

RURAL MUNICIPALITY OF WINSLOW NO. 319

BYLAW NO. 9/2007

VEHICLE WEIGHT MANAGEMENT BYLAW

The Council of the Rural Municipality of WINSLOW No. 319, in the Province of Saskatchewan, enacts as follows:

PART I – PURPOSE AND DEFINITIONS

Purpose

1. The purposes of this bylaw are (i) to establish or adopt a vehicle weight management system to regulate the weight of vehicles, or vehicles with their loads, using municipal highways or any particular municipal highways in the municipality and (ii) to designate routes within the municipality that any vehicle or class of vehicles is required to use when being driven in the municipality.

Definitions

2. (1) Except as hereinafter provided, words used in this bylaw shall have the meanings ascribed to them in *The Vehicle Weight and Dimension Regulations, 1999*.
- (2) In this bylaw:
 - a) “Administrator” means the administrator of the municipality, appointed pursuant to section 110 *The Municipalities Act, 2005*.
 - b) “Minister” means the member of the Executive Council to whom for the time being the administration of *The Highways and Transportation Act, 1997*, is assigned.

PART II – VEHICLE WEIGHTS

Weight Limits on Certain Roads

3. No person shall, without a permit issued:
 - a) pursuant to section 6 of this bylaw; or
 - b) by the Minister pursuant to section 36 of *The Highways and Transportation Act, 1997*;

operate or move or cause to be operated or moved on or over a municipal highway a vehicle, the gross vehicle weight of which exceeds the limits shown on Appendix “A” of this bylaw.

Vehicles Without Rubber Tires

4. Notwithstanding section 3 of this bylaw, no person shall, without a permit issued pursuant to section 6 of this bylaw, operate or move or cause to be operated or moved on or over a municipal highway a vehicle without rubber tires the gross vehicle weight of which exceeds _____ kilograms.

Exemptions

5. The restrictions set out in sections 3 and 4 of this bylaw shall not apply to those vehicles described in section 5 of *The Vehicle Weight and Dimension Regulations, 1999*.

Permits

6. (1) Notwithstanding sections 3 and 4 of this bylaw, the Administrator may, if satisfied that the vehicle or combination of vehicles can be operated or moved upon a municipal highway without damage to the highway or other property, issue a permit to the registered owner of the vehicle or combination of vehicles to exceed the maximum gross vehicle weights fixed by this bylaw.
- (2) In order to obtain a permit under this section the registered owner must provide to the Administrator (i) proof satisfactory to the Administrator that the vehicle and its load will not exceed the registered gross weight specified in the certificate of registration of the vehicle issued pursuant to *The Vehicle Administration Act* and (ii) proof of financial responsibility as provided for and in conformity with the requirements of *The Vehicle Administration Act*.
- (3) The Administrator shall, in the permit, designate the municipal highways that may be used and the vehicle shall then be operated on only such municipal highways as are designated.
- (4) For a single trip permit, the permit number must be provided upon request by a peace officer or the Administrator or his or her designate.
- (5) For a multi-trip permit, the permit shall be carried in the vehicle and be produced upon request by a peace officer or the Administrator or his or her designate, at the time of inspection.

PART III – ENFORCEMENT

Penalty

7. (1) A person who contravenes any provision of this bylaw is guilty of an offence.
- (2) The penalty for breach of any provisions of this bylaw shall be those set out in the General Penalty Bylaw of the municipality.

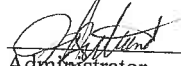


 Reeve



 Administrator
 Section 111.2 *The Municipality Act, 2005*

Certified a true copy of Bylaw No. 9-2007
 passed by resolution of Council on
 Wednesday, October 10th, 2007.



 Administrator

EXPLANATORY NOTES

1. Weight Limits on Certain Roads

Appendix "A" would be a map of the RM, showing the weight limits for each road. Note the weight limits can be less than, but cannot exceed, the limits fixed for primary highways under sections 13 to 15 of *The Vehicle Weight and Dimension Regulations, 1999* ("the Regulations").

This is the case by reason of clause 188.1(4) of *The Rural Municipality Act, 1989* ("the RMA"), which stipulates that "[a]ny vehicle weight management system established or adopted by bylaw pursuant to this section must not be inconsistent with the vehicle weight management system established or adopted by the minister responsible for the administration of *The Highways and Transportation Act, 1997*".

Thus, the only way that someone can exceed primary weights will be with a permit subject to the registered gross vehicle weight of the vehicle as shown on the Certificate of Registration.

2. Vehicles Without Rubber Tires

Section 16 of the Regulations, says that "no person shall operate or cause to be operated a vehicle, or combination of vehicles, without rubber tires that exceeds a gross vehicle weight of 10,000 kilograms".

Two things should be noted here.

Firstly, in order to be consistent with the vehicle weight management system established or adopted by the province (see above), council cannot set a limit greater than 10,000 kilograms.

Secondly, if council is content with 10,000 kilograms as a limit, then there is no need for this paragraph. Section 16 of the Regulations would apply.

3. Permits

Permit fees are currently set out in the Regulations but will soon be clarified in a Minister's Order.

Single trip permit fees are \$25.00.

Multiple trip permits are annual permits and a fee of \$100.00 may be charged for the annual permit.

With respect to subparagraph 6(2), Saskatchewan Highways and Transportation advises that it is important to ensure (i) that the vehicle is registered for the weight they propose to transport and (ii) that they have the necessary proof of financial responsibility. This information should be set out in the Certificate of Registration for the vehicle.

