

RURAL MUNICIPALITY OF VANSCOY NO. 345

BYLAW NO. 03-2021

A BYLAW TO ESTABLISH WEIGHT RESTRICTIONS ON MUNICIPAL ROADS

The council of the Rural Municipality of Vanscoy No. 345, in the Province of Saskatchewan, enacts as follows:

PART 1 – PURPOSE AND DEFINITIONS

Purpose

1. The purposes of this bylaw is to establish a designated vehicle weight management system to regulate the weight of vehicles, or vehicles with their loads, using particular municipal roadways in the municipality.

Definitions

2. (1) The words used in this bylaw shall have the meanings ascribed to them in *The Vehicle Weight and Dimension Regulations, 2010*.
(2) In this bylaw:
 - (a) "Administrator" means the administrator of the municipality;
 - (b) "Council" shall mean the Council of the municipality;
 - (c) "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;
 - (d) "Municipality" means the Rural Municipality of Vanscoy No. 345;
 - (e) "Order" means an order issued by the road committee; and
 - (f) "Committee" means a road management committee established in accordance with section 81 of *The Municipalities Act* for the purpose of issuing orders.

PART 2 – SECONDARY ROAD WEIGHTS

Designated Secondary Road Weights

3. That all developed and elevated road segments within the Rural Municipality of Vanscoy No. 345 shall be designated as Secondary Weight Roads EXCEPT the following road segments, which have been designated as Primary Weight Roads.
 - That Portion of Range Road 3081 as identified as "Prairie Lane Road" North Bound from Highway #7, and as identified as "Young Road" South Bound from Highway #14, located North from Highway #7 West of Sections 02, 11, 14, 23, 26, 35-35-08 W3, West of Sections 02, 11, 14, 23, 26-36-08 W3 to Highway #14.
 - That portion of Range Road 3084 known as "Lynne Road" located North from Highway No. 14 West of Section 32-36-08 W3 to the RM of Corman Park No. 344 Boundary.

Signs

4. Signs indicating the Primary Weight routes shall be erected at each end of the Primary Weight Corridor Segments.

PART 3 SPRING ROAD RESTRICTIONS

Spring Road Bans/Weight Restrictions

5. The RM of Vanscoy No. 345 participates in The Government of Saskatchewan, Ministry of Highways Spring Weight Restrictions Order.

During the period of Spring Road/Weight Restrictions, as included in Ministerial Order, no person shall, operate or move or cause to be operated or moved on or over a municipal roadway, a vehicle of which the gross vehicle weight exceeds the limits of Ministerial Order for Primary and Secondary Road segments as identified.

Additionally, the RM of Vanscoy No. 345 further restricts that during the period of Spring Road/Weight Restrictions, as included in Ministerial Order, no person shall, operate or move or cause to be operated or moved on or over a municipal roadway, a vehicle of which the gross vehicle weight exceeds 4,500 Kilograms on road segments identified within Appendix A as attached to this Bylaw.

A special exemption permit can be issued to a residence that is along a Spring Weight Restricted road.

Exemptions

6. The restrictions set out in sections 3 and Section 5 of this bylaw shall not apply to those vehicles described in section 3 of *The Vehicle Weight and Dimension Regulations, 2010*.

Permits

7. (1) Notwithstanding sections 3 and 5 of this bylaw, the Administrator or a designate may, if satisfied that the vehicle or combination of vehicles can be operated or moved upon a municipal roadway without damage to the roadway 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.

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

PART 4 - PENALTIES

PENALTIES

8. (1) A person who contravenes any provisions of this Bylaw is guilty of an offence and liable on summary conviction to a penalty of that identified in The Highway and Transportation Act, 1997.

ENFORCEMENT

- 9 (1) For the purposes of the enforcement of this bylaw, any designated officer may direct the operator of a motor vehicle to any certified scale as defined by the Weights and Measures Act Canada for the purpose of weighing a vehicle and that failure to follow those directions is an offence under this Bylaw.

(2) A designated officer who is equipped with portable scales approved by the Minister, shall advise the operator of a vehicle that in lieu of having the weight determined using a portable scale, the operator has the option to immediately take the vehicle to a certified weigh scale within the outer boundaries of the Rural Municipality of Vanscoy No. 345, at the discretion of the designated officer, within the meaning of the Weights and Measures Act Canada that are capable of weighing the vehicle.

(3) Where the operator of a vehicle chooses to have the vehicle weighed at a certified weigh scale, the designated officer has the authority to take whatever actions are necessary to ensure that no alteration in the weight of the vehicle, or the distribution of the weight of the load, occurs during transit.

(4) No person shall take any action to alter the weight or distribution of the load of a vehicle during transit to weigh scales.

(5) Documentary evidence of the accuracy of weigh scales may be entered into the prosecution of charges under this bylaw in a manner in accordance with section 62 of the Highways and Transportation Act, 1997.

(6) The owner of a vehicle that is involved in the commission of an offence respecting any excess above prescribed weight limits is guilty of the offence and liable for the penalties for the contravention, whether or not the owner was directly involved in committing the offence or was in possession of the vehicle at the time of the contravention.

(7) Notwithstanding subsection (6), the owner of a vehicle is not liable for the contravention if the owner demonstrates to the court that:

- (i) the owner did not commit the contravention; and
- (ii) the person who was in possession of the vehicle at the time of the contravention was in possession of the vehicle without the express or implied consent of the owner.

COMING INTO FORCE

10. This Bylaw shall come into force the 11th day of February, 2021,


Read a first time this 11th day of February, 2021

Read a second time this 11th day of February, 2021

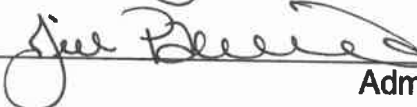
Read a third time and passed this 11th day of February, 2021

[SEAL]





Reeve



Administrator

Certified a True Copy
of Bylaw 03-2021
Passed by Council on
February 11th 2021