

# ORDINANCE 2019-1

## AN ORDINANCE OF THE BOROUGH OF DILLSBURG, YORK COUNTY, PENNSYLVANIA, AMENDING CHAPTER 15, PART 3, RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD

WHEREAS, truck traffic on residential streets in the Borough was increasing at a very high rate;

WHEREAS, an engineering study was completed;

WHEREAS, this was creating both premature failing of existing pavement course and unsafe conditions;

**NOW, THEREFORE**, the following amendments and revisions to Chapter 15, Section 3 of the Dillsburg Borough Code shall be ordained and enacted as follows:

### PART 3 RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD

#### §15-301. Vehicle Weight Limits Established on Certain Streets and Bridges.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, 75 Pa.C.S.A. §4902(a), it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be:

| Street or Bridge  | Between   | Maximum<br>Gross Weight |
|---|---|-------------------------|
| Alleys on the east side of, and extends parallel with, South Baltimore Street | Northeast corner of property known as 151 South Baltimore Street and East York Street | 8,000 lbs.              |
| Bomar Alley   | Entire length   | 33,000 lbs.             |

|                        |   |             |
|------------------------|---|-------------|
| Church Street          | Entire length   | 15,000 lbs. |
| East Harrisburg Street | Harrisburg Pike and Chestnut Street                                       | 15,000 lbs. |
| Gettysburg Street      | South and west of South Second Street and south and east of Chalet Avenue | 15,000 lbs. |
| Greenbriar Lane        | North Baltimore Street and Harrisburg Pike                                | 15,000 lbs. |
| Welty Avenue           | North Baltimore Street and Harrisburg Pike                                | 15,000 lbs. |
| West York Street       | West of South Second Street   | 15,000 lbs. |
| York Street            | Entire length   | 15,000 lbs. |

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g)(1) of the Vehicle Code, 75 Pa.C.S.A. and, upon conviction, be sentenced to pay a fine in an amount established by the State of Pennsylvania. (A.O.)

**§15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges.**

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, 75 Pa.C.S.A., it shall be unlawful for any person to drive any vehicle or combination in violation of the size restrictions prescribed below for that bridge or street or part of street, as the case may be:

| Street or Bridge       | Between                                  | Restriction            |
|------------------------|--|------------------------|
| <i>Greenbriar Lane</i> | <i>Harrisburg Pike and Clemens Drive</i> | <i>3 or more axles</i> |
| <i>Welty Avenue</i>    | <i>Harrisburg Pike and Clemens Drive</i> | <i>3 or more axles</i> |
| <i>Clemens Drive</i>   | <i>Greenbriar Lane and Welty Avenue</i>  | <i>3 or more axles</i> |

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and Section 4902(g)(1) of the Vehicle Code, 75 Pa.C.S.A. and, upon conviction, be sentenced to pay a fine in an amount established by the State of Pennsylvania. (A.O.)

**§15-303. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges.**

1. By reason of hazardous traffic conditions and other safety factors, by authority granted by §4902(b) of the Vehicle Code, 75 Pa.C.S.A., it shall be unlawful for any

person to drive any vehicle or combination in violation of the restriction prescribed below for that bridge or street or part of street:

| Street or Bridge  | Between   | Restriction                                 |
|---|---|---|
| Alleys on the east side of, and extends parallel with, South Baltimore Street | Northeast corner of property known as 151 South Baltimore Street and East York Street | 8,000 lbs.                                  |
| Bomar Alley   | Entire length   | 33,000 lbs.                                 |
| Church Street   | Entire length   | 15,000 lbs.                                 |
| East Harrisburg Street  | Harrisburg Pike and Chestnut Street   | 15,000 lbs.                                 |
| Gettysburg Street   | South and west of South Second Street and south and east of Chalet Avenue             | 15,000 lbs.                                 |
| Greenbriar Lane   | North Baltimore Street and Harrisburg Pike  | 15,000 lbs.                                 |
| Welty Avenue  | North Baltimore Street and Harrisburg Pike  | 15,000 lbs.                                 |
| West York Street  | West of South Second Street   | 15,000 lbs.                                 |
| York Street   | Entire length   | 15,000 lbs.                                 |
| <i>Greenbriar Lane</i>  | <i>Harrisburg Pike and Clemens Drive</i>  | <i>10 Tons &amp;/or<br/>3 or more axles</i> |
| <i>Welty Avenue</i>   | <i>Harrisburg Pike and Clemens Drive</i>  | <i>10 Tons &amp;/or<br/>3 or more axles</i> |
| <i>Clemens Drive</i>  | <i>Greenbriar Lane and Welty Avenue</i>   | <i>10 Tons &amp;/or<br/>3 or more axles</i> |

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(b) and 4902(g)(1) of the Vehicle Code, 75 Pa.C.S.A. and, upon conviction, be sentenced to pay a fine in an amount established by the State of Pennsylvania. (A.O.)

**§15-304. Truck Traffic Restricted on Certain Streets.**

1. It shall be unlawful for any person to drive a vehicle other than a passenger car on any of the following streets or parts of streets:

| Street | Between |
|--------|---------|
|--------|---------|

(Reserved)

Provided: nothing in this Section 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.

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine in an amount established by the State of Pennsylvania.

Any unnamed, remaining provisions, sections, sentences, clauses or parts of Chapter 15 shall be and shall remain in full force and effect.

