

BYLAW NO. 9-2004

A BYLAW TO ESTABLISH VEHICLE WEIGHT MANAGEMENT

The Council of the Rural Municipality of Lumsden No.189, in the Province of Saskatchewan, enacts as follows:

PART I – PURPOSE AND DEFINITIONS

Purpose:

1. The purposes of this bylaw are (i) to establish or adopt a vehicle weight management system to regulate the weight of vehicles, or vehicles with their loads, using municipal highways or any particular municipal highways in the municipality and (ii) to designate routes within the municipality that any vehicle or class of vehicles is required to use when being driven in the municipality.

Definitions:

2. (1) Except as hereinafter provided, words used in this bylaw shall have the meanings ascribed to them in *The Vehicle Weight and Dimension Regulations, 1999*.

(2) In this bylaw:
 - a) “Administrator” means the administrator of the municipality, appointed pursuant to section 49 of *The Rural Municipality Act, 1989*; and
 - b) “Minister” means the member of the Executive Council to whom, for the time being, the administration of *The Highways and Transportation Act, 1997*, is assigned.

PART II – VEHICLE WEIGHTS

Weight Limits on Certain Roads:

3. No person shall, without a permit issued:
 - a) pursuant to section 6 of this bylaw; or
 - b) by the Minister pursuant to section 36 of *The Highways and Transportation Act, 1997*;operate or move or cause to be operated or moved on or over a municipal highway a vehicle, the gross vehicle weight of which exceeds the limits shown on Appendix “A” of this bylaw.

Vehicles Without Rubber Tires:

4. Notwithstanding section 3 of this bylaw, no person shall, without a permit issued pursuant to section 6 of this bylaw, operate or move or cause to be operated or moved on or over a municipal highway a vehicle without rubber tires the gross vehicle weight of which exceeds 10,000 kilograms as prescribed in section 16 of *The Vehicle Weight and Dimension Regulations, 1999*.

Exemptions:

5. The restrictions set out in sections 3 and 4 of this bylaw shall not apply to those vehicles described in section 5 of *The Vehicle Weight and Dimension Regulations, 1999*.

Permits:

6. (1) Notwithstanding sections 3 and 4 of this bylaw, the Administrator may, if satisfied that the vehicle or combination of vehicles can be operated or moved upon a municipal highway without damage to the highway or other property, issue a permit to the registered owner of the vehicle or combination of vehicles to exceed the maximum gross vehicle weights fixed by this bylaw.

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(2) In order to obtain a permit under this section the registered owner must provide to the Administrator (i) proof satisfactory to the Administrator that the vehicle and its load will not exceed the **REGISTERED** gross weight specified in the certificate of registration of the vehicle issued pursuant to *The Vehicle Administration Act* and (ii) proof of financial responsibility as provided for and in conformity with the requirements of *The Vehicle Administration Act*.

(3) The Administrator shall, in the permit, designate the municipal highways that may be used and the vehicle shall then be operated on only such municipal highways as are designated.

(4) For a single trip permit, the permit number must be provided upon request by a peace officer or the Administrator or his or her designate.

(5) For a multi-trip permit, the permit shall be carried in the vehicle and be produced upon request by a peace officer or the Administrator or his or her designate, at the time of inspection.

Bridges:

7. (1) Subject to subsection 7(2) of this bylaw, no person shall operate or move or cause to be operated or moved across any bridge within the municipality a vehicle, the gross vehicle weight of which exceeds 54,500 kilograms or 27,000 kilograms per axle group **WITHOUT A PERMIT**.

(2) Notwithstanding subsection 7(1) of this bylaw, no person shall operate or move or cause to be operated or moved on or over the bridges listed in Appendix "B" of this bylaw, a vehicle, the gross vehicle weight of which exceeds the limits shown on Appendix "B".

PART III – ENFORCEMENT

Penalty:

8. (1) A person who contravenes any provision of this bylaw is guilty of an offence.

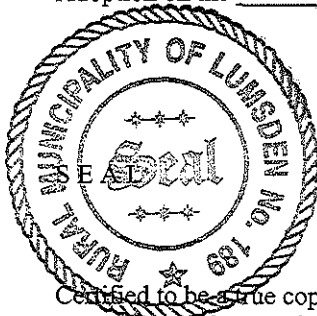
(2) The penalty for breach of any provisions of this bylaw shall be those set out in the General Penalty Bylaw of the municipality.

READINGS

1st Reading the _____ 8th day of December _____, 2004

2nd Reading the _____ 17th day of March _____, 2005

Adoption on the _____ 17th day of March _____, 2005



Certified to be a true copy of Bylaw No. 9-2004 passed by resolution of Council at a meeting held on the 17th day of March, 2005.

ADMINISTRATOR

REEVE

ADMINISTRATOR