A hand-drawn site map on lined paper. The map includes several labeled points of interest connected by lines. On the left side, there are labels: "PROVINCIAL HIGHWAY" at the top, followed by "PRIMARY CRG", "MAIN FARM ACCESS", "GRID ROAD", "MUNICIPAL ROAD", "OTHER ROAD", and "RAILWAY". Below these, it says "TOWNSHIP/RANGE LINES" and "PIPELINE". Further down are "YARD SITE", "FARM SITE/VACANT", and "TOWER". On the right side, there is a vertical column of labels: "BRIDGE", "CEMETERY", "BATTERY", "WELL", "CHURCH", "SCHOOL", "COLONY", "GRAVEL PIT", "WASTE DISPOSAL", "CHEMICAL CAN DISPOSAL", "BUSINESS", and "COMPRESSOR". A compass rose is drawn near the center-right, indicating North (N), South (S), East (E), and West (W). There are also some small symbols like a star and a circle with a cross. At the bottom right, there is a circled number "05".

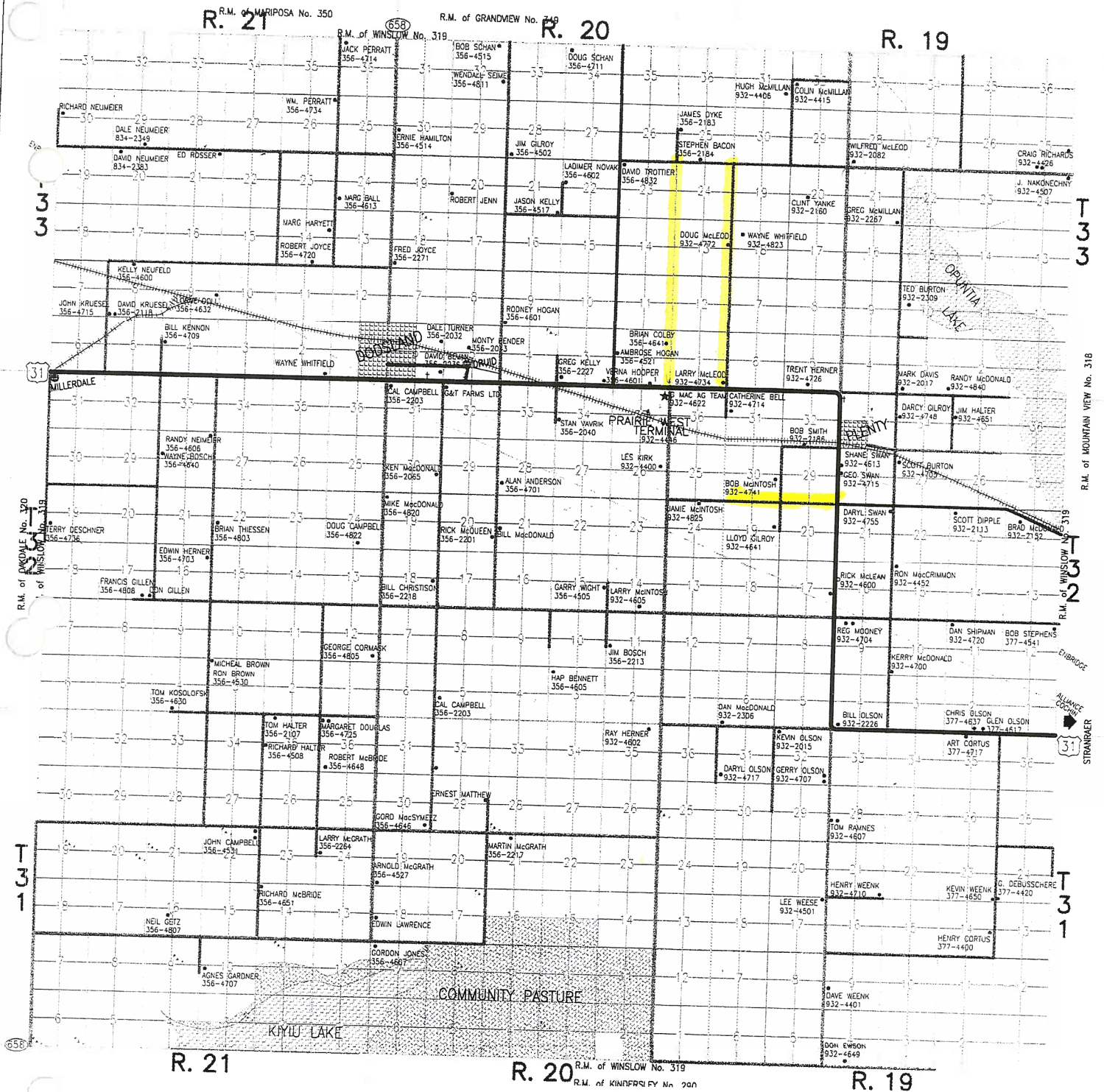
PROVINCIAL HIGHWAY
PRIMARY CRG
MAIN FARM ACCESS
GRID ROAD
MUNICIPAL ROAD
OTHER ROAD
RAILWAY

TOWNSHIP/RANGE LINES
PIPELINE
YARD SITE
FARM SITE/VACANT
TOWER

BRIDGE
CEMETERY
BATTERY
WELL
CHURCH
SCHOOL
COLONY
GRAVEL PIT
WASTE DISPOSAL
CHEMICAL CAN DISPOSAL
BUSINESS
COMPRESSOR

N
S
E
W

05



PERMANENT ROAD BAN HARDS
E1, 12, 13, & 24 - 33-20-W3
E2, 11, 14, & 23 - 33-20-W3
N 19, & 20 - 32-19-W3

All other roads primary weight.