**THIS ORDINANCE** shall become effective September 12, 2019.

**DULY ENACTED AND ORDAINED** this 10<sup>th</sup> day of September 2019.

ATTEST: *Stephanie A. Bestzel*  
(Secretary)

*Henry R. Kelley*  
(President)

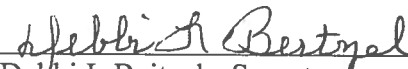
*[Signature]*  
(Mayor)

CERTIFICATE

I, the undersigned, Secretary of the Borough of Dillsburg, York County, Pennsylvania (the "Borough"), certify that: the foregoing is a true and correct copy of an Ordinance of the Borough Council of the Borough (the "Council"), which duly was enacted by affirmative vote of a majority of the members of the Council at a meeting held on **September 10, 2019**; said Ordinance duly has been recorded in the Ordinance Book of the Borough; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Borough, this **10<sup>th</sup> day of September 2019**.

(SEAL)

  
Debbi L. Beitzel - Secretary

# ORDINANCE NO. 2019-2

## TAX ORDINANCE 2020

AN ORDINANCE OF THE BOROUGH OF DILLSBURG, YORK COUNTY, PENNSYLVANIA, FIXING CERTAIN TAX RATES FOR THE NON-EXEMPT REAL PROPERTY AND OCCUPATIONS FOR THE YEAR 2020

BE IT ENACTED AND ORDAINED by the Council of the Borough of Dillsburg, York County, Pennsylvania, in accordance with the Consolidated Ordinances of the Borough of Dillsburg, and by virtue of the power and authority vested in said Council, as follows:

### Section 1: Tax Levy

A. Real Estate: There is hereby imposed and levied on all non-exempt real property located with the Borough of Dillsburg, for the fiscal year 2020, a tax calculated at the rate of 2.87 mills, based upon the assessed valuation as established by the Assessor for the Borough of Dillsburg, or in lieu thereof, as assessed by the York County Assessment Office.

B. Occupational Assessment: There is hereby imposed upon the occupation of all residents of the Borough of Dillsburg, for the fiscal year 2018, a tax collected at the rate of 1200 mills, based upon the assessed valuation as established by the Assessor for the Borough of Dillsburg, or in lieu thereof, as assessed by the York County Assessment Office.

### Section 2: Notice and Payment of Tax

On or before the first day of April 2020, the Tax Collector shall send to each person, upon whom tax is imposed in Section 1 hereof, a notice of tax due. Such notice may be consolidated with a notice of any other tax to be collected by the Tax Collector provided, however, that each tax shall be stated separately thereon.

### Section 3: Rebated and Penalties

A. Any taxpayer subject to the payment of a tax levied by this Ordinance shall be entitled to a discount of Two Percent (2%) of the amount of such tax upon making payment of the entire amount within two months after the date of the tax notice.

B. A taxpayer subject to payment of a tax levied by this Ordinance who shall fail to make the payment of such tax with four months after the due date of the notice shall be charged a penalty of Ten Percent (10%), which penalty shall be added to the tax by the Tax Collector, and shall be collected by the Tax Collector.

C. Real estate taxes, which remain unpaid by January 1st of the year following the year of imposition, shall be returned to the York County Tax Claim Bureau in accordance with the law.

#### Section 4: Effective Date


This Ordinance and the taxes imposed thereby shall become effective January 1, 2020

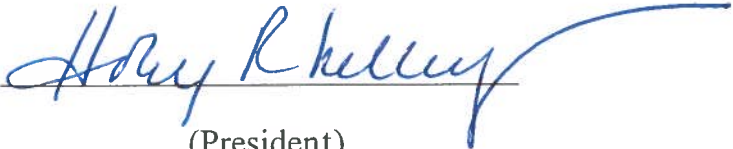
#### Section 5: Repealer and Severability

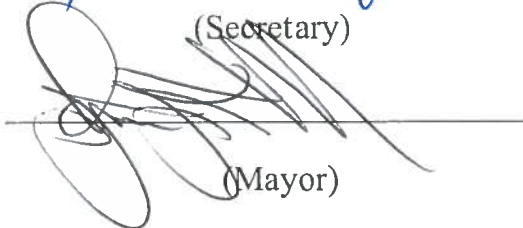
Any Ordinance or part thereof, conflicting with this Ordinance shall be, and hereby is, repealed insofar as it conflicts with this Ordinance. Further, the provisions of the Ordinance are severable. If any sentence, clause, or section of the Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionally, illegality, or invalidity shall not affect or impair any of the remaining provisions of the Ordinance. It is hereby declared to be the intent of the Borough Council of the Borough of Dillsburg that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, or section not been included herein.

ENACTED AND ORDAINED this 10th day of December, 2019.

ATTEST:

  
\_\_\_\_\_  
(Secretary)

  
\_\_\_\_\_  
(President)

  
\_\_\_\_\_  
(Mayor)

CERTIFICATE

I, the undersigned, Secretary of the Borough of Dillsburg, York County, Pennsylvania (the "Borough"), certify that: the foregoing is a true and correct copy of an Ordinance of the Borough Council of the Borough (the "Council"), which duly was enacted by affirmative vote of a majority of the members of the Council at a meeting held on **December 10, 2019**; said Ordinance duly has been recorded in the Ordinance Book of the Borough; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Borough, this **10<sup>th</sup> day of December 2019**.

(SEAL)

  
Debbi L. Beitzel - Secretary