

**WHEATLAND COUNTY  
BYLAW 2019-15**

A BYLAW OF WHEATLAND COUNTY, in the Province of Alberta, respecting the establishment of overweight, over-dimensional load limitations and associated fees for permit issuance regarding Highways under the direction, control and management of Wheatland County.

**WHEREAS**, the Council of Wheatland County has, pursuant to the Traffic Safety Act (TSA) being R.S.A. 2000 C. T-6, as amended, the authority to make bylaws, not inconsistent therewith, for the regulation of the weight of commercial vehicles on Highways or local roads within the County; and

**WHEREAS**, Wheatland County deems it desirable to provide for weight restrictions for commercial vehicles on Highways within Wheatland County; and

**WHEREAS**, the Municipal Government Act, (MGA) RSA 2000 C. M-26 as amended or repealed and replaced from time to time, provides the Council of Wheatland County the authority to pass a bylaw respecting permit fees for the regulation of the weight of Commercial Vehicles on Highways under the direction, control and management of Wheatland County; and

**WHEREAS**, the fixed fee, set by the Municipality, will be collected by the Province of Alberta in care of Alberta Transportation and distributed to the Municipality accordingly; and

**WHEREAS**, the Province of Alberta has developed the Transportation Routing and Vehicle Information System, Multi-Jurisdictional (TRAVIS-MJ) to address industry's need for a simplified, electronic oversize commercial vehicle permitting system in which TRAVIS-MJ has the ability and functionality to charge permit applicants a variable fee in addition to a fixed fee set by the Municipality for services provided; and

**NOW THEREFORE** the Council of Wheatland County, in the Province of Alberta, duly assembled, enacts as follows:

1. This bylaw may be sited as the "Motor Transport Bylaw".
2. Definitions:
  - a. "Council" means the Municipal Council of Wheatland County;
  - b. "Highway" means a Highway as defined within the Traffic Safety Act.
  - c. "Municipality" means Wheatland County;
  - d. Words used in this bylaw have the same meaning as words used or defined in the Traffic Safety Act and its Regulations;
3. No person shall operate a vehicle on a Highway under the direction, control and management of the County other than in accordance with the weight load limitations as specified in the Traffic Safety Act and its Regulations, as amended, except where increased, limited or restricted by the provisions of this bylaw or by Council pursuant to the provisions of this bylaw.
4. A commercial vehicle in respect of which an overload permit is issued in accordance with the provisions of the Traffic Safety Act shall not, pursuant to that overload permit, be operated on a Highway under the direction, control and management of the County, unless:
  - a. The County has given approval to that commercial vehicle being operated on the specific Highway(s);

- b. The owner, operator, driver or mover of the commercial vehicle shall agree to be responsible for all damages which may be caused to the Highway upon the Highway; and
  - c. If requested by the County, the owner, operator, driver or mover of the commercial vehicle shall post a bond sufficient to cover the cost of repairing possible damages to the Highway in an amount satisfactory to the County.
- 5. No person shall operate a vehicle; on a Highway or local road under the direction, control and management of the County as authorized through the MGA and TSA, for the purpose of operating a commercial vehicle within Wheatland County in an overweight and/or over-dimensional capacity without successful application and submission of a permit including payment of a fee set by the Municipality in issuance through the Transportation, Routing and Vehicle Information System, Multi-Jurisdictional (TRAVIS-MJ) and such fee shall be in accordance with Schedule "B" attached hereto.
  - a. Schedule "B" of this bylaw may be amended from time to time by resolution of Council.
  - b. The Municipality hereby delegates to the Province of Alberta, through TRAVIS-MJ, the ability to charge permit applicants a fee as set by the Municipality.
- 6.
  - a. Notwithstanding Section 3 above, the County hereby gives approval for the operation of a T.A.C. Tridem Axle Commercial Vehicle in respect of which an overload permit has been issued in accordance with the provisions of the Traffic Safety Act, for the operation of that vehicle on a Highway under the direction, control and management of the County if the operation of that commercial vehicle otherwise complies with the Traffic Safety Act and the overload permit. Nevertheless, the owner, operator, driver or mover shall comply with all provisions of this bylaw other than Section 4(a), and without limiting the generality of the foregoing, shall obey all prohibitions, limitations, increases or restrictions imposed by the Council.
- 7. Council and/or Chief Administrative Officer shall cause signs to be erected along a Highway or local road, as Council and/or Chief Administrative Officer considers necessary to notify persons using the road of the prohibition, limitation, increase or restriction imposed.
- 8.
  - a. Any person who, by himself or by agent or employee, contravenes any provision of this bylaw, shall be guilty of an offence and liable upon conviction to a fine of not less than Three Hundred (\$300.00) Dollars and not more than Two Thousand, Five Hundred (\$2,500.00) Dollars, exclusive of costs.
  - b. Notwithstanding any other provisions of this bylaw, the fines and penalties specified for this act shall be listed on Schedule "A" attached hereto and forming part of this bylaw.
- 9. No person found guilty of an offence pursuant to this bylaw shall be liable to imprisonment.
- 10. Bylaw 2014-15 is hereby rescinded upon the passing and signing of Bylaw 2019-15.
- 11. This Bylaw comes into full force and effect upon the third and final reading of this Bylaw.

**WILSON MOVED** First Reading of Bylaw 2019-15 on April 16, 2019, a bylaw of Wheatland County, in the Province of Alberta, respecting the establishment of overweight, over-dimensional load limitations and associated fees for permit issuance regarding Highways under the direction, control and management of Wheatland County.

Carried.

**IKERT MOVED** Second Reading of Bylaw 2019-15 on April 16, 2019 and it was

Carried.

**WILSON MOVED** that permission be granted to hold Third and Final Reading of Bylaw 2019-15 on April 16, 2019 and it was

Carried Unanimously.

**KLASSEN MOVED** Third and Final Reading of Bylaw 2019-15 on April 16, 2019 and it was

Carried.

  
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Reeve – Amber Link

  
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Chief Administrative Office – Alan Parkin



## SCHEDULE 'A'

### Specified Penalties

- |    |                |          |
|----|----------------|----------|
| 1. | First Offence  | \$300.00 |
| 2. | Second Offence | \$500.00 |

**SCHEDULE "B"**  
**FEES**

<b><u>Item</u></b>	<b><u>Fee</u></b>
1. Permit Application Fee (each)	\$20.00 Fixed Fee