

**RURAL MUNICIPALITY OF MARRIOTT NO. 317****BYLAW NO. 2-2005****VEHICLE WEIGHT MANAGEMENT BYLAW**

The Council of the Rural Municipality of Marriott No. 317, in the Province of Saskatchewan, enacts as follows:

**PART I – PURPOSE AND DEFINITIONS****Purpose**

1. The purposes of this bylaw are (i) to establish or adopt a vehicle weight management system to regulate the weight of vehicles, or vehicles with their loads, using municipal highways or any particular municipal highways in the municipality and (ii) to designate routes within the municipality that any vehicle or class of vehicles is required to use when being driven in the municipality.

**Definitions**

2. (1) Except as hereinafter provided, words used in this bylaw shall have the meanings ascribed to them in *The Vehicle Weight and Dimension Regulations, 1999*.
- (2) In this bylaw:
- a) “Administrator” means the administrator of the municipality, appointed pursuant to section 49 of *The Rural Municipality Act, 1989*; 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.

**PART II – VEHICLE WEIGHTS****Weight Limits on Certain Roads**

3. No person shall, without a permit issued:
- a) pursuant to section 5 of this bylaw; or

b) by the Minister pursuant to section 36 of *The Highways and Transportation Act, 1997*;

operate or move or cause to be operated or moved on or over a municipal highway a vehicle, the gross vehicle weight of which exceeds the limits shown on Appendix "A" of this bylaw.

#### **Exemptions**

4. The restrictions set out in sections 3 and 4 of this bylaw shall not apply to those vehicles described in section 5 of *The Vehicle Weight and Dimension Regulations, 1999*.

#### **Permits**

5. (1) Notwithstanding sections 3 and 4 of this bylaw, the Administrator may, if satisfied that the vehicle or combination of vehicles can be operated or moved upon a municipal highway without damage to the highway or other property, issue a permit to the registered owner of the vehicle or combination of vehicles to exceed the maximum gross vehicle weights fixed by this bylaw.

(2) In order to obtain a permit under this section the registered owner must provide to the Administrator (i) proof satisfactory to the Administrator that the vehicle and its load will not exceed the registered gross weight specified in the certificate of registration of the vehicle issued pursuant to *The Vehicle Administration Act* and (ii) proof of financial responsibility as provided for and in conformity with the requirements of *The Vehicle Administration Act*.

(3) The Administrator shall, in the permit, designate the municipal highways that may be used and the vehicle shall then be operated on only such municipal highways as are designated.

(4) For a single trip permit, the permit number must be provided upon request by a peace officer or the Administrator or his or her designate.

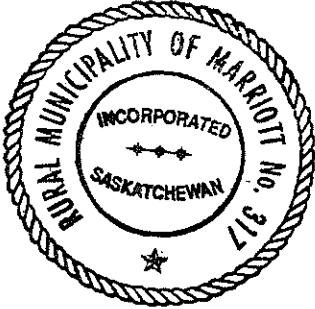
(5) For a multi-trip permit, the permit shall be carried in the vehicle and be produced upon request by a peace officer or the Administrator or his or her designate, at the time of inspection.

### **PART III – ENFORCEMENT**

#### **Penalty**

6. (1) A person who contravenes any provision of this bylaw is guilty of an offence.

(2) The penalty for breach of any provisions of this bylaw shall be those set out in the General Penalty Bylaw of the municipality.



Colin H. Ahrens  
Reeve

[Signature]  
Administrator  
Section 188.1 of *The Rural Municipality Act, 1989*

Certified a true copy of  
Bylaw No. 2-05 adopted by  
resolution of Council on the  
12 day of July, 2005

Colin H. Ahrens  
Reeve

Michelle McDunn  
Administrator

6t max.

# RURAL MUNICIPALITY OF MARRIOTT NO. 317

WEST OF 3rd

ALL OTHER ROADS ARE PRIMARY WEIGHTS.

