

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council adopt the following by-law with respect to spring road weight restrictions:



MUNICIPALITY OF THE COUNTY OF PICTOU SPRING ROAD WEIGHT RESTRICTION BY-LAW

1. This by-law may be cited as the “*Spring Road Weight Restriction By-law*”.
2. In this by-law:
 - a. “gross vehicle weight” means the sum of the individual axle weights of all axles of the vehicle or combination of vehicles;
 - b. “Municipality” means the Municipality of the County of Pictou;
 - c. “Restricted Road” means a highway or road in the Municipality which is listed at Schedule “A” ;
 - d. “single axle” means an axle that transfers the load carried by it approximately equally to the wheel or wheels attached to each end of the axle;
 - e. “Spring Weight Restriction Period” means
 - i. the same period in a given year over which, pursuant to subsection 20(1) of the *Public Highways Act*, R.S.N.S. 1989, c. 371, as amended, the applicable Minister for the Province of Nova Scotia, or designate, prescribes that public highways or public roads, including bridges thereon, will be subject to closure or restrictions to traffic or to any class or classes of traffic, or
 - ii. such other period as the Municipality, at its discretion, may determine by resolution and announce by way of notice published in a newspaper circulating within the Municipality at least two weeks before such period is to begin in a given year;
 - f. “tandem axle” means an axle assembly containing 2 consecutive axles whose centres are at least 1.20 m apart and no greater than 1.85 m apart

- i. attached to the vehicle in such a manner that the load on the axle group is equalized on the 2 axles, and
 - ii. equipped with brakes on both axles;
 - g. “triple axle” means an axle assembly of 3 consecutive axles with the centres of no 2 consecutive axles less than 1.20 m apart, and
 - i. attached to the vehicle in such a manner that the load on the axle group is equalized on 3 axles, and
 - ii. equipped with brakes on all 3 axles;
 - h. “tridem axle” means an axle group of 3 consecutive, equally spaced axles within a vehicle that does not include any liftable or self-steering axles and that has the same number and size of tires on each axle, with a minimum outside axle spacing from 2.40 m to a maximum of 3.70 m;
 - i. “tridem equivalent axle” means an axle group that is made up of 3 consecutive, equally spaced axles within a vehicle and that has all lift axles lowered and the same number and size, and that has the same number and size of tires on each axle, with a minimum outside axle spacing from 2.40 m to a maximum of 3.70 m; and
 - j. “vehicle” means a vehicle as defined under the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293, as amended;
- 3. No vehicle may be operated on a Restricted Road during a Spring Weight Restriction Period, except as permitted under this by-law.
- 4. Vehicles under the following applicable maximum vehicle and axle weights may be operated on a Restricted Road during a Spring Weight Restriction Period:
 - a. maximum single axle weight of 6,500 kg, except single-drive school and passenger buses, public utility service trucks and fire-fighting trucks;
 - b. maximum tandem or triple axle weight of 12,000 kg per axle grouping;
 - c. maximum tridem or tridem equivalent axle weight of 18 000 kg per axle grouping; and
 - d. maximum gross vehicle weight of 12,000 kg for single-drive school and passenger buses, public utility service trucks and fire-fighting trucks that exceed 6500 kg on a single axle.

5. The following vehicles may also be operated on a Restricted Road during a Spring Weight Restriction Period:
 - a. public utility service trucks while responding to emergency situations, including the restoration of services or the establishment of new services to occupied buildings;
 - b. fire-fighting trucks while responding to emergency situations, including attending actual fires, medical crises and motor vehicle accidents, and assisting in fire investigations;
 - c. trucks hauling bulk milk and solid waste (garbage haulers) are permitted to haul 80% of normal axle loads, steering axles are permitted to carry registered weight to a maximum of 6,500 kg, provided the carrier holds a special permit issued by the Province of Nova Scotia and allowing such operations, as provided for under the *Spring Weight Restriction Regulations* under the *Public Highways Act*, R.S.N.S. 1989, c. 371, as amended; and
 - d. vehicles which the Municipality owns, operates or has hired others to operate for the Municipality or public utility vehicles while such vehicles are engaged in maintenance and repair work on municipal roads or streets or utility appurtenances included therein, or to police or fire service or emergency service vehicles or equipment engaged in the line of duty.
6. Every person who violates or fails to comply with any of the provisions of this by-law shall be guilty of an offence and, upon summary conviction, liable to pay a fine and penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and, in default of payment, to imprisonment for a term not exceeding sixty (60) days.
7. The offences, fines and penalties or rights of restitution provided for in this by-law, are intended to be in addition to any other applicable offences, fines or penalties or rights, including rights of the Municipality to recover for property damage by way of civil action.
8. When a person causes damage to a Restricted Road through conduct in violation of this by-law and is convicted of an offence as a result, in addition to and without limiting any other relief which might otherwise be available to the Municipality and in addition to any fine or penalty which might be imposed, a Court may also order that such person pay restitution to the Municipality in respect of all such damage.

THIS IS TO CERTIFY that the foregoing is a true copy of a bylaw duly adopted by the Municipal Council for the Municipality of the County of Pictou at a duly called meeting of the Municipal Council held the 7th day of March 2016.

GIVEN under the hands of the Deputy Municipal Clerk and under the corporate seal of the Municipality this the 8th day of March 2016.

**CAROLYN MACINTOSH
DEPUTY MUNICIPAL CLERK**

SCHEDULE "A"

Restricted Roads

<u>Road Name</u>	<u>Community</u>
Stanwood Drive	Lyons Brook
Barclay Ridge Crescent	Lyons Brook
Lakeside Court	Granton
Hidden Cove Drive	Pictou Landing
MacIntosh Drive	Sylvester
Maple Estates Drive	Abercrombie
Holland Lane	Plymouth
Jean St	Plymouth