



BY-LAW 2022-045

A BY-LAW OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE TO PROVIDE REDUCED LOAD PERIOD WITHIN THE TOWN OF BRACEBRIDGE

WHEREAS, Section 8 of the *Municipal Act, S.O. 2001*, (hereinafter referred to as the "Municipal Act") provides that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS, Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

AND WHEREAS, Section 11 of the Municipal Act provides that a lower-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein including parking and traffic on highways;

AND WHEREAS pursuant to Section 122 (7) of the *Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended, Town of Bracebridge Council may designate any roads within the Town as being subject to reduced loads and the time during which such a designation shall be in effect;

AND WHEREAS The Council of the Corporation of the Town of Bracebridge deems it advisable and expedient to regulate load restrictions for the protection of certain roads in the Town of Bracebridge.

AND WHEREAS The Council of the Corporation of the Town of Bracebridge passed By-law 2009-016 on the 25th day of February, 2009 for to prescribe reduced load limits for certain roads in the Town of Bracebridge;

AND WHEREAS The Council of the Corporation of the Town of Bracebridge passed By-law 2011-019 on the 2nd day of March, 2011, being a by-law to amend By-law 2009-016 to prescribe reduced load limits for certain roads in the Town of Bracebridge for the calendar year 2011 only;

AND WHEREAS by motion 11-GC-077 the Council of The Corporation of the Town of Bracebridge passed By-law 2011-030 on the 23rd day of March, 2011 being a by-law to prescribe reduced load limits for certain roads in the Town of Bracebridge and to repeal By-laws 2009-016 and 2011-019 in their entirety;

AND WHEREAS by motion 22-GC-089 the Council of The Corporation of the Town of Bracebridge deems it expedient to enact a new by-law to prescribe reduced load limits for certain roads in the Town of Bracebridge and to repeal By-law 2011-030 in its entirety;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE ENACTS AS FOLLOWS:

1. That for the purposes of this By-Law, the definition of "Road" shall include a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, and trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property line thereof.
2. In this By-law, "Reduced Load Period" has the same meaning as in Section 122 of the *Highway Traffic Act, R.S.O. 1990, c. H.8*.

3. That pursuant to Section 122 (1), (2), (3) and (4) of the *Highway Traffic Act, R.S.O. 1990, c. H.8*, a Reduced Load Period shall apply to all the Highways within and under the jurisdiction of the Town of Bracebridge with the exception of the road sections listed in Schedule "A", attached hereto and forming part of this By-Law, during the period from March 1st to the May 31st, inclusive in each and every year.
4. That Council hereby delegates the Director of Public Works or designate the authorization to establish reduced load periods on an annual basis for all roads within the Town of Bracebridge road network.
5. That the Director of Public Works or designate may, at any time where circumstances warrant, either extend or shorten the Reduced Load Period set out in Section 3 above, or impose such additional Reduced Load Limit Period at any time during the year as may be required.
6. That the Reduced Load Limit Period for any road under the jurisdiction of the Town of Bracebridge shall not become effective until official signage has been properly erected in accordance with the regulations under the Highway Traffic Act, at each roadway.
7. That the Director of Public Works or designate shall be and is hereby authorized and directed to obtain, install and maintain such official signs as may be necessary to give effect to this By-law.
8. That notwithstanding the other provisions of this by-law, the Director of Public Works or designate, in consultation with the Chief Administrative Officer, may, pursuant to Section 110 (3) of the *Highway Traffic Act, R.S.O. 1990, c. H.8*, upon application in writing, issue a permit for the moving of heavy vehicles, loads, objects or structures in excess of the weight limits permitted during the period in which reduced load designation is in effect, for emergency and public safety.
9. That every person who contravenes any of the provisions of this By-Law is guilty of an offence and on conviction is liable to a penalty as provided for in the *Highway Traffic Act, R.S.O. 1990, c. H.8*.
10. That this By-Law shall be cited as the "Reduced Load Period By-Law".
11. That this By-Law shall come into force and effect immediately upon passage.
12. That By-Law 2011-030 be repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29TH DAY OF JUNE 2022.

Deputy Mayor, Rick Maloney

Director of Corporate Services/Clerk
Lori McDonald

SCHEDULE “A”**Roads Exempt from the Reduced Load Period**

Road Name	From	To
Armstrong Street	Wellington Street (Muskoka Road 118 West)	Wellington Street (Muskoka Road 118 West)
Ball’s Drive	Muskoka Road 118 West	West Mall Road
Barron Drive	Taylor Court	End
Cedar Lane	Taylor Road Roundabout (Muskoka Road 42)	Fraserburg Road (Muskoka Road 14)
E. P. Lee Drive	Lagoon Lane	Robert Dollar Drive
Gray Road	Monica Lane	End (north and south)
Keith Road	Ecclestone Drive (Muskoka Road 118 West)	End (south)
Kirk Line	Rosewarne Drive	Highway 11
Kirk Line West	Highway 11	100 metres westerly
Kirkhill Drive	Ecclestone Drive (Muskoka Road 118 West)	End
Lagoon Lane	Ecclestone Drive (Muskoka Road 118 West)	End (west)
Monica Lane	Cedar Lane	Gray Road
Robert Dollar Drive	Ecclestone Drive (Muskoka Road 118 West)	E. P. Lee Drive
Rosewarne Drive	Taylor Road (Muskoka Road 42)	Kirk Line
Salmon Avenue	Wellington Street (Muskoka Road 118 West)	End
Taylor Court	Taylor Road	End
Taylor Road	Highway 11	Rosewarne Drive
West Mall Road	Muskoka Road 118 West	Ball’s Drive
Winhara Road	Highway 118 West	Town of Gravenhurst Boundary