

ORDINANCE NO. 98

AMENDMENT TO ORDINANCE NO. 94 OF THE BOROUGH OF
INDIAN LAKE, COUNTY OF SOMERSET, COMMONWEALTH OF
PENNSYLVANIA, REGULATING THE SPEED OF VEHICLES ON
VARIOUS BOROUGH ROADS.

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

WHEREAS, the Borough of Indian Lake presently regulates the speed of vehicular traffic on several Borough roads by Borough Ordinance No. 94 enacted July 10, 1991, effective August 1, 1991; and,

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

WHEREAS, the traffic study confirmed that speed restrictions should be imposed by the Borough of Indian Lake; and,

WHEREAS, the Borough has determined that speed should be regulated on a particular area of roadway on South Shore Trail near The Northwinds Lodge.

NOW, THEREFORE, it is hereby ORDAINED and ENACTED by the Borough of Indian Lake, by and through the Council thereof as follows:

Article One. It shall be unlawful to drive any motor vehicle on the road known as South Shore Trail within the Borough beginning at the intersection of South Shore Trail and Delaware Path and extending on South Shore Trail around and through The Northwinds Lodge and its ancillary improvements to the intersection of South Shore Trail and Peninsula Drive, a distance of .70 mile, at a speed in excess of 20 m.p.h.

Article Two. The Manager of the Borough is hereby authorized to acquire and install appropriate signs indicating the applicable speed limit for said section of the Borough roadway.

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 special hazards exist with respect to pedestrians or other traffic by reason of weather traffic conditions; speed shall be decreased as shall be necessary to avoid colliding with any person or vehicle on or entering the roadway in compliance with the legal requirements and the duty of all persons 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 the 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 or the Ordinance itself, 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 or Resolution provides more restrictive regulation, such other Ordinance or Resolution shall remain in full force and effect to the extent that its provisions shall be more restrictive.

Article Eight. This Ordinance shall become effective thirty (30) days from its adoption.

ENACTED AND ORDAINED this 9th day of March, 1994.

ATTEST:

INDIAN LAKE BOROUGH

Athena L. Keyant
Secretary of Council

By Robert B. Langley
President of Council

APPROVED this 9th day of March, 1994.

Edward J. [Signature]
Mayor