

**TOWNSHIP OF SOUTH WHITEHALL  
LEHIGH COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1086**

**(Duly Adopted April 3, 2024)**

**AN ORDINANCE OF THE TOWNSHIP OF SOUTH WHITEHALL, COUNTY OF LEHIGH, AND COMMONWEALTH OF PENNSYLVANIA, AMENDING PART II (“GENERAL LEGISLATION”), CHAPTER 336 (“VEHICLES AND TRAFFIC”), ARTICLE III (“RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD”) OF THE CODIFIED ORDINANCES OF SOUTH WHITEHALL TOWNSHIP TO AMEND SECTION §336-31 (“TRUCK TRAFFIC RESTRICTED ON CERTAIN STREETS”) TO PROVIDE FOR A TRUCK TRAFFIC PROHIBITION ON RIDGEVIEW DRIVE BETWEEN WALBERT AVENUE AND HUCKLEBERRY ROAD; AND TO PROVIDE FOR A REPEALER CLAUSE, RETENTION OF RIGHTS TO ENFORCE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE**

**WHEREAS**, by various ordinances and amendments thereto, the Board of Commissioners has previously adopted regulations governing traffic within the Township, which ordinances and amendments were consolidated into Chapter 336 upon the Township’s adoption of its Codified Ordinance on December 7, 2016; and

**WHEREAS**, the Board of Commissioners desires to amend a portion of Chapter 336, to include a truck traffic restriction on Ridgeview Drive as further described herein; and

**WHEREAS**, Pennsylvania Department of Transportation (PennDOT) Publication 212, Official Traffic Control Devices specifically states in Section 212.117, Weight, size and load restrictions, that prohibitions or restrictions can be put in place based on the condition of a highway after an engineering evaluation. More specifically, Section 212.117(b) states the following:

*Traffic on a highway may be prohibited or restricted by weight of vehicle, or kinds or classes of vehicles when warranted by an engineering evaluation... A restriction is warranted when... The highway pavement or shoulders have inadequate structural capacity or have been weakened due to deterioration, high traffic volumes or climatic condition, and may be seriously damaged unless a restriction is imposed.; and*

**WHEREAS**, pursuant to a field inspection of Ridgeview Drive conducted by the Township Engineer on December 15, 2023, it was observed that the pavement surfaces along Ridgeview Drive showed deterioration in multiple areas which included previously patched potholes, cracks, cracking with spidering, pavement depressions, pavement rutting, and springs perking through pavement joints. These are indication that the pavement section is not adequate to support heavy loads and higher traffic volumes, both of which would lead to continued deterioration of the roadway surface; and

**WHEREAS**, the Township Engineer has determined that the prohibition/restriction warrants as established by PennDOT in Publication 212, Section 212.117 are met for a truck traffic restriction on Ridgeview Drive between Walbert Avenue and Huckleberry Road; and

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WHEREAS, pursuant to §336-31, nothing shall prohibit any person from driving an emergency vehicle on any of those streets or parts of streets, or from driving on any of those streets or parts of streets a truck or other commercial vehicle making local deliveries to or pickups from premises located along that street or part of a street.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of South Whitehall Township, as follows:

**SECTION I – AMENDMENT TO PART II (“GENERAL LEGISLATION”), CHAPTER 336 (“VEHICLES AND TRAFFIC”), ARTICLE III (“RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD”) OF THE CODIFIED ORDINANCES OF SOUTH WHITEHALL TOWNSHIP TO AMEND SECTION §336-31 (“TRUCK TRAFFIC RESTRICTED ON CERTAIN STREETS”)**

Part II (“General Legislation”), Chapter 336 (“Vehicles and Traffic”), Article III (“Restrictions on Size, Weight and Type of Vehicle and Load” of the Codified Ordinances of South Whitehall Township is hereby amended at §336-31 to revise (add) the following location:

Street	Between
Ridgeview Drive	Walbert Avenue and Huckleberry Road (approximate length of 3,470 feet)

**SECTION II - REPEALER**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**SECTION III - FAILURE TO ENFORCE NOT A WAIVER**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION IV - SEVERABILITY**


If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION V - EFFECTIVE DATE**

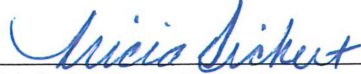
This Ordinance shall become effective immediately following its adoption by the Board of Commissioners.

**DULY ENACTED AND ORDAINED** as an Ordinance this 3<sup>rd</sup> day of April, 2024 by a majority of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, at a duly advertised meeting of the Board of Commissioners at which a quorum was present. As part of this Ordinance, the Board of Commissioners has directed that the President, or Vice-President in the absence of the President, execute this Ordinance on behalf of the Board.

TOWNSHIP OF SOUTH WHITEHALL  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Diane Kelly, President

ATTEST:

  
\_\_\_\_\_  
Tricia Dickert, Twp. Secretary

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