

## **BYLAW NO. 9-2020**

### **A BYLAW TO MANAGE VEHICLE WEIGHTS**

**A bylaw to regulate vehicle weights within the R.M. of Swift Current No. 137 in accordance with Sections 18 and 21 of *The Municipalities Act*.**

The Council of the Rural Municipality of Swift Current No. 137, in the Province of Saskatchewan, enacts as follows:

1. In this bylaw, the expression:
  - a) “Administrator” means the administrator of the municipality, appointed pursuant to section 2 of *The Municipalities Act*; 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.
  - c) “public highway” shall have the meaning ascribed to it by *The Highways and Transportation Act, 1997* but shall not include a provincial highway as designated in pursuance of such Act;
  - d) “vehicle” shall have the meaning ascribed to it by *The Highways and Transportation Act, 1997*;
  - e) “registered gross weight” shall mean the gross weight specified in the certificate registration of the vehicle issued pursuant to *The Traffic Safety Act* and proof of financial responsibility as provided for and in conformity with the requirements of *The Traffic Safety Act*.
2. No person shall operate or move or cause to be operated or moved on or over, a motor vehicle at a gross vehicle weight greater than secondary weight on a public highway within the boundaries of the Rural Municipality of Swift Current No. 137 except for any roads which are restricted to less weight.
3. Signs indicating the weight restriction shall be erected at the commencement of the restricted zone and signs shall be erected showing the end of the restricted zone.
4. Notwithstanding section 2 of this bylaw, the Administrator may, if satisfied that the vehicle can be operated or moved upon the public highway without damage to the highway will issue a Primary Weight Annual Vehicle Permit or Single Trip Primary Weight Permit or a Multi Trip Primary Weight Permit to allow the owner of the vehicle to transport primary weight applicable to the axle group or gross vehicle weight for the unit indicated, in accordance with *The Weight and Dimension Regulations of The Highway and Transportation Act, 1997* on all municipal roads within the municipality, except any restricted roads.
5. In order to obtain a Primary Weight Annual Permit, or a Single Trip Primary Weight Permit or a Multi Trip Primary Weight Permit, the registered owner must provide to the Administrator proof satisfactory to the Administrator that the vehicle and its load will not exceed the registered gross vehicle weight specified in the certificate of registration of the vehicle issued pursuant to *The Traffic Safety Act*.
6. The following municipal roads that are built to primary weight standards and do not require a primary weight permit and shown on the attached maps marked as Schedule “A” are:

	<b>From:</b>	<b>To:</b>
North Railway Street	Western Limits of City Warner Industries	Parcel F- SaskEnergy & South Service Road
South Service Road West	Western Limits of City of Swift Current	Tel-Rite Service & No. 1 Highway
North Service Road West	Western Limits of City Of Swift Current	Highway No. 32 including Centre St., First St., Karels St., and Transport City Access.
Pike Road	North Service Road West	North to SW 32-15 -14 W3
Rge Road 3145	North Service Road West	Wheat Street
Wheat Street	Rge Rd 3145	North Service Road West
Sand Road	North of 31-15-15 W3	West to North of PT 35-15-15 W3
Airport Road	North of 20-15-13 W3	North of 24-15-13 W3
Range Road 3152	Highway No. 1	SW 23-15-15 W3 Ext 2

7. Notwithstanding section 2 of this bylaw, the Administrator may, if satisfied that a vehicle over primary weight can be operated or moved upon the public highway, including any restricted roads, without damage to the highway, issue an overweight permit to the owner of the vehicle to exceed the maximum gross vehicle weights fixed by this bylaw.
8. Notwithstanding section 2 of this bylaw, the Administrator may, if satisfied that the vehicle can be operated or moved upon the public highway, including any restricted roads, without damage to the highway, exempt the owner of the vehicle or combination of vehicles to exceed the maximum gross vehicle weights fixed by this bylaw for municipal vehicles and vehicles providing service to the municipality (ie: garbage trucks, sewage vac trucks).
9. a) A person contravening any provisions of this bylaw shall be guilty of an offence and is liable to a penalty of \$0.25 per kilogram (kg) over weight.  
  
b) Where any person contravenes the same provision of this Bylaw, two or more times within a twelve (12) month period, the specified payment payable in respect of the second or subsequent contravention is \$.30 per kilogram (kg) over weight and upon the third contravention shall have their permit revoked.

10. a) Where the Designated Officer believes that a person has contravened any provision of this bylaw, he may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving at same at his last known address and such service shall be adequate for the purpose of this Bylaw.
- b) Such notice shall be deemed to have been served:
- i) on the expiration of twenty-four hours after it is posted, if the notice is mailed;
  - ii) on the day of actual delivery, if the notice is served personally; or
  - iii) on the business day following the transmission, if given by facsimile
- c) A Bylaw Violation Notice shall be in such form as determined in Schedule B And shall state in the section of the Bylaw, which was contravened, and the amount, which is provided in Section 9 that will be accepted by the Municipality in lieu of prosecution.
- d) Upon production of a Bylaw Violation Notice issued pursuant to this section within thirty (30) days from the issuance thereof, together with the payment of the fee as provided in Schedule B to the Administrator of the Municipality, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued.
- e) Notwithstanding the provisions of this section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.
11. This bylaw shall come into force and take effect on the date of the final reading and approval of Council.
12. Bylaw No. 4-2020 is hereby repealed.

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REEVE

(SEAL)

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ADMINISTRATOR

Certified a true copy of Bylaw No. 9-2020  
adopted by the council of the R.M. of Swift  
Current No. 137 on the 14<sup>th</sup> day of July, 2020.

(SEAL)

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Administrator