

ORDINANCE NO. 94

ORDINANCE OF THE BOROUGH OF INDIAN LAKE, COUNTY OF SOMERSET
AND COMMONWEALTH OF PENNSYLVANIA, REGULATING THE SPEED OF
VEHICLES ON VARIOUS BOROUGH ROADS.

WHEREAS, the Borough of Indian Lake, County of Somerset and Commonwealth of Pennsylvania, has determined that it is necessary to regulate the speed of vehicular traffic on several of the Borough roads; and,

WHEREAS, in accordance with the laws of the Commonwealth of Pennsylvania, specifically 72 Pa. C. S. A. Section 3363, a traffic study was performed on the particular roads, the subject of this Ordinance; and,

WHEREAS, the engineering study revealed that speed restrictions should be imposed less than those imposed by the Commonwealth of Pennsylvania.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Borough in Indian Lake, by and through the Council thereof as follows:

ARTICLE ONE: It shall be unlawful to drive any motor vehicle on any road of the Borough at a speed in excess of 30 miles per hour.

ARTICLE TWO: The Manager of the Borough is hereby authorized to install and post appropriate signs indicating the applicable speed limits for all sections of the Borough roadways.

ARTICLE THREE: The fact that the speed of a vehicle does not exceed the maximum applicable speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway or when special hazards exist with respect to pedestrians or other traffic by reason of weather or traffic conditions; speed shall be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with the legal requirements and the duty of all person to use due care.

ARTICLE FOUR: In the enforcement of this Ordinance the Indian Lake Borough Police Department is specifically authorized and permitted to use electronic timing devices for the determination of a particular vehicle's speed.

ARTICLE FIVE: Any person who fails to comply with any of the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding before a District Magistrate, be sentenced to pay a fine in accordance with the schedule of fines and penalties as is, from time to time, promulgated by the Commonwealth of Pennsylvania, as amended, presently found in Title 75 of Pennsylvania Consolidated Statutes annotated, plus costs of prosecution.

ARTICLE SIX: If any article, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining provisions of this Ordinance, which shall remain in full force and effect, and for this purpose, the provisions of this Ordinance are hereby declared to be severable.

ARTICLE SEVEN: Any other Ordinance or Resolution, or part thereof, inconsistent herewith, is hereby repealed, with the exception that if any other Ordinance provision provides more restrictive regulation, such other Ordinances shall remain in full force and effect to the extent that its provisions shall be more restrictive.

ARTICLE EIGHT: This Ordinance shall become effective on the 1st day of August, 1991.

ENACTED AND ORDAINED this 10th day of July, 1991.

ATTEST:

INDIAN LAKE BOROUGH

Melba D Campbell
Secretary

By: Robert B. Langley
President

APPROVED this 10th day of July, 1991.

Tom McCallister
Mayor, Indian Lake Borough