RGE. 15										RGE. 14										RGE. 13									
10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000	10000

TWP. 33

TWP. 33

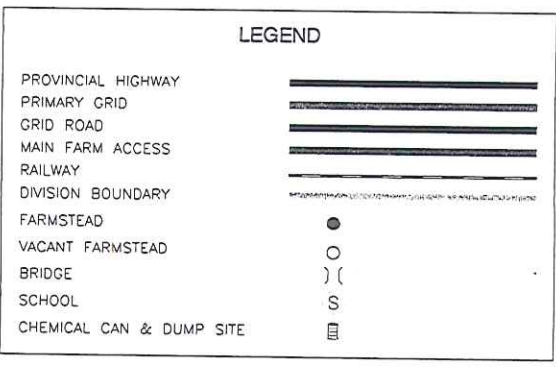
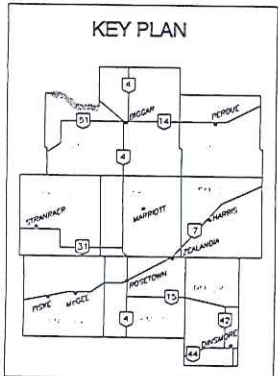
TWP. 32

TWP. 32

TWP. 31

TWP. 31

- ### ACREAGES
- JIM WINNY
  - WM. & KATHERINE SIGSTAD
  - DON SPARKS
  - BOB NICCOLLS
  - DONALD & WENDY ANDERSON
  - WARD & JUDITH JOHNSTON
  - JEFFREY ROBSON
  - RANDALL & SHELLY ROBSON
  - STANLEY SVOBODA
  - DENNIS CRATY
  - ALLEN WINGERT
  - DENNIS & MAMIE KENNON
  - TIMOTHY LISKA
  - CECIL CHARLES CRATY
  - CHARLES JEDLUCKA
  - BARRY LONGWORTH
  - THOMAS D. JIRICKA
  - KEN PARNEY



### 2002 COUNCIL

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## EXPLANATORY NOTES

### 1. Weight Limits on Certain Roads

Appendix "A" would be a map of the RM, showing the weight limits for each road. Note the weight limits can be less than, but cannot exceed, the limits fixed for primary highways under sections 13 to 15 of *The Vehicle Weight and Dimension Regulations, 1999* ("the Regulations").

This is the case by reason of clause 188.1(4) of *The Rural Municipality Act, 1989* ("the RMA"), which stipulates that "[a]ny vehicle weight management system established or adopted by bylaw pursuant to this section must not be inconsistent with the vehicle weight management system established or adopted by the minister responsible for the administration of *The Highways and Transportation Act, 1997*".

Thus, the only way that someone can exceed primary weights will be with a permit subject to the registered gross vehicle weight of the vehicle as shown on the Certificate of Registration.

### 2. Vehicles Without Rubber Tires

Section 16 of the Regulations, says that "no person shall operate or cause to be operated a vehicle, or combination of vehicles, without rubber tires that exceeds a gross vehicle weight of 10,000 kilograms".

Two things should be noted here.

Firstly, in order to be consistent with the vehicle weight management system established or adopted by the province (see above), council cannot set a limit greater than 10,000 kilograms.

Secondly, if council is content with 10,000 kilograms as a limit, then there is no need for this paragraph. Section 16 of the Regulations would apply.

### 3. Permits

Permit fees are currently set out in the Regulations but will soon be clarified in a Minister's Order.

Single trip permit fees are \$25.00.

Multiple trip permits are annual permits and a fee of \$100.00 may be charged for the annual permit.

With respect to subparagraph 6(2), Saskatchewan Highways and Transportation advises that it is important to ensure (i) that the vehicle is registered for the weight they propose to transport and (ii) that they have the necessary proof of financial responsibility. This information should be set out in the Certificate of Registration for the vehicle.

#### **4. Bridges**

Note that a council has authority to restrict the weight of vehicles or of vehicles and their loads when using any bridge in the RM, where the load capacity of the bridge is less than the maximum weight limits prescribed pursuant to sections 35 or 69 of *The Highways and Transportation Act, 1997*, pursuant to clause 206(2)(e) of *The Rural Municipality Act, 1989*. This need not be dealt with in your Vehicle Weight Management Bylaw, however it may be convenient to do so.

The weights set out in subsection 7(1) are secondary weights. Saskatchewan Highways and Transportation advises that when issuing overweight permits, they advise the permit holders to contact the RMs to inquire about bridge load capacities if they exceed 54,500 kilograms gross vehicle weight or 27,000 kilograms per axle group.

Subsection 7(2) would be included only if the load capacity of any bridge in the RM is less than or greater than the weights prescribed in subsection (1). In that case, a map would be attached, showing the load capacities of the various bridges.

As you will appreciate, it is essential that there be consistency between the routes designated under section 3 and the bridge capacities identified in this section.