

RURAL MUNICIPALITY OF PIPESTONE
By-Law No. 2021/03

Being a By-Law of the Rural Municipality of Pipestone to regulate and travel on municipal roads.

WHEREAS Section 232 (1) of *The Municipal Act*, provides, in part
“A Council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property

AND WHEREAS, Section 90(1) of *The Highway Traffic Act* provides, in part,

“**90(1)** A traffic authority may classify vehicles according to dimensions, design, weight, kind of weight carried or otherwise, for any class or all classes of vehicles and may make rules or by-laws supplementary to, or in addition to, but not contrary to, any provisions of this Act or regulations made thereunder and applicable on highways over which the traffic authority has jurisdiction or within any area over which the traffic authority has jurisdiction, with respect to

- (d) prescribing routes of travel;

and may impose penalties for a violation of any such rule or by-law.”;

AND WHEREAS Section 90(2) provides that if the traffic authority is a municipality any penalties shall be imposed by by-law;

AND WHEREAS the Council of the Rural Municipality of Pipestone deems it expedient and in the best interest of the residents of the Municipality to regulate the routes of truck traffic;

NOW THEREFORE, BE IT AND IT IS HEREBY ENACTED BY THE COUNCIL OF THE RURAL MUNICIPALITY OF PIPESTONE, IN SESSION DULY ASSEMBLED, AS FOLLOWS:

1. THAT this By-Law shall be known as the Truck Traffic By-Law

2. **DEFINITIONS:**

THAT unless otherwise expressly provided, words used in this By-Law have the same meaning as defined in *The Highway Traffic Act* of Manitoba unless otherwise provided.

THAT in this By-Law

- a) “By-Law Enforcement Officer” means the By-Law Enforcement Officer appointed by the Council of the Rural Municipality of Pipestone.
- b) “Municipality” means the Rural Municipality of Pipestone.
- c) “Not a Truck Route” means a route not to be used as a route of truck travel as outlined under Section 5 herein.
- d) “Operator” means the driver of a truck.
- e) “Truck” means a motor vehicle or semi-trailer truck that is constructed or adapted to carry goods, wares and merchandise, freight or commodities, but not passengers or luggage.
- f) “Designated Officer” means the Chief Administrative Officer or By-Law Enforcement Officer.

3. **ROUTES OF TRUCK TRAVEL:**

- a) **THAT** all trucks, truck tractors or combinations of either one of them with a trailer or trailers within the Municipality shall be operated only over and along the roads or sections of roads set forth as Truck Routes hereto, but any truck or truck tractor or combination of either one of them with trailer or trailers may operate upon any “Not a Truck Route” road where necessary to conduct business at a destination point or when attending and leaving the private residence of a truck operator, provided that Truck Routes are used until reaching the intersection nearest the destination point or private residence. Upon leaving the destination point or private residence, a truck or truck tractor or combination of either one of them with a trailer or trailers shall return by the shortest route to a Truck Route.
- b) **THAT** where “Not a Truck Route” signs, of the type approved by The Highway Traffic Board of the Province of Manitoba for use in and adjacent to the Municipality, are installed and maintained on a road or section of road, the road or section of road shall be deemed to be “Not a Truck Route”.
- c) **THAT** all Provincial Trunk Highways, Provincial Roads and Municipal Roads, excepting those Municipal Roads determined as “Not a Truck Route” as described in Section 5, within the Municipality shall be deemed to be designated Truck Routes within the terms of this By-Law.

4. **“NOT A TRUCK ROUTE”:**

THAT the following Municipal Roads shall be deemed as “Not a Truck Route”:

Road 53N from Road 154W to Road 158W
Road 40N from Road 154W to Road 156W
Road 156W from Road 40N to Road 54N

5. That any person or persons found to be in contravention of this by-law shall be issued by a Designated Officer a Traffic Violation in the form attached as Schedule "A". Service of such notice shall be deemed to have been completed by personal service to the operator or owner of the vehicle, by leaving a true copy of the notice affixed to the vehicle, or by mail to the address noted on the vehicle registration.
6. Any person or persons committing an offence under this by-law shall be liable on summary conviction to a fine of one hundred dollars (\$100.00) plus court costs, as applicable. Where an offence continues for more than one day, the person is guilty of a separate offence for each day that it continues.
7. That By-law 2016-09 be and hereby is repealed.

DONE AND PASSED by the Council of the Rural Municipality of Pipestone duly assembled at Reston, in Manitoba this 13th day of May, A.D., 2021.

REEVE

CHIEF ADMINISTRATIVE OFFICER

Given first reading this 8th day of April 2021
Given second reading this 13th day of May, 2021
Given third reading this 13th day of May, 2021

Schedule "A"



TRAFFIC VIOLATION

Under the Authority of By-law 2016-09

Ticket # _____

I, _____ believe from my personal knowledge and certify that on the date and time noted, the owner (or operator) of the vehicle which was displayed either the Plate Number or the Vehicle Identification Number described below committed the following contravention:

Date: _____ **Time:** _____ a.m. / p.m.

Designated Officer: _____

License Plate: _____ **Province:** _____

Expiry Date: _____ **Vehicle Make:** _____

Comments: _____

Location: _____

Violation: _____

Fine: _____

First Name: _____

Last Name: _____

Address: _____

Signature of Designated Officer: _____

Pay by Mail in return envelope provided or in person within 15 days at 401 Third Avenue, Reston.