

Authority: Report #2019-W-56

By-law Number 42-2019

of The Regional Municipality of Durham

Being a by-law to limit the gross vehicle weight of any vehicle or any class thereof passing over a bridge forming part of the Regional Road system.

Whereas Subsection (2) of Section 123 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 bridge may by by-law, limit the gross vehicle weights of any vehicle or any class thereof passing over such bridge and notice of the limit of the weights fixed by such by-law, legibly printed, shall be posted up in a conspicuous place at each end of the bridge;

And Whereas Subsection 2 of Regulation 103/97 provides for the purpose of Subsection 123(2) of the Act, a determination of a limit on the gross vehicle weight of vehicles passing over a bridge shall be signed and sealed by two professional engineers who have set out the maximum allowable load limit at which the bridge may be posted and the period of time for which the determination remains valid;

And Whereas by virtue of Subsection 1 (1) of the table in s.11, Sections 24, 26 and 28 all of *The Municipal Act, 2001*, S.O. 2001 c.25, as amended, The Regional Municipality of Durham has jurisdiction over all highways, including bridges forming part of the highway, in the Regional Road system.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. No vehicle shall pass over any bridge forming part of the Regional Road system and which is set out in Schedule 'A' attached hereto and forming part of this by-law, where the said vehicle has a gross vehicle weight in excess of the weight limitations set out in Schedule 'A' for such bridge.
2. Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine of,
 - a. \$5.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is less than 2500 kilograms, but in no case shall the fine be less than \$100.00;
 - b. \$10.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 2500 kilograms or more but is less than 5000 kilograms;
 - c. \$12.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 5000 kilograms or more but is less than 7500 kilograms;
 - d. \$15.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 7500 kilograms or more but is less than 10000 kilograms;
 - e. \$20.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 10000 kilograms or more but is less than 15000 kilograms; and

f. \$25.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 15000 kilograms or more.

3. This by-law shall come into effect when notice of the limit of the weights fixed by this by-law, legibly printed, are posted up in a conspicuous place at each end of the bridge.

4. Schedule 'A' attached hereto forms part of this by-law.

This By-law Read and Passed on the 25th day of September, 2019.

J. Henry, Regional Chair and CEO

R. Walton, Regional Clerk

Schedule A

Bridges Located on Regional Roads

Regional Structure No.	Name and Location of Bridge	Gross Weight Limit (tonnes)	Year of Construction	Time Period from Passing of By-Law for which Weight Restrictions are Valid
002006	Simcoe Street CPR Overpass, Regional Road 2, 0.2 km south of Olive Avenue	Level 1 – 22 Level 2 – 39 Level 3 - 56	1913	2 Years