

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM

BY-LAW NO. 2019-16

"Reduced Load Limit By-Law"

Being a by-law to designate half load restrictions on roads within the boundaries of the Township of Chisholm.

WHEREAS Section 8 of the Municipal Act, S.O. 2001 (hereinafter referred to as the "Municipal Act") provides that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

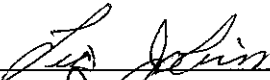
AND WHEREAS Section 11 of the municipal act provides that a lower-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein including highways, parking and traffic on highways;

AND WHEREAS pursuant to Section 122(7) of the Highway Traffic Act, R.S.O. 1990 c.H.8., as amended, the Township of Chisholm Council may designate any roads within the Township as being subject to reduced loads and the time during which such a designation shall be in effect;

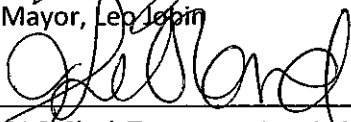
NOW THEREFORE the Council of the Township of Chisholm hereby enacts as follows:

1. That for the purposes of this By-Law, the definition of highway shall include a common and public highway, street, avenue, road, parkway, driveway, square, place, bridge, viaduct, trestle, or an unopened and unassumed highway, 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 line thereof.
2. That pursuant to Section 122, Subsections 1, 2, 3, and 4 of the Highway Traffic Act a Reduced Load Period shall apply to all highways within and under the jurisdiction of the Township of Chisholm, during the period of the 1st day of March to the 31st day of May, inclusive in each and every year.
3. That the Chief Administration Officer (CAO) or designate may, at any time where circumstances warrant, amend the Reduced Load period set out in section 2 above at any time during the year as may be required.
4. That the Reduced Load period for any Highway under the jurisdiction of the Township of Chisholm shall not become effective until appropriate signs have been erected and are on display.
5. That pursuant to the provisions of Section 110 of the Highway Traffic Act, permits may be issued, upon application in writing to the CAO or designate, for the moving of heavy vehicles, loads, objects or structures.
6. That every person who contravenes any of the provisions of this By-Law is guilty of an offence and on conviction is liable to a penalty as provided for in the Highway Traffic Act.
7. That should any section, subsection, clause, paragraph or provision of this By-Law, be declared by a court of competent jurisdiction to be ultra vires, invalid or illegal for any reason, the same shall not affect the validity of the rest of the by-law.
8. That this By-law shall be sited as the "Reduced Load Limit By-Law"
9. That this By-Law shall come into force and take effect on the date of passing thereof.

Read a first, second, and third time and finally passed this 8th day of October, 2019.



Mayor, Lep Lepin



CAO Clerk Treasurer, Jennistine Leblond