



**BYLAW NO. 1026
OF THE MUNICIPAL DISTRICT OF STARLAND NO. 47
IN THE PROVINCE OF ALBERTA, CANADA.**

A Bylaw of the Municipal District of Starland No. 47, in the Province of Alberta, Canada, respecting the establishment of weight/load limits on Highways and Roads within the Jurisdiction of the Council of the Municipal District of Starland No. 47.

WHEREAS the Council of the Municipal District of Starland No. 47 (the “Municipality”) has pursuant to the Motor Transport Act being R.S.A. 1980 C. M-20, as amended, the authority to make Bylaws, not inconsistent therewith, for the regulation of the weight of vehicles on secondary roads or rural roads within the Municipality;

AND WHEREAS, the Municipality deems it desirable to provide for weight restrictions for vehicles on highways within the Municipality;

NOW THEREFORE the Council of the Municipal District of Starland No. 47, in the Province of Alberta, Canada, duly assembled, enacts as follows:

1. This Bylaw may be sited as the “Road Ban Bylaw.”
2. Definitions:
 - (a) Words used in this Bylaw have the same meaning as words used or defined in the Motor Transport Act and its Regulations;
 - (b) “Vehicle Weight Committee” means that Committee established pursuant to Section 6 of this Bylaw;
3. No person shall operate a vehicle on a highway under the direction, control and management of the Municipality other than in accordance with the weight limitations as specified in the Motor Transport Act and its Regulations, as amended, except where increased, limited or restricted by the provisions of this Bylaw or the Vehicle Weight Committee pursuant to the provisions of this Bylaw.
4. A public vehicle in respect of which an overload permit is issued in accordance with the provisions of the Motor Transport Act shall not, pursuant to that overload permit, be operated on a highway under the direction, control and management of the Municipality unless:
 - (a) The Vehicle Weight Committee has given its approval to that public vehicle being operated on that highway;
 - (b) The owner, operator, driver or mover of the public vehicle shall agree to be responsible for all damages which may be caused to the highway by reason of driving, operating or moving of any such vehicle upon the highway; and
 - (c) If requested by the Vehicle Weight Committee or Municipal Administrator with the authorization of the Vehicle Weight Committee, the owner, operator, driver or mover of the vehicle shall post a bond sufficient to cover the cost of repairing possible damages to the highway in an amount satisfactory to the Vehicle Weight Committee.
5. Notwithstanding Section 4 above, the Municipality hereby gives approval for the operation of an R.T.A.C. Tridem Axle Public Vehicle in respect of which an overload permit has been issued in accordance with the provisions of the Motor Transport Act, for the operation of that vehicle on a highway under the direction, control and management of the Municipality if the operation of that public vehicle otherwise complies with the Motor Transport Act.

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Nevertheless, the owner, operator, driver or mover shall comply with all provisions of this Bylaw other than Section 4, and without limiting the generality of the foregoing, shall obey all prohibitions, limitations, increases or restrictions imposed by the Vehicle Weight Committee.

6. The Vehicle Weight Committee shall consist of not less than 3 and not more than 5 individuals, appointed by the Municipality's Council from time to time. The members hold membership at the pleasure of the Municipality's Council. Signing authority for the Vehicle Weight Committee shall be at least two members of the Committee or the Municipality's Municipal Administrator.
7. The Vehicle Weight Committee established herein has the full power and authority to:
 - (a) Prohibit the use of a highway under the Municipality's direction and control by a traction engine or public vehicle, or by a class or classes thereof, for a period or periods that the Vehicle Weight Committee determines;
 - (b) Limit or restrict the speed of a traction engine or public vehicle, or of a class or classes thereof, using a highway under the Municipality's direction and control, for a period or periods that the Vehicle Weight Committee determines; and
 - (c) Increase, limit or restrict the maximum gross weight that may be borne by a tire, an axle or an axle group, or any of them, or the maximum gross weight that may be borne by a vehicle or combination of vehicles on a highway under the Municipality's direction and control for a period or periods that the Vehicle Weight Committee determines.
8. The Vehicle Weight Committee shall cause signs to be erected along the secondary road or rural road, as the Vehicle Weight Committee considers necessary to notify persons using the road of the prohibition, limitation, increase or restriction imposed.
9. Penalties for non-compliance:
 - (a) A person, who by himself or by an agent or employee, contravenes this bylaw in respect of the maximum weight that may be borne by an axle or an axle group is guilty of an offence and liable to a fine of not less than \$100.00 for each 500 kilograms of the weight borne by the axle or axle group in excess of the maximum allowable weight.
 - (b) A person who, by himself or by an agent or employee, contravenes this bylaw in respect of the maximum weight of a vehicle or combination of vehicles is guilty of an offence and liable to a fine of not less than \$100.00 for each 500 kilograms of the weight borne by the vehicle or combination of vehicles in excess of the maximum allowable weight on a bridge or highway.
10.
 - (a) A person who contravenes this bylaw is guilty of an offence.
 - (b) Except as otherwise provided in this bylaw, a person who is guilty of an offence under this bylaw and for which a penalty is not otherwise provided is liable to a fine of not more than \$500.00
11. No person found guilty of an offence pursuant to this Bylaw shall be liable to imprisonment.
12. Bylaw No. 748 is hereby repealed.
13. This Bylaw shall take effect as and from the third and final reading thereof.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE MUNICIPAL DISTRICT OF STARLAND NO. 47, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

First reading on motion by Deputy Reeve Thompson, this 16th day of September, A.D., 1997

Second reading on motion by Councillor McLeod, this 16th day of September, A.D., 1997

Third and final reading on motion by Reeve Grenville, this 16th day of September, A.D., 1997

DONE AND FINALLY PASSED IN COUNCIL, DULY ASSEMBLED, THIS 16TH DAY OF SEPTEMBER, A.D., 1997.

Reeve: Arthur H. Grenville

Municipal Administrator: Ross D. Rawlusk