

MUNICIPALITY OF CENTRAL MANITOULIN

BY-LAW 2024-13

REDUCED LOAD RESTRICTIONS

**BEING A BY-LAW to designate reduced load periods on the
highways within the Municipality of Central Manitoulin.**

WHEREAS Subsection 7 of Section 122 of the Highway Traffic Act, R.S.O 1990, c. H.8, as amended, provides that a municipality or other authority having jurisdiction over a highway may, by By-law, designate the date on which a reduced load period shall start or end and the highway or portion thereof under its jurisdiction to which the designation applies;

AND WHEREAS the reduced load period is deemed necessary for the protection of certain highways in the Municipality of Central Manitoulin; **AND WHEREAS** Section 110(1) of the Act enables a municipality having jurisdiction over a highway, upon application in writing, to grant a permit for use of the highway or portion thereof by a vehicle or combination of vehicles in excess of the dimensional limits set out in Section 122 of the Act;

AND WHEREAS the Farming, Food and Protection Act SO 1998, c1 Section 6(1) as amended provides that no municipal by-law applies to restrict a normal farm practice carried on as a part of an agricultural operation;

NOW THEREFORE the Council of the Municipality of Central Manitoulin enacts as follows:

1. DEFINITIONS

“Commercial motor vehicle” unless otherwise defined by regulation, means a motor vehicle having attached to it a truck or delivery body and includes an ambulance, a hearse, a casket wagon, a fire apparatus, a bus and a tractor used for hauling purposes on a highway;

“Highway” shall mean a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, 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;

“Highway Traffic Act” shall mean the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended from time to time;

“Manager” shall mean the Manager of Operations for the Municipality of Central Manitoulin;

“Motor Vehicle” shall include an automobile, a motorcycle, a motor assisted bicycle unless otherwise indicated in the Highway Traffic Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power-assisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry or a road-building machine;

“Official Sign” shall mean a load restriction sign erected in accordance with the regulations under the Highway Traffic Act;

“Peace Officer” shall include a mayor, warden, reeve, sheriff, deputy sheriff, sheriff’s officer, justice of the peace, jailer or keeper of a prison, and a police officer, bailiff, or other person employed for the preservation and maintenance of the public peace, or for the service or execution of civil process, or any officer appointed for enforcing or carrying out the provisions of the Highway Traffic Act and this By-law;

“Person” shall mean an individual or a corporation;

“Reduced Load Period” shall mean a reduced load period within the meaning of section 122 of the Highway Traffic Act;

“Vehicle” shall include a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car;

2. THAT all highways within the Municipality of Central Manitoulin, over which the Municipality of Central Manitoulin has jurisdiction, are hereby designated as being subject to the provisions of this

By-law. Provincially designated highways are not the jurisdiction of the Municipality of Central Manitoulin.

3. THAT weight restrictions or reduced load restrictions shall be effective during such time or times and on such portion or portions of the highway to which the weight restriction or reduced load restriction are to apply when reduced load signs are erected and on display. Notice will be placed on the Municipality's website as soon as possible thereafter.
4. THAT the provisions of Subsections 1, 2, 3, 4 and 7 of Section 122 of the Highway Traffic Act shall apply to all highways within the Municipality of Central Manitoulin during the full year and enacted at any time during the year at the Roads Superintendent's discretion.
5. THAT should the Roads Superintendent deem that an additional time frame will be applied as noted in section 4, that the weight restriction or reduced load restriction additional time frame will be posted by reduced load signs being erected and/or notice is placed on the Municipality's website.
6. THAT notwithstanding anything to the contrary, section 3, 4 and 5 shall only apply during such times when and where the official signs have been erected.
7. THAT the Manager or his/her designate, shall have the authority to place or remove any or all reduced load signs as may be necessary to implement this By-law.
8. THAT the Manager or his/her designate, shall have the authority to grant permits for use of highway or portion thereof, during any reduced load period by a vehicle in excess of limits set out in this By-law, where such a permit is deemed to be required and necessary. See Schedule "B" for "Overweight Permit Application".
9. THAT no person shall operate a vehicle with a heavier load then permitted during a reduced load restriction period.
10. THAT every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as set out in the Highway Traffic Act.
11. THAT no person shall hinder or obstruct or attempt to hinder or obstruct an officer who is exercising a power or performing a duty under this By-Law.
12. **Exemptions**
Any activities related to farming practices shall be exempt from this by-law and are not subject to the Highway Traffic Act within municipal jurisdiction.
Note, as a courtesy, the Road Superintendent should be consulted prior to mobilization.
13. Any person who contravenes or fails to comply with any provision of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided by the Provincial Offences Act, R.S.O. 1990, Chapter P.33. (See Schedule "A").
14. Each day that a contravention of this By-Law continues shall constitute a separate offence.
15. This By-law repeals Municipality of Central Manitoulin By-law 99-04.
16. THAT this By-law shall come into effect upon the passing thereof.

