

**BOROUGH OF HIGHSPIRE  
DAUPHIN COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 645 of 2022**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF HIGHSPIRE, DAUPHIN COUNTY, PENNSYLVANIA,  
ESTABLISHING PENALTIES AND RESTITUTION OF DAMAGES  
CAUSED BY COMMERCIAL TRUCKING COMPANIES,  
COMMERCIAL TRUCK DRIVERS WHO CAUSE PROPERTY  
DAMAGE AND PERSONAL INJURIES WHEN OPERATING THEIR  
VEHICLES ILLEGALLY ON BOROUGH STREETS WHICH  
PROHIBIT COMMERCIAL VEHICLES FOR SAFETY OF THE  
RESIDENTS OF THE BOROUGH OF HIGHSPIRE**

**WHEREAS**, the Highspire Borough Council with intent to protect the safety of all persons and property has obtained a professional street study in reference to street conditions and the ability of large commercial vehicles to navigate the Borough streets; and

**WHEREAS**, pursuant to Section 1202 of the Borough Code, 8 Pa.C.S. § 1202, Council for the Borough of Highspire is vested with the power to adopt such regulations as may be necessary for the health, safety, general welfare of the Borough; and

**WHEREAS**, a serious traffic problem exists within the Borough of Highspire created by commercial trucking companies and independent commercial trucking carriers attempting to operate their commercial motor vehicles on Borough streets which are not design to be used by commercial vehicles of that size and weight; and

**WHEREAS**, commercial tractor and trailers are unable to safely make turns onto certain Borough streets resulting in damage to property, including signs, utility poles, pavement, and sidewalks and endangers pedestrian and vehicle traffic and said damage requires clean up and repairs; and

**WHEREAS**, in order to avoid future property damage and danger to vehicular travel, it is necessary and proper for the Council of the Borough of Highspire to establish restrictions on commercial truck traffic on certain designated roads within the Borough; and

**WHEREAS**, based on a traffic control study by Borough engineers, the posting of signage will alert the Commercial Vehicle Operator that operation of large vehicles on the following streets within the Borough is banned to include;

Mumma Street – Between Second Street and Charles Avenue

Wetzel Street – Between Second Steet and Charles Avenue

Race Street – Between Second Street and Vine Street

Vine Street – Between Second Street and Race Street

Roop Street – Second Street and Cherry Street

Paxton Street – Second Street and Cherry Street

Broad Street – Between Second Street and Lumber Street

Penn Street – Between Vine Street and Lumber Street

NOW, THEREFORE BE, BE IT ENACTED AND ORDAINED and it is hereby adopted by the

Highspire Borough Council as follows;

1. This Ordinance applies to any Commercial Trucking Company or the operator of Commercial Motor Vehicle on the streets of the Borough of Highspire whether the streets are owned by the Commonwealth of Pennsylvania or the Borough of Highspire. A Commercial Motor Vehicle is defined as:
  - a. Any Vehicle which has a gross weight rating of 26,001 or more pounds;
  - b. Any vehicle which has a gross combination weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit with a gross vehicle weight rating or gross vehicle weight of 10,000 pounds, whichever is greater;
  - c. If the vehicle is designed to transport sixteen (16) or more passengers, including the driver, or is a school bus.
2. Except as otherwise provided herein, Commercial Motor Vehicles may not be operated on the following streets within the Borough of Highspire:

Mumma Street – Between Second Street and Charles Avenue

Wetzel Street – Between Second Steet and Charles Avenue

Race Street – Between Second Street and Vine Street

Vine Street – Between Second Street and Race Street

Roop Street – Second Street and Cherry Street

Paxton Street – Second Street and Cherry Street

Broad Street – Between Second Street and Lumber Street

Penn Street – Between Vine Street and Lumber Street

3. The operation of commercial motor vehicles on the aforementioned streets within the Borough of Highspire which are designated by the Truck Restriction Study dated December of 2022, are subject to restriction. These streets will be designated with No Truck signage (R5-2) and Except Local Deliveries signs (R42-3). Violations of these restricted streets will be subject to civil fines, with reasonable legal fees and costs, together with restitution for any damage caused by the commercial motor vehicles which violate these restrictions.
4. Any Commercial Trucking Carrier who has employed a driver or a driver of a leased vehicle of the Carrier who has violated this Ordinance will make the Commercial Carrier absolutely liable for the violation as well as any subsequent violation of any other driver employed or leased by the Carrier.
5. Penalties:
  - a. A civil fine for the first violation of this Ordinance will be \$600.00 with restitution for any damages, attorney fees and costs.
  - b. Each subsequent violation of this Ordinance by an Independent Commercial Driver or any subsequent driver of the same Commercial Motor Carrier will be issued the maximum civil fine of \$600.00 with restitution for any damages, attorney fees and costs to the operator of the Commercial Vehicle in addition to the owner of said Commercial Motor Vehicle.
6. This Ordinance shall take effect five (5) days from enactment.

ORDAINED AND ENACTED this 17<sup>th</sup> day of January, 2023.

BOROUGH COUNCIL  
BOROUGH OF HIGHSPIRE

Attest:

\_\_\_\_\_  
Michael J. Anderson, Council President

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Mark L. Stonbraker, Borough Secretary

**APPROVED** this 17<sup>th</sup> day of January, 2023 by the Mayor of the Borough of Highspire, Dauphin County, Pennsylvania.

By: \_\_\_\_\_  
Von E. Hess, Mayor

The Proposed Ordinance will be considered for adoption at the regular meeting of the Highspire Borough Council on January 17, 2023 at 7:00 p.m. at the Highspire Borough Municipal Building. All interested residents are encouraged to attend.