

BYLAW NO. 9-2020

A BYLAW OF THE RURAL MUNICIPALITY OF LAURIER NO. 38 TO PROVIDE FOR THE OPERATION OF OVERWEIGHT VEHICLES ON ROADS IN THE MUNICIPALITY.

The Council of the Rural Municipality of Laurier No. 38, in the Province of Saskatchewan pursuant to Section 18 & 21 of *The Municipalities Act* enacts as follows:

PART 1 - PURPOSE AND DEFINITIONS

Purpose

1. This Bylaw may be referred to as “The Overweight Permit Bylaw”.
2. This Bylaw is intended to:
 - a) Identify when an overweight permit is required and;
 - b) Identify individuals authorized to issue a permit and;
 - c) Provide the format for overweight permit forms.

Definitions

3. In this Bylaw:
 - a) “Road” shall mean the public highway or roadway within the Municipality under the direction, control and management of the Municipality, and;
 - b) “Gross vehicle weight (GVW)” shall mean the total weight a motor vehicle including any payload.
 - c) “Municipality” shall mean the Rural Municipality of Laurier No. 38.
 - d) “Overweight permit issuers” shall mean the Municipality’s Administration staff and Council members.

PART II - PROVISIONS AND EXCEPTIONS

Provisions

4. Provisions of this Bylaw:
 - a) All vehicles operating in the Municipality, unless otherwise exempted, shall not exceed the prescribed or ordered “Primary Highway” weights as determined by *The Highways and Transportation Act, 1997* and applicable regulations.
 - b) No vehicle shall be given a Municipal Overweight Transportation Permit for a weight greater than the vehicle’s Registered Gross Vehicle Weight; as determined by the motor vehicle registration as issued by Saskatchewan Government Insurance.
 - c) Persons wishing to haul above “Primary” weights shall apply for a permit to the municipal office. Conditions of the permit shall include:
 - i. The permit applicant shall provide the to the municipality the following information:
 - a. Valid license plate number;
 - b. Unit number (if applicable);
 - c. Insurable gross vehicle weight;
 - d. Number of axles;
 - e. Freight Information
 - ii. The permit shall be valid, upon request and approval, for one day.
 - iii. The hauler shall provide a designated route to be reviewed by

- the Municipality. The Municipality shall have final approval of the provided route or may provide an alternative route.
- iv. The permit must be carried in the stated vehicle at all times and made available, upon request, to a peace officer, or person appointed by the minister, or a representative of the Municipality.
 - v. Users shall ensure the road is in a dry and/or frozen state.
 - vi. The speed shall not exceed 70 kilometers per hour or other posted limit.
 - vii. Any damage to the road is the responsibility of the permit holder.
- d) The permit form and fee schedule shall be set out as per attached schedules “A” and “B”. The approved permit shall act as an invoice on behalf of the Municipality.
 - e) Payment shall be due 30 days after the permit is issued.

Exceptions

5. Exceptions of this Bylaw:

- a) Provincial and/or local road bans supersede these permits.
- b) Pursuant to Section 22 of *The Municipalities Act*, any person who wishes to use a municipal road for the purpose of transporting quantities of goods or materials that, in the opinion of Council, are significant in nature, must first enter into an agreement with the municipality for the maintenance of any municipal road. Vehicles used in connection with “bulk haul” operations will not be eligible for a Municipal Overweight Transportation Permit unless they have first entered into an agreement pursuant to Section 22 of *The Municipalities Act*.

PART III - ENFORCEMENT

6. Enforcement of this Bylaw:

- a) A person who contravenes any of the provisions of this Bylaw is guilty of an offense and liable on summary conviction to a penalty of that identified in the Highway and Transportation Act, 1997.
- b) Enforcement of this Bylaw may be made by the RCMP and/or any person authorized to enforce the *Highway and Transportation Act, 1997*.
- c) Failure to use designated route may result in enforcement of the Bylaw 7:2005, General Penalties Bylaw, which could result in a fine of up to \$10,000.00 for individuals and \$25,000.00 for corporations.

PART IV - EFFECTIVE DATE

7. This Bylaw shall come into effect upon passing.
8. Bylaw No. 9/2019 is hereby repealed.

Reeve

Administrator

Read a third time and adopted by resolution of
Council this 8th day of December, 2020.

Reeve

Administrator