this Ordinance shall be adopted by resolution.

**SECTION 5.** To move a vehicle whose dimensions exceed the set limitations in Section 3., an application must be made to FARMINGTON Township for an oversize/overweight vehicle.

**SECTION 6.** The applicants for an oversize/overweight vehicle shall provide to FARMINGTON Township proof of liability insurance with coverage limitation of not less than \$1 million. Upon receipt of the permit fee and proof of liability insurance, FARMINGTON Township shall provide the applicant with an oversize/overweight permit to operate in FARMINGTON Township. The permit will list the name of the applicant and identify truck and/or trailer information, overall dimensions of the load, weight of the vehicle, number of axles and axle distance. The permit shall also list the route, origin and

destination. The permit shall denote if an escort or pilot vehicle is required for the move. The permit shall be valid for seven (7) calendar days after issuance. The Township may require, at its discretion, that a physical route survey be performed prior to issuance of permit to ensure that proposed routing can be negotiated safely.

**SECTION 7.** The applicant shall assume all liability for repairs and shall perform, or have performed, to the satisfaction of ~~FARMINGTON~~ Township repairs to roads or structures, which have been damaged in connection with operations under this permit. To ensure no indifferences of existing roadway conditions between the applicant and Township, the applicant shall have the right to videotape the travel route and provide the Township with a copy of said video.

**SECTION 8.** The hours of operation for oversize/overweight vehicles in the Township are as follows:

1. sunrise to sunset during weekdays as determined by the national weather forecast;
2. sunrise to 12:00 p.m. on Saturday; and,
3. no movement on Sunday or on any official federal, state or local holiday.

**SECTION 9.** All oversize/overweight vehicles traveling on Township roads shall display "oversize load" banners on the front and rear of the vehicle. The banners shall be at least seven (7) feet wide by eighteen (18) inches high. The vehicle/load shall also display flags on projecting loads and must be at least eighteen (18) inches square. Oversize/overweight vehicles may not travel within one thousand (1,000) feet of another oversize load.

**SECTION 10. Escort or pilot vehicles.**

1. An escort or pilot vehicle shall not exceed ten thousand (10,000) pounds. The vehicle shall have a minimum of two (2) flashing yellow lights and also display two (2) "oversize load" banners on the front and rear of the vehicle. The signs shall be at least five (5) feet wide and one (1) foot high. The vehicle must have two-way communication with the oversize/overweight vehicle. Vehicle personnel shall have the authority to direct traffic and ensure that traffic disruption is minimal. Escort personnel shall wear an orange reflective vest when engaging in directing traffic. Escort vehicles are required to carry

proof of liability insurance with a minimal coverage limit of \$1 million, naming FARMINGTON Township as an additional insured, said proof of insurance is to be kept on file with FARMINGTON Township.

2. One (1) escort vehicle is needed when load or vehicle is in excess of thirteen (13) feet or when the total length exceeds ninety (90) feet. The escort vehicle shall lead the oversize/overweight vehicle to warn oncoming traffic.

**SECTION 11.** The oversize/overweight permit does not allow the vehicle or combination to exceed posted bridge limits. If a FARMINGTON Township road is to be used that has a bridge, burden of proof that the bridge can hold the overweight load must be proved by the applicant through a registered engineer study at the applicant's expense. If a review is required by the Township's engineer, the cost for the review will be paid by the applicant.

**SECTION 12.** Penalties for violations shall be as set forth in the Second Class Township Code which, at the present time, permits a criminal fine not to exceed \$1,000 per violation and imprisonment to the extent allowed by law for the punishment of summary offenses. In addition, violations are subject to the provisions of the Pennsylvania Motor Vehicle Code, and all penalties permitted for oversize/overweight violations by the said Code are incorporated herein by reference and may be imposed for a violation of this Ordinance. Enforcement may also be by an action in equity pursuant to 53 P.S. § 66601(c)(4).

ENACTED AND ORDAINED as an Ordinance of FARMINGTON Township, Tioga County, Pennsylvania, at a duly assembled public meeting this 3<sup>rd</sup> day of AUGUST, 2010.

FARMINGTON TOWNSHIP BOARD OF  
SUPERVISORS

Wallace A. Kemp  
\_\_\_\_\_, Chairman

John M. Peterson  
\_\_\_\_\_, Supervisor

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\_\_\_\_\_, Supervisor

Attest:

Sharet Johnson  
Secretary