

JEFFERSON TOWNSHIP SPEED LIMIT ORDINANCE
TOWNSHIP OF JEFFERSON, LACKAWANNA COUNTY, PA
ORDINANCE 3-2024

AN ORDINANCE OF THE TOWNSHIP OF JEFFERSON, LACKAWANNA COUNTY, PENNSYLVANIA, ESTABLISHING A SPEED LIMIT ORDINANCE FOR JEFFERSON BOULEVARD IN THE TOWNSHIP AND PROVIDING PENALTIES FOR THE VIOLATIONS.

WHEREAS, Sections 6109 and 6102 of the Pennsylvania Vehicle Code, Title 75 requires that speed limit studies must be conducted according to regulations in the Pennsylvania Code, Title 67, Chapter 212, Section 212.108 and the Manual on Uniform Traffic Control Devices (MUTD), Section 2B; and,

WHEREAS, Publication 212, Section 212.108 indicates that speed limits “may be established in multiples of 5 miles per hour up to the maximum lawful speed. The speed limit should be within 5 miles per hour of the average 85th percentile speed or the safe-running speed on the section of highway.”; and,

WHEREAS, Pennoni conducted a speed study on Jefferson Boulevard during the week of July 22, 2024 and issued a memorandum dated August 13, 2024 with the results and associated traffic speed data; and,

WHEREAS, the study identified a safe running speed for Jefferson Boulevard of 30.1 MPH and an average 85th percentile speed of 37 MPH; now,

THEREFORE, the Jefferson Township Board of Supervisors hereby ordain and enact the following Speed Limit Ordinance for Jefferson Boulevard (T-445):

SECTION 1. GENERAL REGULATIONS

Section 101. Short Title.

This Ordinance shall be known as the Jefferson Township Speed Limit Ordinance.

Section 102. Definitions and Interpretations.

- a) Words and phrases, when used in this Ordinance, except where otherwise specifically provided, shall have the meanings ascribed to them in the Pennsylvania Vehicle Code (The Act of June 17, 1976, P.L. 162, No. 8) as amended, except that, in this Ordinance, the word "street" or "road" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as described in the Pennsylvania Vehicle Code.
- b) In this Ordinance, the singular shall include the plural, the plural shall include the singular, and masculine shall include the feminine.
- c) Township – Township of Jefferson, Lackawanna County, Pennsylvania.

Section 103. Authority of Police Officers.

The Police Department of the Township, including all associated Officers, shall have authority on all the highways, streets, roads, and intersections within the Township where the provisions of the Vehicle Code and this Ordinance apply to do the following:

- a) Regulate and control traffic.
- b) Enforce, as prescribed by law, speed restrictions of the Vehicle Code and the Ordinance by or with any device, instrument or other means authorized or not

prohibited by the Vehicle Code or regulations of the Pennsylvania Department of Transportation to include, but not be limited to, use of speedometers, excessive speed preventor, speed check, Vascar Plus and stop watches.

c) Enforce, as prescribed by law, provisions of the Vehicle Code concerning Driving Under the Influence of Alcohol and/or Drugs, by or until any advice, instrument, procedure or other means authorized or not prohibited by the Vehicle Code or regulations of the Pennsylvania Department of Transportation to include, but not limited to, use of the Smith and Wesson Breathalyzer, Models 900, 900A, and/or 1000, or any other testing instrument or devices as authorized by such law and/or regulations.

d) Enforce, as prescribed by law, any and all provisions of the Vehicle Code and this Ordinance within the Township using any device, instrument, equipment, or other means authorized or not prohibited by the Vehicle Code or regulations of the Pennsylvania Department of Transportation.

SECTION II – SPEED REGULATIONS

Section 201. Maximum Speed Limits Established on Certain highways or Parts of Highways in the Township.

a) Legislative Intent - The Township has conducted engineering and traffic investigations in accordance with the regulations promulgated by the Pennsylvania Department of Transportation to determine the safe speeds for traffic upon certain roads within the Township. The Board of Supervisors of the Township of Jefferson, Lackawanna County, Pennsylvania, in order to provide for the health, safety, and general welfare of the residents of Jefferson Township and of travelers within and through the Township, desires to establish speed limits on highways or parts of highways in the Township in accordance with these studies and investigations.

b) Speed Limits - The maximum speed at which vehicles may proceed on or along those highways or parts of highways in the Township, described below is hereby established at the rate of speed indicated for the length of the entire streets listed as follows:

25 mph Restriction - Jefferson Boulevard (T-445)

c) Posting of Speed Limits – The maximum speed limits established under Section 201.b shall be posted on official traffic control devices erected in accordance with regulations adopted by the Pennsylvania Department of Transportation of the Commonwealth or any successor agency.

d) Enforcement and Penalties. Any person convicted of a violation of any of the provisions of this section shall be sentenced to pay those fines and costs established by the applicable provisions of the Vehicle Code or any subsequent act of the General Assembly which amends said Vehicle Code. Disposition of said fine or fines shall be made in accordance with provisions of the Vehicle Code.

SECTION III - ADMINISTRATION AND REPEAL

Section 301. Non-repealer and Repeals.

Any other traffic regulation previously adopted by the Township of Jefferson, Lackawanna County, Pennsylvania not inconsistent with this regulation shall remain in full force and effect and shall not be deemed repealed by the enactment of this Ordinance. Any such traffic

regulations, to the extent required, shall be considered ratified and confirmed by the enactment of this Ordinance. The provisions of this Ordinance shall not affect any suit or prosecution pending or to be instituted to enforce any inconsistent ordinances.

Section 302. Severability.

The provisions of this Ordinance are severable and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part of provision had not been included herein.

Section 303. Effective Date.

This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of Jefferson, Lackawanna County, Pennsylvania, as provided by law.

DULY ORDAINED AND ENACTED, this _____ day of _____, 2024 by the Board of Supervisors of the Township of Jefferson, Lackawanna County, Pennsylvania, in lawful session duly assembled.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF JEFFERSON

ATTEST:

Patricia Evanchyk
Secretary

Jason B. Hollister
Chair

Adeline G. Rocco
Vice-Chair

John L. Peters, Sr.