

Town of Arcola

Bylaw No. 2018-08

A Bylaw to Regulate the Vehicle Weights and Truck Routes in the Town of Arcola

The Council of the Town of Arcola, in the Province of Saskatchewan, enacts as follows:

1. This bylaw may be cited as the Truck Route Bylaw.
2. Interpretation:
 - a. "Heavy Vehicle" means a vehicle with or without load which alone or together with any trailer, semi-trailer, or other vehicle being towed, weights 5.5 tonnes or more, but not including recreation vehicles;
 - b. "Highway" means a road, parkway, driveway, square or place designed and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area and does not include a provincial highway within the municipality as designated pursuant to the provisions of *The Highways and Transportation Act*;
 - c. "Municipality" means the Town of Arcola;
 - d. "Vehicle" means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to it by *The Highways and Transportation Act*.
3. Infractions:
 - a. Weight Restrictions – Truck Routes
 - (1) No person shall operate a heavy vehicle within the municipality or a combination of vehicles when the combined gross weight of the vehicle(s) with or without a load exceeds 5.5 tonnes, except on Main Street.
 - (2) Subject to subsection (1), no person shall operate a heavy vehicle within the municipality, or a combination of vehicles when the combined gross weight of the vehicle(s) with or without a load exceeds the maximum allowable weight pursuant to *The Vehicle Weight and Dimension Regulations, 2014*, on any highway within the municipality.
 - (3) Subsections (1) and (2) shall not apply to vehicles making deliveries on any highway in the municipality, provided that the operator of the vehicle(s) uses the most direct route from and to Main Street.
 - (4) The provisions of *The Police Act* and *The Highways and Transportation Act* shall apply to the operators of vehicles referred to in this bylaw.
 - (5) In the case where a business, in existence at the time of passing of this bylaw must use other streets or avenues to access their property, Council may, by resolution, authorize the granting of a no-cost permit specific to that business operation for heavy vehicle traffic.
4. Penalties:
 - a. (1) A person who contravenes the provisions of subsections 2 (a) is guilty of an offence and liable on summary conviction to a penalty of \$100.00 for the first offence, \$200.00 for each subsequent offence.
 - (2) A further penalty shall be imposed as follows:
 - (i) Three dollars (\$3.00) for each 50 kg or fraction thereof for the first 1,000 kg in excess of the prescribed maximum gross weight allowable; and
 - (ii) Five dollars (\$5.00) for each 50 kg or fraction thereof in excess of 1,000 kg that the actual gross weight exceeds the prescribed gross weight allowable, provided that in computing the further penalty, 500 kg or two percent of the

maximum gross weight fixed by this bylaw, whichever is the lesser, shall not be taken into account.

(3) In each instance, the total fine shall not exceed the maximum provided for in the general penalty bylaw of the municipality.

5. Impounding:

- a. Any member of the police force, special constable, or other person appointed by council may remove or cause to be removed any vehicle that is unlawfully placed, left or kept on any street or lane, public parking place, or other public place, or on municipally-owned property, and to impound or store such vehicle.
- b. Where a vehicle has been impounded or stored after it has been removed under subsection (a), it may be retained at a place designated by council for a period of thirty (30) days from the date of removal unless the cost of removal, impounding and storage are sooner paid. Upon payment of the full costs herein, the vehicle may be released to the owner thereof.
- c. If the costs of removal, impounding and storage are not paid within the period of thirty days as specified in subsection (b), the municipality shall have the right to recover same from the owner of the vehicle by:
 - (i) legal action in a court of competent jurisdiction; or
 - (ii) sale by public auction or publication of a notice designating the time and place of sale at least fourteen (14) days prior to the sale in a newspaper circulating in the municipality and on sending such notice by registered mail to the owner at the address appearing on the last registration of the vehicle.

6. This bylaw shall come into force and take effect on the date of final passing thereof.

7. Bylaw No. 11-90 is hereby repealed.



Matthew
Mayor

Suzette P. Lutz
Administrator

Certified a true copy of
Bylaw No 2018-08 passed on the
14 day of August, 2018

Suzette P. Lutz
Administrator