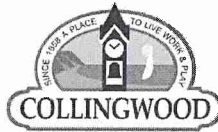


BY-LAW No. 2012-067
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD



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 the Highway Traffic Act, R.S.O 1990, Chapter H.8 (the Act) Section 110 provides for a Municipality to grant permits for the moving of oversize, overweight vehicles, loads, objects or structures on highways under its jurisdiction;

AND WHEREAS the Municipal Act, S.O 2001. Chapter 25, Section 27 (1) 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 COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. SHORT TITLE

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

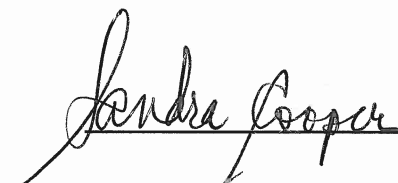
2. DEFINITIONS


In this by-law

- a) "**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 C.V.O.R.
- b) "**Annual Moving Permit**" means a permit issued to a company or individual for the term of one (1) calendar year.
- c) "**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.
- d) "**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.
- e) "**Executive Director**" means the Executive Director of Public Works.
- f) "**Engineering**" means Department of Engineering for the Town of Collingwood.
- g) "**Manager**" means Manager of Engineering Services.
- h) "**Permit**" means a document as issued and authorized by the Town, for the occupancy or closure of any highway for any purpose or the landscaping of a boulevard, and "permit holder" means the person named in the permit.
- i) "**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.
- j) "**Public Works**" means the Public Works Department for the Town of Collingwood.

- k) **“Town”** means The Corporation of the Town of Collingwood.
- l) **“Work”** means the work described in the application for a permit or in the permit.
3. **THAT** no person shall transport or move or cause to be transported or moved a **“Heavy Vehicle, Load, Object or Structure”** on or over any Town Highway without an approved permit issued by the town according to the established policy.
4. **THAT** the applicant shall pay a non-refundable permit fee as indicated by the Town of Collingwood’s Fees By-Law, as amended from time to time.
5. **THAT** the Oversize/Overweight permit shall accompany the vehicle for which it is issued. In the case of multi-vehicle permits, a copy of the permit and supplemental list of vehicles shall accompany each vehicle. The permit and all attachments shall be produced upon request of a police officer or any authorized authority.
6. **THAT** the Oversize/Overweight vehicle 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. **THAT** the applicant(s) shall comply with all axle load weights and heavy truck restrictions as required.
8. **THAT** the Oversize/overweight Permit is not valid at any time from one half hour after sunset to one half hour before sunrise, or at any other time when, due to insufficient light, or unfavorable atmosphere conditions, persons and vehicles on the highway are not clearly discernible at a distance of 150 metres or less, or from Monday to Friday inclusive during the hours of 6:30 a.m. – 9:00a.m., and 4:00 p.m. – 6:00 p.m.
9. **THAT** the Executive Director or his/her designate have the authority to issue a permit as required in this By-law, after having determined the route chosen and the road conditions are acceptable and the application is complete.
10. **THAT** this permit shall be considered null and void if any provisions of this permit are violated.
11. **THAT** every person(s) who contravenes any provision of this By-Law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act.
12. **THAT** nothing in this By-law shall relieve any person from laws, procedures or requirements of any other agency having control over the transportation of vehicles, loads, objects or structures.
13. **THAT** an Application for a permit shall be made on the prescribed forms as per the Guidelines to Oversize/Overweight loads set out in the established Policy, as adopted by Resolution.
14. **THAT** the farm equipment shall be exempt from this permit process in accordance with the Highway Traffic Act, R.S.O 1990, Chapter H.8, Section 113(1)(2)
15. **THAT** the Provisions of this by-law shall not apply to emergency vehicles and Municipal Service Vehicles.
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 28th day of May, 2012


MAYOR


CLERK