BY-LAW No. 2023-023

OF THE

CORPORATION OF THE TOWN OF COLLINGWOOD

Being a by-law to provide issuing of permits for the moving of oversize, overweight loads, objects or structures on highways under the jurisdiction of the corporation of the town of Collingwood.

WHEREAS section 110 of the Highway Traffic Act, R.S.O 1990, Chapter H.8, as amended (the "Act") provides for a municipal corporation or other authority having jurisdiction over the highway the ability to grant a permit for use of the highway by a vehicle or combination of vehicles in excess of the dimensional limits set out in section 109 or the weight limits set out in Part VIII of the Act;

AND WHEREAS section 27(1) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a municipality may pass by-laws in respect of a highway over which it has jurisdiction;

AND WHEREAS it is deemed necessary for the issuing of permits for the moving of oversize, overweight vehicles, loads, objects or structures on highways under the jurisdiction of the Corporation of the Town of Collingwood;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD HEREBY ENACTS AS FOLLOWS:

1. **Short Title**

   This by-law shall be known and may be cited as the "Oversize/Overweight By-law"

2. **Definitions**

   In this by-law

   "Applicant" means a person that is the owner or lessee of a vehicle used or to be used to move or transport any Oversized Load on any highway within the Town of Collingwood. The applicant must be the operator of the valid CVOR certificate

   "Director" means Director of Public Works, Engineering and Environmental

Services or their designate.

"CVOR Certificate" means a Commercial Vehicle Operator's Registration Certificate issued under section 17 of the Highway Traffic Act

"Heavy Vehicle, Load, Object or Structure" when used severally or separately in this by-law, shall mean any vehicle, load, object or structure over width, length and height of vehicle loads or contents as set out in Section 109 of the Highway Traffic Act, R.S.O. 1990, c.h.8, as amended.

"Highway" shall mean a common and public highway, street, avenue, parkway, allowance, 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.

"Permit" means a document as issued and authorized by the Town for the movement and transport of an oversize load.

"Person" means a natural individual, and their heirs, executors, administrators or other legal representatives, a corporation, partnership or other form of business association or a receiver or mortgagee in possession and includes a public utility and a service company.

"Town" means The Corporation of the Town of Collingwood.

3. No person shall transport or move or cause or permit to be transported or moved a Heavy Vehicle, Load, Object or Structure on or over any Highway without an approved permit issued by the Town.

4. Prior to the issuance of a permit, the applicant shall pay a non-refundable permit fee as prescribed in the Town's Fees and Service Charges By-law, as amended from time to time.

5. The permit shall accompany each vehicle for which it is issued. The permit and any attachments shall be produced upon request of a police officer or any other Provincial Offences Officer.

6. All permits are issued on the understanding that the applicant is fully responsible for any claims against the Corporation of the Town of Collingwood for any accident or damage due to the various equipment or apparatus or device occupying our roads while the move or moves are being made.

7. The applicant(s), driver and or operator shall comply with all axle load weights and heavy truck restrictions as required.
8. Permits are not valid from one half hour after sunset to one half hour before sunrise, or at any other time when, due to insufficient light, or unfavourable atmosphere conditions, persons and vehicles on the highway are not clearly discernible at a distance of 150 meters or less, or from Monday to Friday inclusive during the hours of 6:30 a.m. – 9:00 a.m., and 4:00 p.m. – 6:00 p.m.
9. The Director has the authority to issue a permit as required in the by-law, after having determined the route chosen and the road conditions are acceptable, and the application is complete.
10. A permit shall be considered null and void if any provision of this by-law or permit condition are contravened.
11. Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.
12. Nothing in this by-law shall relieve any person from any laws, procedures or requirements of any other agency having control over the transportation of vehicles, loads, objects or structures.
13. An application for a permit shall be made on the forms prescribed by the Town.
14. This by-law does not apply to over-dimensional farm vehicles, emergency vehicles and Municipal Services Vehicles.
15. **THAT** By-law No. 2012-067, being a by-law to provide issuing of permits for the moving of oversize, overweight loads, objects or structures on highways under the jurisdiction of the Corporation of the Town of Collingwood is hereby repealed
16. **THAT** this By-law shall come into full force and effect on the date of final passage hereof at which time all by-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

ENACTED AND PASSED this 27th day of February, 2023.

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Mayor's Signature

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Clerk's Signature