

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW No. 2010 - 54

Being a By-law to designate reduced load periods and the highways or portions thereof to which the designation applies and to issue over-dimensional permits

Whereas Section 122(1) of the *Highway Traffic Act, R.S.O. 1990, chapter H.8* (the Act) states that during a reduced load period no commercial motor vehicle shall be operated or drawn upon any designated highway where the weight upon an axle exceeds 5,000 kilograms;

And Whereas Section 122(7) of the Act states a municipality 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 110(1) of the Act enables a municipality having jurisdiction over a highway, upon application in writing, to grant a permit for use of the highway or portion thereof by a vehicle or combination of vehicles in excess of the dimensional limits set out in Section 122 of the Act;

And Whereas Council of the Town of The Blue Mountains is desirous of enabling the Manager of Roads and Drainage or his or her designate to be able to designate certain dates on which a reduced load period shall start or end and the highway or portion thereof under Town jurisdiction to which the designation applies and to grant permits for use of the highway or portion thereof during any reduced load period where vehicles are in excess of dimensional limits;

Now Therefore the Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. When signs have been erected by the Manager of Roads and Drainage or his or her designate and are on display and indicate a reduced load period on a highway or portion thereof under Town jurisdiction, no commercial motor vehicle or trailer shall be operated or drawn upon those highways from the 1st day of January to the 31st day of December, inclusive in each and every year, where the weight upon an axle exceeds 5,000 kilograms.
2. The Town Manager of Roads and Drainage or his or her designate, shall have the authority to place or remove any or all reduced load signs at his or her sole discretion, from the 1st day of January to the 31st day of December, inclusive in each and every year.
3. The Town Manager of Roads and Drainage or his or her designate, shall have the authority to grant permits for use of a highway or portion thereof during any reduced load period by a vehicle in excess of dimensional limits set out in this By-law, where such a permit is deemed to be required and necessary.
4. Notwithstanding Section 1 of this By-law, during a reduced load period,
 - a. no two axle tank-truck, while used exclusively for the transportation of liquid or gaseous heating fuel;
 - b. no two axle truck, while used exclusively for the transportation of livestock feed; and/or
 - c. no vehicle transporting live poultry,


shall be operated upon those highways so designated where the weight upon an axle exceeds 7,500 kilograms.

5. Section 1. of this By-law does not apply to:
 - a. over-dimensional farm vehicles;
 - b. vehicles operated by or on behalf of a municipality, where the vehicles are engaged in road-building or highway maintenance, including the carriage and application of abrasives or chemicals to the highway, the stockpiling of abrasives or chemicals for use on a highway, or the removal of snow from a highway;
 - c. vehicles used exclusively for the transportation of milk;
 - d. fire apparatus;
 - e. vehicles operated by or on behalf of a municipality transporting waste; or
 - f. public utility emergency vehicles.
6. Words or phrases contained in this By-law have the same meaning as given in the *Highway Traffic Act*.
7. Every person who contravenes any provision of this By-law is guilty of an offence and on conviction, is liable to a penalty and fine as prescribed in Section 125 of the *Highway Traffic Act*.
8. By-law No. 89-20 of the former Township of Collingwood and any By-law of the former Town of Thornbury made with regard to a reduced load period on highways and By-laws 2006-13 and 2006-16 of the Town of The Blue Mountains are hereby rescinded and repealed.

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this 9TH day of August, 2010


.....
Ellen Anderson, Mayor


.....
Corrina Giles, Town Clerk