

TOWN OF STEWIACKE

BYLAW RESPECTING WEIGHT OF VEHICLES ON TOWN STREETS

Bylaw # 2009 - 18

WHEREAS the Town of Stewiacke ("the Town") has experienced recurring problems with deterioration to its streets and water mains due in part to heavy truck traffic using Town streets as thoroughfares;

AND WHEREAS the Council for the Town has deemed it necessary to limit the amount of heavy truck traffic using Town streets;

NOW THEREFORE Council of the Town hereby enacts the following as a bylaw of the Town pursuant to section 309 (1) of the *Municipal Government Act* and section 194 (3) of the *Motor Vehicle Act*.

Name

1. This by-law shall be known as the "By-Law Respecting Weight of Vehicles on Town Streets."

Definitions

2. In this by-law, unless the context otherwise requires,
 - (a) "Act" means the *Motor Vehicle Act*, R.S.N.S. 1989, c.293;
 - (b) "combination of vehicles" means two or more vehicles connected together,
 - (c) "Council" means the Council for the Town of Stewiacke;
 - (d) "gross vehicle weight" means the total weight transmitted to the highway by a vehicle or combination of vehicles;
 - (e) "semi-trailer" means a vehicle of the trailer type so designed and used in conjunction with a vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle;
 - (f) "street" means a public street, highway, road, lane, thoroughfare or bridge;

- (f) “tractor” means a motor vehicle designed to and normally used to pull a semi-trailer or a semi-trailer and a full trailer, and not so constructed as to carry a load other than that part of the weight of the vehicle and load so drawn;
- (g) “trailer” means a vehicle that is designed to be towed by another vehicles and is so designed and used that the whole of its weight and load is carried on its own axles;
- (h) "truck" includes a motor vehicle, other than a bus, that is, either permanently fitted with a special purpose device, or is designed to and normally used to carry a load, that may operate as a single unit or may pull a trailer other than a semi-trailer;
- (i) “vehicle” means any motor vehicle designed to travel on public highways on pneumatic tires and includes but is not limited so as to restrict the generality of the foregoing, a truck, tractor, trailer and semi-trailer.

Weight Restrictions

- 3. No person shall operate upon a street, a vehicle or combination of vehicles, either unladen or with load, having a maximum gross vehicle weight in excess of 12,000 kg.

Damage to Streets

- 4. Every person who operates or moves any vehicle or combination of vehicles on or over a street in contravention of this by-law shall be liable for any damage thereby caused to a designated street.

Signage

- 5. Council shall place, or cause to be placed, such signage as Council deems necessary and appropriate to notify the traveling public of the restrictions imposed under this by-law.

Penalty

- 6. Any person who violates the provisions of this bylaw shall be guilty of an offence and shall be liable to a penalty of One Thousand Dollars (\$1,000.00) and in default of payment to imprisonment for not more than 30 days.

Application

- 7. The provisions of this by-law shall not apply to the following:
 - (a) local truck traffic making use of streets for the purpose of making deliveries to and from residences or businesses located within the Town;
 - (b) residents of the Town who make use of streets solely for the purpose of accessing their residence or place of storage of any vehicle located within the Town;
 - (c) vehicles owned by the Town and the Province of Nova Scotia, or any other public utility service vehicles; and
 - (d) vehicles making use of a street for purposes incidental to the construction or maintenance of a street within the Town or for any other Town purposes.
 - (e) any portion of Main Street West from the Number 2 Highway westward to the on / off ramps of Highway 102.

- 8. By-law #2000-02 is repealed.

Annotations for Official Bylaw Book

Date of first reading: June 25, 2009
Date of advertisement of Notice of Intent to Consider: July 3, 2009
Date of second reading: August 20, 2009
Date of advertisement of Passage of By-law: September 19, 2009
Date of mailing to Minister a certified copy of By-law: September 21, 2009

I certify that this ***Vehicle Weight Restriction By-law*** was adopted by Council and published as indicated above.

CAO / Clerk

Date