

**Municipal Corporation of the Township of Killaloe, Hagarty and Richards
By-Law #23-2011**

Being a By-Law Authorizing the Works Superintendent to use permits governing the movement of oversize and overweight vehicles on Township Roads.

WHEREAS Section 110(1) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, provides for the granting of a permit for the moving of heavy vehicles, loads or structures in excess of the dimensional and weight limits in the Act;

AND WHEREAS Section 110 (2) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, provides that a permit issued under Subsection 1 may be general or limited, and that as a condition of the issuance of such permit, and in accordance with Section 110(5) of the Highway Traffic Act, R.S.O. 1990, H.8., the original of the permit shall be carried in the vehicle for which the permit was issued;

AND WHEREAS Section 110(3) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, provides for the issuance of such permits by an Officer of the Corporation;

AND WHEREAS Section 110(4) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, allows for the issuance of permits by the Ministry where a highway is under the jurisdiction of two or more municipalities;

AND WHEREAS Section 110(5) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8 outlines the responsibility of the owner, operator or mover of a heavy vehicle, load, object or structure with respect to which a permit is issued, to be responsible for all damages that may be caused to the highway by reason of the driving, operating or moving of any such heavy vehicle, load, object or structure;

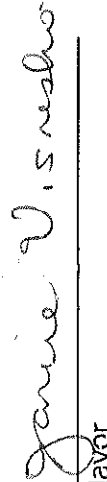
AND WHEREAS the Corporation of the Township of Killaloe, Hagarty and Richards deems it desirable to authorize the Township Works Superintendent to issue permits referred to and in accordance with Section 110 of the Highway Traffic Act, R.S.O. 1990, Chapter H.8;

NOW THEREFORE, the Council for the Corporation of the Township of Killaloe, Hagarty and Richards hereby enacts as follows:

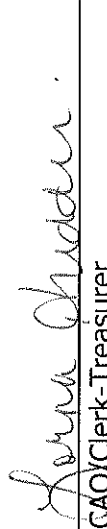
1. That the Township Works Superintendent be authorized to issue permits in accordance with Section 110 of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended.
2. That the issuance of such permits shall be subject to the terms and conditions as set by the Township Works Superintendent.
3. That the fees charged for the issuance of such permit shall be as set out in Schedule 1 to this By-Law, as may be amended from time to time.
4. Penalties: Every person who operates or permits the operation of a vehicle or combination of vehicles contrary to any of the conditions of a permit issued pursuant to this By-law is guilty of an offence and on conviction is liable to a fine of not less than \$200 and not more than \$20,000 and, in addition, if the condition contravened is in respect of any weight allowed under the permit, a fine shall be imposed as if the person had not been issued a permit under Section 110(1)(7) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, and had been convicted of an offence under section 116, 117 or 118 of the Highway Traffic Act, R.S.O. 1990, Chapter H.8 in respect of any gross vehicle weight, axle unit weight or axle group weight in excess of the maximum allowable weights permitted under the Act or the regulations thereto.
5. That this By-Law shall come into force and take effect upon final passing thereof.

Read a first and second time this 5th day of July, 2011.

Read a third time and finally passed this 5th day of July, 2011.



Mayor



CAO/Clerk-Treasurer

**TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS
WORKS DEPARTMENT
OVERSIZE/OVERWEIGHT LOAD POLICY**

Purpose

To control the movement of oversize and overweight vehicles on Township Roads.

To Whom Issued

Permits will be issued to the person or Company actually undertaking the move. All applications for a permit must be on the approved forms and must be completed in all respects. Incomplete submissions will not be reviewed.

When Required

Permits will be required when any of the following dimensions or weights are exceeded:

Width	8' – 6"	2.62 m
Length	75' – 6"	23.00 m
Height	13' – 6"	4.14 m

Any loading or axle configuration outside the limits established by the Highway Traffic Act, R.S.O. 1990, Chapter H.8. as amended.

Duration of Permit

A permit shall be issued for a single day trip.

Permit Fees

Daily Permit \$40.00

Fees are subject to changes as deemed appropriate by the Council for the Township of Killaloe, Hagarty and Richards.

Escorts

Escorts are required on any move where the following limits are exceeded:

Width	11' – 6"	3.50 m
Length	79" – 5"	24.20 m
Height	14' – 0"	4.25 m

Any loading or axle configuration outside the limits established by the Highway Traffic Act, R.S.O. 1990, Chapter H.8. as amended.

The mover may at their option elect to use their own escort, with the condition that private escort vehicles must be equipped with overhead flashing lights, wide load signs and two way radio communications. Escort vehicles shall be placed 200 m before and 200 m behind any load requiring escort.

Where the load being moved exceeds the following dimensions or weight, the mover must obtain and pay for escort from the policing authority having jurisdiction.

Width	13' – 3"	4.00 m
Length	100' – 0"	30.50 m
Height	14' – 0"	4.25 m

Any loading or axle configuration outside the limits established by the Highway Traffic Act, R.S.O. 1990, Chapter H.8. as amended.

Night Moves

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Requests to undertake moves during non daylight hours may be permitted. Each such request will be assessed on its own merit and may be approved at the discretion of the Township Works Superintendent.

