

BOROUGH OF WEST NEWTON  
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NUMBER - 1991- 1

AN ORDINANCE OF THE BOROUGH OF WEST NEWTON, WESTMORELAND COUNTY, PENNSYLVANIA, AUTHORIZING THE USE OF ELECTRICAL SURVEILLANCE EQUIPMENT IDENTIFIED AS ESP TK 100 INFRA RED, OR ANY LATER MODEL THEREOF, OR SUCH OTHER ELECTRICAL SPEED TIMING DEVICES OR OTHER SPEED MONITORING DEVICES TO ENFORCE ESTABLISHED SPEED RESTRICTIONS AND LIMITS ON ALL STREETS AND HIGHWAYS WITHIN THE BOROUGH AND FURTHER PROVIDING FOR THE ERECTION OF SIGNS GIVING NOTICE OF THIS ORDINANCE ON STREETS AND HIGHWAYS, AND PROVIDING FOR ENFORCEMENT OF THE SAME.

WHEREAS, the Borough of West Newton and the Commonwealth of Pennsylvania, in order to protect the health, safety and welfare of all residents and individuals traveling through the Borough, have established speed restrictions and limits on designated streets and highways within the Borough; and

WHEREAS, in order to enforce the speed restrictions and limits, it is necessary and proper to make use of recognized and permissible speed timing and monitoring devices; and

WHEREAS, the Vehicle Code of the Commonwealth of Pennsylvania authorizes local police departments to use devices to monitor and enforce traffic speed on streets and highways within the Borough.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Borough of West Newton, pursuant to the Pennsylvania Vehicle Code of June

17, 1976, P.L. 162, No. 81, Section 6109, et seq., as follows:

SECTION 1: The Police Department of the Borough of West Newton, Westmoreland County, Pennsylvania, is hereby authorized to monitor, control and enforce established speed restrictions and limits on streets and highways located within the boundaries of the Borough of West Newton by use of the electrical surveillance equipment identified as ESP TK 100 infra red, or any later model thereof, or such other electrical speed timing devices or any other speed monitoring devices now, or as may be hereafter authorized by the Pennsylvania Department of Transportation and/or by statute for use by local authorities.

SECTION 2: Notice of the adoption of this Ordinance authorizing the use of electrical speed timing devices to monitor and enforce established speed restrictions and limits shall be given to the public by the erection of signs on streets and highways entering West Newton Borough as provided by law.

SECTION 3: The Police Officers using the devices authorized for use in Section 1 hereinabove shall be properly trained in the use and operation of said devices and certified to use and operate said devices in accordance with the regulations of the Pennsylvania Department of Transportation and as provided by law.

SECTION 4: That the devices being used shall be properly tested by

the officers involved in the use of the same prior to its use on any given occasion.

SECTION 5: Any ordinance or part of an ordinance in conflict with the terms of this Ordinance is, and the same are, hereby repealed.

SECTION 6: If any one or more sections, subsections, sentences, clauses or phrases of this ordinance is for any reason held to be unconstitutional, unlawful or invalid, such decision shall not effect the constitutionality, legality or validity of the remaining portions of this ordinance. The Council of the Borough of West Newton declares that it would have passed this ordinance or any one or more remaining sections, subsections, sentences, clauses and phrases thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, unlawful or invalid.

ORDAINED AND ENACTED THIS 13th day of May, 1991.

BY Armond N. Luzi  
Armond N. Luzi, President

ATTEST:  
Pamela M. Humenik  
Pamela M. Humenik, Secretary

EXAMINED AND APPROVED by me this 13th day of May, 1991.

George J. Thuransky  
George J. Thuransky, Mayor