

BYLAW NO. 9/2018

ROAD BANS AND RESTRICTED BRIDGES

MUNICIPAL DISTRICT OF PEACE NO. 135

A Bylaw of the Municipal District of Peace No. 135 in the Province of Alberta, for the purpose of the physical preservation of roads and bridges within the Municipal District of Peace No. 135 and under the direction, control, and management of the Municipal District of Peace No. 135.

WHEREAS the Alberta Traffic Safety Act, being Chapter T-6, Revised Statutes of Alberta, 2000 and amendments thereto, gives authority to a municipal council to pass a bylaw for the purpose of the physical preservation of roads and bridges under its direction, control, and management;

AND WHEREAS, such authority allows for restricting the weights of a commercial vehicle or a commercial vehicle and any goods being carried by the vehicle;

AND WHEREAS, the Alberta Traffic Safety Act provides that the council of a municipality may by bylaw delegate to an employee of the municipality the power to impose road bans;

NOW THEREFORE, the Council of the Municipal District of Peace No. 135, in the Province of Alberta, pursuant to the authority granted under the Alberta Traffic Safety Act, Revised Statutes of Alberta, 2000, Chapter T-6, and amendments thereto, duly assembled, enacts as follows:

1. This bylaw may be cited as the "Road Bans and Restricted Bridges Bylaw".
2. Definitions for any term used in this bylaw are as defined in the Alberta Traffic Safety Act and or the Commercial Vehicle Dimension and Weight Regulation AR 315/2002.
3. No person shall cause a vehicle to move upon a municipal road under Municipal District of Peace No. 135 direction, control and management when:
 - a) the vehicle weights or dimensions exceed those set out in the Traffic Safety Act or the Commercial Vehicle Dimension and Weight Regulation AR 315/2002 and amendments thereto;
 - b) the gross weight of all axles of a vehicle or vehicle combination exceeds the posted maximum allowable weight for a bridge as set out in a Municipal District of Peace No. 135 Vehicle Weight Order.
 - c) the gross weight of a carrying axle or axle group, of a vehicle or combination of vehicles, that exceeds the maximum allowable weight on a highway that is subject to a road ban as determined by the percentage axle weight set out in a Municipal District of Peace No. 135 Vehicle Weight Order.
4. Delegated Authority
 - a) The authority to impose a road ban or set the weight restrictions on a highway or a bridge under the direction, control, and management of the Municipal District of Peace No. 135 is hereby delegated to the Chief Administrative Officer or his/her designate and the Public Works Foreman or his/her designate.
5. Signage
 - a) The Public Works Foreman, or his/her designate, shall cause signs to be erected along the roads or bridges as he/she considers necessary to notify persons using commercial vehicles on the highway or bridge of the prohibition, limitation, condition or restriction.

6. Vehicle Weight Order

- a) All municipal roads and bridges weight restrictions, non-truck routes, road bans and exemptions thereto shall be documented on a numbered and dated "Vehicle Weight Order" signed by the Chief Administrative Officer or his/her designate, as specified in Schedule "A".

7. Permitting

- a) No person may operate a vehicle with the gross weight of a carrying axle or axle group, of a vehicle or combination of vehicles in excess of the maximum allowable weights established by the Municipal District of Peace No. 135 Vehicle Weight Order unless under the authority of a permit authorized by the Municipal District of Peace No. 135.

8. Prosecutions and Penalties

- a) The prosecution and specified penalty for any commercial vehicle weight or dimension violation, road ban violation, or restricted bridge violation on any highway under Municipal District of Peace No. 135 direction, control and management shall proceed provincially via the provisions of the Traffic Safety Act and/or the Commercial Vehicle Dimension and Weight Regulation AR 315/2002 and the Provincial Offences Procedures Act and Regulation.

9. Severability

- a) Should any provision of this bylaw be declared invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the bylaw and the remainder shall remain in force and be binding as though such provision had not been invalid.

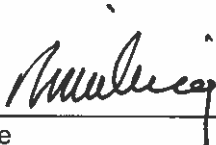
10. Effective Date and Repeal

- a) Bylaw No. 687 is hereby repealed upon third and final reading of this Bylaw.
- b) This bylaw shall come into force and effect on the date of third and final reading.

READ a first time this 22 day of May, 2018.

READ a second time this 22 day of May, 2018.

READ a third time this 22 day of May, 2018.



Reeve



Chief Administrative Officer