

The Corporation of the Township of Tudor and Cashel

By-Law No. 2013-23

Being a By-Law to establish a restriction to the gross weight of commercial vehicles permitted to travel on certain sections of the road system during a period that could result in damage to the road. The weight restrictions will be 5000 kilograms (5 tonnes) per axle for this period.

WHEREAS Subsection 7 of Section 122 of the Highway Traffic Act, R.S.O. 1990, cH8, as amended provides that the municipality or other authority having jurisdiction over a highway may by by-law designate the date on which a reduced load period shall start or end and the highway or portion thereof under its jurisdiction to which the designation applies;

AND WHEREAS Section 425 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, provides that any person who contravenes any by-law of the municipality, passed under this Act, is guilty of an offence;

AND WHEREAS Section 125, of the Highway Traffic Act, R.S.O. 1990, cH8, as amended provides the offence and penalty for any contravention of a by-law under Section 122(1), (2) or (3);

AND WHEREAS the reduced load period is deemed necessary for the protection and preservation of the road infrastructure within the jurisdiction of the Corporation of the Township of Tudor and Cashel;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TUDOR AND CASHEL HEREBY ENACTS AS FOLLOWS:

1. In this by-law,
 - a) "Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended from time to time;
 - b) "motor vehicle" has the meaning ascribed thereto in the Highway Traffic Act;
 - c) "official sign", means a load restriction sign erected in accordance with the regulations under the Highway Traffic Act;
 - d) "reduced load period" means any period from the first day of January to the thirty-first day of December inclusive in each and every year; and
 - e) "vehicle" has the meaning ascribed thereto in the Highway Traffic Act.
2. A reduced load restriction will be at the discretion of the Roads Superintendent, or his/her designate.
3. Reduced load restrictions will be posted on the Tudor and Cashel website.
4. Regulations contained herein shall not become in effect until official signage has been erected in a conspicuous place.
5. Once such signage has been posted, no commercial, or public motor vehicle or trailer, other than a Municipal vehicle, shall be operated or drawn upon a road or portion thereof where the weight upon an axle exceeds 5,000 kilograms (5 tonnes). (Emergency Vehicles are exempt)
6. A reduced load restriction shall remain in effect until the official signage has been removed, the road superintendent, or their designate shall have the authority to remove any or all reduced load signs at their discretion.
7. Every person who contravenes a provision of this by-law is guilty of an offence and upon conviction is liable to a fine as set out in the Highway Traffic Act.
8. This By-Law repeals any other by-laws and/or resolutions pertaining to same.

PASSED THIS 03rd DAY OF SEPTEMBER, 2013.

WANDA DONALDSON, REEVE

BERNICE CROCKER, CLERK