READ A FIRST AND SECOND TIME THIS _28th_ DAY OF __November__, 2024_.

READ A THIRD TIME, FINALLY PASSED, SIGNED, AND SEALED THIS _____ DAY OF _____, 2025.

Mayor – Richard Stephens

CAO/Clerk – Denise Deforge

I, _____, Clerk of the Municipality of Central Manitoulin, hereby certify that the following is a true copy of By-Law Number 2024-13 passed by the Municipality of Central Manitoulin on the of 2025.

Clerk

DRAFT

MUNICIPALITY OF CENTRAL MANITOULIN
PART 1

PROVINCIAL OFFENCES ACT

BY-LAW 2024-13; REDUCED LOAD RESTRICTIONS

SCHEDULE “A”

Item	Short Form Wording	Provision creating or defining offence	Set Fine
1.	Operate a vehicle with a heavier load then permitted during a reduced load restriction period.	9	\$1000.00
2.	Hinder or obstruct an officer performing their duty.	11	\$500.00

Note: The penalty provision for the offences indicated above is section 13 of this By-Law 2024-13 of which a certified copy has been filed.

**Schedule “B”
Oversize/Overweight Permit Application**

➤ Copy of approved permit must accompany vehicle;

SECTION 1: APPLICANT INFORMATION

Name:	Email:
Address:	
Phone:	Fax:
CVOR# (if applicable)	

SECTION 2: PERMIT REQUIRED

Date(s) Required:

SECTION 3: LOAD INFORMATION

DIMENSIONS (in metric)	LOAD INFORMATION:
LENGTH (m)	Detailed description of vehicle and cargo/load including # of axles, etc.
HEIGHT AT HIGHEST POINT (m)	
WIDTH AT WIDEST POINT (m)	
GROSS WEIGHT (kgs) or HTA	

SECTION 4: ROUTE INFORMATION

ORIGIN:	ATTACH MAP WITH ROUTE IDENTIFIED
DESTINATION:	Valid on roads under jurisdiction of the Municipality of Central Manitoulin ONLY.

SECTION 5: AUTHORIZATION

I accept the terms and conditions on the reverse, and I have authority to sign this form.

Applicant Signature:_____ Date:_____

Municipal Approval:_____ Date:_____

Oversize/Overweight Permit Application

Issued Under Section 110 of the Highway Traffic Act

PROVISIONS AND CONDITIONS

PERMIT IS NOT VALID:

1. On any road or highway that is not under the jurisdiction of the Municipality of Central Manitoulin.
2. On Municipality of Central Manitoulin roads under construction.

CONDITIONS:

1. All conditions that are contained on the Ontario Ministry of Transportations Permit shall apply to this permit.
2. A copy of this permit must be carried in the vehicle and produced at request of a police officer or an officer for carrying out enforcement of the Highway Traffic Act or this by-law.
3. The permit is issued on the condition the permit holder accepts responsibility for any and all damage that may be caused to overhead wires, structures, roads and encroachments.

ROUTE:

Clearly indicate route to be taken on a map and list the road numbers (and name if applicable) and attach to this application.