

AN ORDINANCE OF MONROEVILLE, PENNSYLVANIA, A HOME RULE MUNICIPALITY, AUTHORIZING THE USE OF RADAR ON STREETS AND ROADS (OTHER THAN STATE HIGHWAYS), WITHIN THE SAID HOME RULE MUNICIPALITY.

WHEREAS, Monroeville, Pennsylvania is a Home Rule Municipality authorized to exercise all governmental powers, except those which are denied to it by the Constitution of the Commonwealth of Pennsylvania, the Pennsylvania Legislature or its own Home Rule Charter; and

WHEREAS, the power to employ radar for purposes of speed and traffic control on streets and roads within the said Home Rule Municipality, other than upon State Highways, is not denied by the Constitution of the Commonwealth of Pennsylvania, any Acts of the Pennsylvania Legislature or by the Monroeville, Pennsylvania Home Rule Charter; and

WHEREAS, it has been determined by this Council that the use of radar on the streets and roads (other than state Highways, which are regulated by State law) for the purposes of speed and traffic control would promote and facilitate the health, safety, morals and general welfare of the citizens and residents of Monroeville, Pennsylvania and of the public generally.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of Monroeville, Pennsylvania, County of Allegheny and Commonwealth of Pennsylvania; and it is hereby ordained and enacted by the authority of the same:

SECTION 1. The rate of speed of any vehicle may be timed on any street or road other than a State highway within the Home Rule Municipality of Monroeville, Pennsylvania by authorized officers of said Home Rule Municipality through the use of radiomicrowaves, commonly referred to as electronic speed meters of radar.

SECTION 2. No conviction shall be had upon evidence obtained through the use of radar unless in strict conformance to existing regulations under Pennsylvania Motor Vehicle Code.

SECTION 3. An official certificate from an inspection station approved by the Secretary of Transportation for use by the Pennsylvania State Police, showing that the calibration and tests required by this Section were made within the required period, and that the radar apparatus was accurate or was adjusted for accuracy, shall be competent and prima facie evidence of the fact that such certificate was issued by an official inspection station appointed by the Secretary of Transportation and of the accuracy of the radar apparatus in every proceeding where an information is brought charging a violation of the speed regulations applicable within the Home Rule Municipality of Monroeville, Pennsylvania.

SECTION 4. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED into law this 10th day of February, 1976.

(SEAL)

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond
Manager

By S/ R. E. Droske
Mayor