

**THE REGIONAL MUNICIPALITY OF DURHAM**

**BY-LAW NUMBER 38-99**

**A BY-LAW TO RESTRICT THE WEIGHT UPON THE AXLES OF COMMERCIAL  
VEHICLES OR TRAILERS ON THE REGIONAL ROAD SYSTEM**

**PASSED: May 19, 1999**

**(Office Consolidation)**

July 11, 2007

**BY-LAW NUMBER 38-99**

**OF**

**THE REGIONAL MUNICIPALITY OF DURHAM**

being a by-law to restrict the weight upon the axles of commercial vehicles or trailers on the Regional road system

**WHEREAS** subsection (7) of Section 122 of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, provides that the municipal corporation or other authority having jurisdiction over a highway may by by-law designate the date on which a reduced load period shall start or end and the highway or portion thereof under its jurisdiction to which the designation applies;

**AND WHEREAS** subsection (1) of Section 32 of the Regional Municipalities Act R.S.O. 1990, c.R.8, as amended, provides that with respect to the roads in the Regional road system and the regulation of traffic thereon, the Regional Corporation has all the power conferred, and is subject to all the liabilities imposed upon the council or corporation of a city by the Highway Traffic Act.

**NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED** as a by-law of The Regional Municipality of Durham by the Council thereof as follows:

1. In this by-law,
  - (a) "Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended from time to time;
  - (b) "motor vehicle" has the meaning ascribed thereto in the Highway Traffic Act;
  - (c) "official sign", means a load restriction sign erected in accordance with the regulations under the Highway Traffic Act;
  - (d) "reduced load period" means the period from the first day of January to the thirty-first day of December inclusive in each and every year; and
  - (e) "vehicle" has the meaning ascribed thereto in the Highway Traffic Act.

2. Subject to section 110 of the Highway Traffic Act, during a reduced load period, no commercial motor vehicle or trailer, other than a public vehicle or a vehicle referred to in section 3 of this by-law, shall be operated or drawn upon any road or portion thereof that is part of the regional road system where the weight upon an axle exceeds 5,000 kilograms.
3. Subject to section 110 of the Highway Traffic Act, during a reduced load period,
  - (a) no two axle tank-truck, while used exclusively for the transportation of liquid or gaseous heating fuel;
  - (b) no two axle truck, while used exclusively for the transportation of livestock feed; and
  - (c) no vehicle transporting live poultry,shall be operated upon any road or portion thereof that is part of the regional road system where the weight upon an axle exceeds 7,500 kilograms.
4. Subject to Section 110 of the Highway Traffic Act, during a reduced load period, no vehicle having a carrying capacity in excess of 1,000 kilograms, other than a motor vehicle or trailer, shall be operated upon any road or portion thereof that is part of the regional road system where the weight upon any millimetre in the width of a tire exceeds 5 kilograms,
5. Every person who contravenes a provision of this by-law is guilty of an offence and upon conviction is liable to a fine as set out in the Highway Traffic Act;
6. This by-law will only be in effect when official signs are on display.
7. By-law Number 251-89 of The Regional Municipality of Durham is hereby repealed.