

BYLAW NO. 22-03
A BYLAW TO REGULATE VEHICLE WEIGHTS WITHIN THE RURAL MUNICIPALITY
OF ARBORFIELD NO. 456

WHEREAS: Section 18(1) of *The Municipalities Act*, a council may, by bylaw, establish or adopt a system relating to vehicle weights or to route designation in the municipality; and

WHEREAS: Section 36(1) of *The Highways and Transportation Act, 1997*, the R.M. of Arborfield No. 456 has the power to issue a permit regarding overweight and over dimensional vehicles operating within the Municipality. This Bylaw refers to the weight and dimensions restrictions set out in *The Vehicle Weight and Dimensions Regulations, 2010*; and

WHEREAS: as it is necessary and advisable that every vehicle carrying any such goods in the municipality shall follow the Bylaw with regards to weight restrictions, permits and designated routes for any overweight loads for all classes of vehicles as per *The Highways and Transportation Act, 1997* and *The Vehicle Weight and Dimension Regulations 2010*.

NOW THEREFORE, The Council of the RM of Arborfield No. 456 in the Province of Saskatchewan enacts as follows:

1. Title

This bylaw shall be known as the "Overweight Vehicle Bylaw" of the municipality

2. Purpose

- a) Establish or adopt a vehicle weight management system to regulate the weight of commercial vehicles, or commercial vehicles with their loads, using municipal highways or any municipal highways in the municipality.
- b) Limit weights on certain roads and bridges and to limit weights during certain periods of the year, such as spring thaw.
- c) Designate routes for overweight and over dimensional vehicles to follow when operating within the Municipality.

3. Definitions

3.1 Except as hereinafter provided, words used in this bylaw are defined in the Interpretations contained in *The Municipalities Act, The Highways and Transportation Act, 1997* and *The Vehicle Weight and Dimension Regulations, 2010*.

3.2 In this bylaw:

- a) "Administrator" means the Administrator or designate of the Municipality.
- b) "Municipal Road" means any public road other than a provincial highway or a provincial road.
- c) "Municipal Weights" are the weights defined as Secondary Weight limits in *The Vehicle Weight and Dimension Regulations, 2010*. Weight limits on municipal highways are the same as those for secondary highways, including winter season; except 8 axle B trains and unless otherwise allowed by the local municipality or regulation.
- d) "Registered gross vehicle weight" shall mean the gross weight specified in the certificate of registration of the vehicle issued pursuant to *The Traffic Safety Act*.
- e) Specific definitions of words not defined within the bylaw shall have the same meaning as assigned to them under *The Vehicle Weight and Dimension Regulations*.

4. Provisions

- a) Council may, by resolution, establish corridors or routes within the municipality which allow vehicle weights above or below Municipal or Secondary Weights.
- b) For the Administrator to have the option to issue overweight permits for all vehicles wanting to haul goods which are over the Secondary weights (Municipal Weights). The Guide to Saskatchewan Weights and Dimension Regulations including the Gross Weight Chart is attached in *Appendix A*.
- c) Council may exercise the option, by resolution, to opt in or out of the Ministry of Highways and Infrastructure Spring Road Restrictions and or by resolution set out its own timeline for Road Restrictions.
- d) The Administrator may refuse to issue a permit to prohibit the operation of certain vehicles on specified roads and/or bridges if the use of a road and/or bridge by a specific vehicle and/or vehicle plus load may result in damage to the road, adjacent property or personal injury to the public.
- e) Pursuant to Section 22 of *The Municipalities Act*, any person who wishes to use a municipal road for the purpose of transporting quantities of goods or materials that, in the opinion of Council, are significant in nature, must enter into a Road Maintenance Agreement with the municipality for the maintenance of any municipal road. Vehicles used in connection with "bulk haul" operations will not be eligible for an Overweight Permit unless they have entered into a Road Maintenance Agreement pursuant to Section 22 of *The Municipalities Act*.

5. Permits

- a) No person shall, without a permit, operate a vehicle that exceeds the prescribed or ordered weight if that person intends to operate a vehicle on a municipal road where the vehicle has a weight or is carrying on any axle or wheel of that vehicle, a gross weight in excess of the maximum gross weight set out in the regulations.
- b) All vehicles operating within the R.M. of Arborfield No. 456 are subject to the provisions of *The Vehicle Weight and Dimension Regulations, 2010* and may require a valid R.M. of Arborfield No. 456 Vehicle Permit.
- c) Notwithstanding section 5(b) of this bylaw, the Administrator may, if satisfied that the vehicle can be operated or moved upon the municipal road without damage to the road, may issue a Primary Weight Vehicle Permit to allow the owner of the vehicle or combination of vehicles to transport primary weight applicable to the axle group loading for the unit indicated, in accordance with the *Weight and Dimension Regulations of The Highway and Transportation Act, 1997* within the municipality, except any restricted roads or bridges.
- d) Permitted vehicles shall only be operated on municipal roads as designated by the Administrator.
 - i. The permit shall be on an annual calendar basis and run from the date of application to the current year-end date and will not be pro-rated
 - ii. The permittee shall provide to the municipality the registered license plate number of the vehicle, in addition to the vehicle's Gross Vehicle Weight, as determined by the motor vehicle registration as issued by Saskatchewan Government Insurance.
 - iii. Applicable charges payable to municipality for issuance of a permit shall include:
 - 1. **\$300 per truck for an annual (Jan – Dec) permit**
 - 2. **\$50 per truck for Single Trip Permit**
- e) If a permit is approved, the permit and an invoice will be sent by email or mail to the applicant. It is expected that payment for the permit is received within 30 days.
- f) A copy of the approved permit shall be carried in the vehicle and be available upon request by a Peace Officer, Designated Officer or Bylaw Enforcement Officer appointed by the R.M. of Arborfield No. 456, at any and all times.
- g) Permits are non-transferable.

6. Exemptions

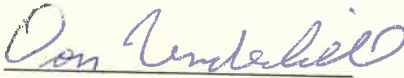
- a) Farm equipment as per *The Vehicle Weight and Dimension Regulations, 2010*.

7. Enforcement

- a) In any case, with or without a valid vehicle permit, when there is damage to a RM road or infrastructure due to overweight or over dimension of a vehicle or load, the owner and or operator of the vehicle will be responsible for the full costs of the repair.
- b) Any person who contravenes any provision of this Bylaw is guilty of an offence.
- c) The penalty for breach of any provisions of this Bylaw shall be set out in the General Offence and Penalty Bylaw of the Municipality.
- d) The Administrator may also delegate a Designated Officer for the enforcement of this bylaw.

- 8. This bylaw shall come into force and effect on the day of its final adoption.




Reeve


Administrator

Read a third time and adopted
this 13th day of October, 2022.