

THE RURAL MUNICIPALITY OF DAUPHIN
By-Law No. 2813

BEING A BY-LAW of the Rural Municipality of Dauphin to implement Road Restrictions for the temporary control and regulation of vehicle traffic causing excessive damage to roads within the boundaries of the Rural Municipality of Dauphin.

WHEREAS the Municipality deemed necessary to restrict vehicle traffic from excessively damaging roads within the municipality.

NOW THEREFORE THE COUNCIL OF THE RURAL MUNICIPALITY OF DAUPHIN IN SESSION ASSEMBLED ENACT AS FOLLOWS:

1. THAT road restrictions within the municipality be in effect from April 1st - May 31st of every year.
2. THAT the Council of the Rural Municipality of Dauphin shall:
 - a) Appoint a "Road Patrol Officer" pursuant to this By-Law by resolution;
 - b) Revoke the appointment of the Road Patrol Officer under this By-Law by resolution passed at any time;
 - c) In the event of a vacancy, or in the event of a need for additional Road Patrol Officers, the Council of the Rural Municipality of Dauphin may appoint a Road Patrol Officer by resolution passed any time during the year;
3. THAT the Road Patrol Officer will record information required pertaining to any person in violation of this By-Law as set forth as Schedule "A" attached hereto.
4. THAT within 72 hours of a person in violation of this By-Law, the Road Patrol Officer and Foreman of the Rural Municipality of Dauphin will notify and meet with the Chief Administrative Officer of the Rural Municipality of Dauphin, to assess excessive damages which have occurred to the particular piece of municipal road.
5. THAT as soon as reasonably possible, after the report of the violation as set out in paragraphs 3 & 4 of this By-Law, a notice consisting of this By-law and Schedule "A" attached thereto, be sent by registered mail to the person in violation of this By-Law and carbon copies to the Royal Canadian Mounted Police.

THAT the person in violation be responsible to ensure adequate enclosures are evident.

6. THAT any person in violation of this By-Law be penalized as follows:
- 1st Offence - Written Warning
 - 2nd & subsequent Offences - Total cost of damages incurred to the municipal road up to a maximum as set forth in the Municipal Act.
7. THAT the Royal Canadian Mounted Police be the enforcer of this By-law of the Rural Municipality of Dauphin
8. THAT if penalties are not paid to the municipality by the person in violation, ~~the penalties~~ be charged as taxes against any real property owned by the owner/operator of the vehicle located within the boundaries of the Rural Municipality of Dauphin, and collected as Real Property Taxes in the usual manner.
9. THAT in the event the owner/operator of the vehicle does not own Real Property within the boundaries of the municipality, the municipality may recover all costs, remuneration and fines as a debt through any Court of competent jurisdiction.
10. THAT school buses and emergency vehicles be exempt from this By-law.

DONE AND PASSED as a by-law of the Rural Municipality of Dauphin by the Council thereof in open session assembled this 27th, day of March, 2001.



REEVE:

L. George Richardson



CHIEF ADMINISTRATIVE OFFICER:

Marlene Kawchuk

Read a FIRST time this	13 th day of March, 2001
Read a SECOND time this	13 th day of March, 2001
Read a THIRD time this	27 th day of March, 2001

For:

G. Richardson
B. Spencer
B. Michaleski
L. Yakielashek
B. Cooke
T. Kutcher
S. Babee

Against:

Abstained:

THIS IS SCHEDULE "A" referred to in By-Law NO. 2813 of THE RURAL MUNICIPALITY OF DAUPHIN.

To: _____
(Name of Owner)

(Name of Vehicle Operator)

(Address)

TAKE NOTICE THAT the Vehicle Operator as described above is in violation of By-law No. 2813, of the Rural Municipality of Dauphin and has caused excessive damages to the road as described within the information provided below during the time set for Road Restrictions within the boundaries of the Rural Municipality of Dauphin.

THIS IS TO SERVE AS YOUR _____
(# of violations) (Written Warning/Offence)

Date: _____
Time: _____
Type of Vehicle: _____
License Plate #: _____
Color of Vehicle: _____
Legal Description of Road: _____

THE EXCESSIVE DAMAGES TO THE MUNICIPAL ROAD WAS ASSESSED AS FOLLOWS:

Quantity	Description of Repair	Rate	Total
1	Administration Fee	\$ 25.00	\$25.00
	Blading		
	Gravel Costs		
Total cost of Repair			
Written Warning (first offence exempt)			
Total Cost Owed to the Municipality			

DATED this _____ day of _____, _____.

Marlene Kawchuk
Chief Administrative Officer
Rural Municipality of Dauphin