

**WOODLANDS COUNTY
BYLAW NO. 159/03**

PROVINCE OF ALBERTA

**A BYLAW BEING ENACTED FOR THE PURPOSE ESTABLISHING
WEIGHT/LOAD LIMITS FOR VEHICLES ON HIGHWAYS WITHIN
WOODLANDS COUNTY**

WHEREAS Section 152 of the Traffic Safety Act, c. T-6 R.S.A., 2000, provides that a Council of a Municipality may enact bylaws restricting the weight of vehicles or of vehicles with their loads using municipal highways;

AND WHEREAS Section 152 of the Traffic Safety Act, c. T-6 R.S.A. 2000 and regulations and orders made thereunder, provides that a Council of a Municipality may enact bylaws regulating the maximum gross weights which may be borne by vehicles on rural roads, streets or highways under the direction, control and management of the Municipality;

AND WHEREAS Section 17 of the Dangerous Goods, Transportation & Handling Act provides that a Council of a Municipality may specify restrictions or conditions to ensure the safe transportation in or by means of transport, safe storage and controls necessary for public safety;

AND WHEREAS the Minister of the Department of Transportation and Utilities, pursuant to Section 151 of the Traffic Safety Act, prescribes by Order the Public Vehicle Weight Regulations;

AND WHEREAS the Council of Woodlands County deems it necessary to provide for weight restrictions for vehicles on highways under the direction, control and management of Woodlands County;

NOW THEREFORE the Council of Woodlands County, duly assembled, enacts the following:

1. That words used in this Bylaw shall have the same meaning as words used or defined in the Traffic Safety Act and the aforesaid Public Vehicle Weight Regulation.
2. That no person shall operate a vehicle on a highway under the direction, control and management of Woodlands County other than in accordance with the weight limitations as specified in the Traffic Safety Act and the Public Vehicle Weight Regulation, as amended, except where limited or restricted by the provisions of this Bylaw. Woodlands County Council reserves the right to limit the weight on any load traveling on any highway under their jurisdiction by way of Road Bans, notwithstanding:

2.1 That commencing August 15 of each year and ending February 15 of the following year, for the movement of field crops from field to farm storage or during harvest operations, where the movement is on gravel roads, but including the crossing of paved or oiled roads:

- (a) a tolerance of fifteen (15%) per cent, up to a maximum of two thousand (2,000) kilograms is permitted on a vehicle or combination of vehicles above the maximum allowable weight of all axles when operating vehicles while a road ban is in effect;
- (b) a tolerance of one thousand (1,000) kilograms per axle is permitted, provided that the licensed maximum gross weight, plus tolerance allowed by subsection (a), is not exceeded and only when operating vehicles while a road ban is in effect.

3. That the axle weight allowance shall be at the discretion of the Chief Administrative Officer and may be reduced when appropriate from time to time on specified oiled and/or gravel roads under the care and control of Woodlands County.

4. That notwithstanding anything hereinbefore contained to the contrary, Council may restrict or ban traffic or specific types or weights of vehicles at any time on any road under its direction or control where it is deemed by Council to be necessary so as to sustain the infrastructure or eliminate further damage thereto when conditions so warrant or where it is deemed necessary for the safety of the travelling public.

5. That a public vehicle in respect of which an overload permit is issued in accordance with the provisions of the Traffic Safety Act shall not, pursuant to that overload permit, be operated on a highway under the direction, control and management of Woodlands County, unless:

- (a) Woodlands County has given its approval to that public vehicle being operated on that highway;
- (b) the owner, operator, driver or mover of the public vehicle shall agree to be responsible for all damages which may be caused to the highway by reason of driving, operating or moving of any such vehicle upon the highway; and
- (c) as requested by Woodlands County, the owner, operator, driver or mover of the vehicle posts a bond sufficient to cover the cost of repairing possible damages to the highway in an amount determined by and determined to be satisfactory to Woodlands County.

6. That under no circumstance shall any person contravening any provision of this Bylaw be subject to the penalty of imprisonment.
7. That should any provision of this Bylaw be invalid, that invalid provision shall be severed and the remaining provisions of the Bylaw shall be maintained.
8. That Bylaw 060/97 be and is hereby repealed.

This Bylaw shall have force and take effect on the final reading thereof.

READ a first time this 16th day of September, A.D. 2003.

READ a second time this 16th day of September, A.D. 2003.

READ a third time this 16th day of September, A.D. 2003.

D. Borg, Reeve

L. Mercier, Chief Administrative Officer