Overhead Utilities

It is the responsibility of the applicant to notify all utility companies potentially affected by the move and obtain their consent prior to the move. Any conditions or additional costs imposed by the utility company are the responsibility of the applicant.

Restricted Loading Periods

Overweight loads will not be permitted during the half load period as established by Municipal By-Law.

Conditions of Permits

The issuance of a permit is subject to the conditions as set out by the Township Works Superintendent.

Permit Applications

Applications may be obtained from the Township of Killaloe, Hagarty and Richards. Completed applications may be submitted in person, by fax or by mail. Permits shall not be issued until the applicable permit fee has been paid in full.

CONDITIONS OF A PERMIT

(1) Acts and By-Laws

- a. The Permit holder shall move the vehicle in accordance with the Highway Traffic Act of Ontario, Chapter H.8., R.S.O. 1990, and any amendments thereto.
- b. This Permit is not valid on highways or structures otherwise restricted by Municipal By-Law.
- c. All moves are subject to By-Laws of the municipalities or corporations within which the move is being made.

(2) Control of Permit

- a. The Permit may be withdrawn upon written notice at any time by the Township Works Superintendent. If time does not permit that written notice be given, verbal notice, with a follow-up in writing by the Works Superintendent is permissible.
- b. Movement of oversize loads on highways or structures may be restricted at any time, at the discretion of the Works Superintendent.
- c. The Permit is granted subject to the condition that the Permit will be used at and within the time limits specified and that the particular highways used will be in accordance with those designated by the Works Superintendent.

(3) General

- a. This permit does not apply to quantities of earth, rock, brick, block or any other divisible loads.
- b. No moves are to be made on Sundays.
- c. Vehicles, loads, objects or structures in excess of the width or length or both prescribed under Section 109 of the Highway Traffic Act, R.S.O. 1990, Chapter H.8., as amended, shall be marked with flags or lights or both and signs as prescribed by the Township Works Superintendent.
- d. If it is necessary to cross a sidewalk with the load mentioned herein, the sidewalk must be covered with 4" planking while the move is taking place.

(4) Axle Loads

Where the axle loads of any proposed loading arrangement cannot be easily calculated or are in doubt, it will be the applicant's responsibility to establish adequate proof of the accurate axle loadings to the satisfaction of the Works Superintendent. Any expense so incurred will be borne by the applicant.

(5) Damages

The Applicant understands and agrees that under the provisions of the Highway Traffic Act, R.S.O. 1990, Chapter H.8., as amended, the owner, operator or mover of a heavy vehicle, load, object or structure in respect of which a permit is granted, is responsible for all damages that may be caused to the highway by reason of the driving, operating or moving of any such vehicle, load, object or structure and shall reimburse the Township of Killaloe, Hagarty and Richards for all costs associated with repairing such damages.

(6) Indemnity

The Applicant shall indemnify and save harmless the Township of Killaloe, Hagarty and Richards from any action, claim, damage or loss arising from and in relation to the protection of persons and property that may be caused by reason of driving, operating or moving any such heavy vehicle, load, object or structure.

SCHEDULE 1

TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS

Schedule of Fees for Issuance of Oversize/Overweight Vehicle Permits:

Daily Permit	\$40.00
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**Corporation of the Township of Killaloe, Hagarty and Richards
SPECIAL VEHICLE PERMIT**

Move Commences:	Move Terminates:	Permit No.
APPLICANT (Firm Name in Full) _____		DESCRIPTION OF LOAD Type of Load: Tractor Licence No. Trailer Licence No.
Address: _____		
Telephone No.: _____		
<p>The Applicant is hereby granted permission under Section 110 (1) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8., as amended, for the moving of heavy vehicles, loads, objects or structures in excess of the dimensional limits as set out in Section 109 of the weight limits set out in Part VIII, up to the following limits:</p>		
TOTAL MAXIMUM WEIGHT:	TOTAL MAXIMUM WIDTH:	
TOTAL MAXIMUM LENGTH:	TOTAL MAXIMUM HEIGHT:	
ROUTE: Starting From: _____ _____ _____ _____		
Traffic Escort Type: Private: _____ Police: _____		
Escort to meet applicant: _____ Time: _____		
APPLICANTS PLEASE NOTE: ALL EXPENSES INCURRED FOR TRAFFIC ESCORT SERVICES WILL BE BORNE BY THE APPLICANT.		
<u>RESTRICTIONS/REQUIREMENTS:</u>		

The Applicant will read the regulations and conditions which govern the granting of this permit and will comply with them in every respect.
This Permit is granted subject to the condition that the applicant, owner, operator or mover of a heavy vehicle, load, object or structure in respect of which this Permit is granted shall:

- a. Reimburse the Corporation of the Township of Killaloe, Hagarty and Richards for all costs incurred by the Corporation of the Township of Killaloe, Hagarty and Richards.
- b. Indemnify and save harmless the Corporation of the Township of Killaloe, Hagarty and Richards from any action, claim, damage or loss whatsoever arising from and in relation to the protection of persons and property from injury or damage that may be caused by reason of the driving, operating or moving of any such heavy vehicle, load, object or structure.

Signature of Applicant: _____

Signature of Works Superintendent: _____

Received Payment of \$ _____ Receipt No. _____ Date: _____