

**THE CORPORATION OF THE TOWNSHIP OF
BRUDENELL, LYNDOKH AND RAGLAN**

BY-LAW NO. 2023-16

**Being a By-Law for the Regulation of Traffic by Imposition
of Reduced Load Limits on Specified Highways.**

Pursuant to section 11 of the Municipal Act, 2001, S. O. 2001, chapter 25, as amended, The Corporation of the Township of Brudenell, Lyndoch & Raglan is authorized to enact By-Laws regulating, among other things, traffic on highways under its jurisdiction;

WHEREAS, pursuant to section 122(1) of the Highway Traffic Act, R. S. O. 1190, chapter H. 8, as amended (hereinafter "Act"), and during a specified reduced load period, a commercial motor vehicle, or trailer, unless otherwise exempted, cannot be operated or drawn upon any designated highway where the weight upon an axle exceeds 5000 kilograms;

AND WHEREAS, pursuant to section 122(7) of the Act, The Corporation of the Township of Brudenell, Lyndoch & Raglan, as a Municipality, may By- Law designate the date upon which a reduced load period shall start and/or end and the highway or portion thereof under its jurisdiction to which such designation shall apply;

AND WHEREAS, pursuant to section 110(1) of the Act, The Corporation of the Township of Brudenell, Lyndoch & Raglan, as a Municipal Corporation having jurisdiction over certain highways, is authorized to grant a permit for use of a highway by a vehicle or combination of vehicles in excess of weight restrictions otherwise set forth in the said Act and to permit certain movements of loads, objects, or structures and/or vehicles or combination of vehicles as provided for in the said section 110(1) of the Act.

NOW THEREFORE the Council of the Corporation of the Township of Brudenell, Lyndoch and Raglan enacts as follows:

1. This By-Law supersedes By-Law 3-82 for the former Township of Raglan and By-Law 87-13 for the former Townships of Brudenell & Lyndoch.
2. This By-Law takes effect on the day of its final passing.

1. For purposes of this By-Law:

- a) "Clerk-Treasurer" means the Clerk-Treasurer for the Municipal Corporation or his or her designate.
- b) "Highway" includes a common and public highway, street, road, avenue, parkway, driveway, square, place, viaduct or trestle, or any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- c) "Municipal Corporation" shall mean The Corporation of the Township of Brudenell, Lyndoch & Raglan.

- d) "Operations Manager" shall mean the Manager of Public Works for the Municipal Corporation or his or her designate.
- e) "Reduced Load Period" means the period of time or times and highway or highways, or parts thereof, to which reduced load restrictions are designated by this By-Law.
- f) "Trailer" means a vehicle that is at anytime temporarily drawn, propelled, or moved upon a highway, or part thereof, by another vehicle and shall be considered a separate vehicle and not a part of the vehicle by which it is being drawn, propelled, or moved.
- g) " Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, roadbuilding machine, bicycle, and any vehicle drawn, propelled, or driven by any kind of power, including muscular power.

2. Subject to sections 3 through 6 below and between March 1 and May 1 of each calendar year and where authorized signs have been erected and are on display, no person shall move, drive, operate, or draw a vehicle or vehicles, or combination of vehicles, upon any highway or portion thereof as identified in Schedule "A" hereto where the weight upon an axle exceeds 5000 kilograms.

3. The prohibition set forth in section 2 above shall not apply to:

- a) a vehicle or vehicles or combination thereof as referred to in section 110(2) of the Act, in which circumstances the maximum weight upon an axle shall not exceed 7500 kilograms;
- b) a vehicle or vehicles or combination thereof as referred to in section 110(4) of the Act; and,
- c) a vehicle or vehicles or combination thereof for which a permit authorizing such movement, driving, operation, or drawing has been issued by the Operations Manager.

4. At any time or times when circumstances warrant, including but not limited to times when an extension of a Reduced Load Period is necessary to preserve the condition of a highway, the Operations Manager, may extend the said Reduced Load Period by amending the commencement or end date or dates as referred to in section 2 above and, upon erection of authorized signs providing for such extended Reduced Load Period, the terms of this By-Law, including but not limited to any prohibition or exemption hereunder, shall apply during such period of extension.

5. At any time when circumstances warrant, including but not limited to times when a reduction of a Reduced Load Period is not necessary to preserve the condition of a highway, the Operations Manager, may shorten the said Reduced Load Period by amending the commencement or end date or dates referred to in Section 2 above and, upon erection of authorized signs providing for such shortened Reduced Load Period, the terms of the By-Law, including but not limited to any prohibition or exception hereunder, shall not apply during such period of reduction.

6. Notwithstanding the prohibition set forth in section 2 above and pursuant to section

110 of the Act, the Operations Manager may issue a permit or permits authorizing the movement, driving, operation, or drawing of a vehicle or vehicles, or combination of vehicles, which, but for such permit, would be otherwise prohibited.

7. In advance of enactment, the Operations Manager shall ensure such restrictions are advertised via Municipal website & social media platforms as well as in local newspapers. At the time of commencement, regulatory signs shall be erected and displayed on effected roadways or parts thereof.

8. A person who contravenes any provision of this By-Law is guilty of an offence and upon conviction is liable to a penalty as provided for in the Provincial Offences Act, R. S. O. 1990, Chapter P. 33, as amended.

9. In the event that any section, subsection, clause, paragraph, or provision of this By-Law, either in whole or in part and including any Schedule hereto, shall be declared to be ultra virus, invalid, or illegal for any reason, then such declaration shall not affect the validity of the balance of this By-Law.

10. This By-Law shall be cited as the "Reduced Load Limit By-Law".

Read and adopted by Resolution 2023-03-06-02 this 6th Day of March, 2023.

Mayor, Valerie Jahn

Clerk-Treasurer, Virginia Phanenhour

**THE CORPORATION OF THE TOWNSHIP OF
BRUDENELL, LYNDOKH AND RAGLAN**

BY-LAW NO. 2023-16

SCHEDULE "A"

1. 4.3 KM of Addington Road (Entire Road)
2. 3.5 KM of Bruceton Road (HCB & LCB Portion)
3. 2.5 KM of Burnt Bridge Road (LCB Portion)
4. 4.9 KM of Cedar Grove Road (LCB Portion)
5. 0.5 KM of Cormac Road (LCB Portion)
6. 0.5 KM of Davies Road (LCB Portion)
7. 2.5 KM of Jewelville Road (LCB Portion)
8. 1.2 KM of Keller Road (LCB Portion to Bridge)
9. 18.5 KM of Letterkenny Road (Entire Road)
10. 0.7 KM of Little Ireland Road (LCB Portion)
11. 0.8 KM of Lower Rosenthal Road (LCB Portion)
12. 1.7 KM of Moccasin Lake Road (LCB Portion)
13. 0.8 KM of Oscar Boehm Road (LCB Portion)
14. 0.4 KM of Raglan White Lake Road (LCB Portion)
15. 2.5 KM of River Road (LCB Portion)
16. 3.3 KM of River Bend Drive (HCB & LCB Portion)
17. 0.6 KM of Trout Lake Road (LCB Portion)
18. 3.6 KM of Wingle Road (HCB & LCB Portion)