

The Corporation of the Municipality of Brockton



By-Law 2024-010

Being a By-Law to Designate Reduced Load Periods and the Highways or Portions Thereof to Which the Designation Applies in the Municipality of Brockton.

Whereas Subsection 7 of Section 122 of the *Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended, provides that a municipality 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 the reduced load period is deemed necessary for the protection of certain highways in the Corporation of the Municipality of Brockton;

And Whereas Section 110(1) of the Act enables a municipality having jurisdiction over a highway, upon application in writing, to grant a permit for use of the highway or portion thereof by a vehicle or combination of vehicles in excess of the dimensional limits set out in Section 122 of the Act;

Now Therefore the Council of The Corporation of the Municipality of Brockton enacts as follows:

1. Definitions

In this By-Law

- a. "Director" means the Director of Operations for the Municipality of Brockton.
 - b. "Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any art of which is intended for or used by the general public for the passage of vehicles and includes the area better the lateral property lines thereof.
 - c. "Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended from time to time.
 - d. "Motor Vehicle" has the meaning ascribed thereto in the Highway Traffic Act.
 - e. "Official Sign" means a load restriction sign erected in accordance with the regulations under the Highway Traffic Act.
 - f. "Reduced Load Period" means a reduced load period within the meaning of section 122 of the Highway Traffic Act.
 - g. "Vehicle" has the meaning prescribed thereto in the Highway Traffic Act.
2. That all highways within the Municipality of Brockton, over which the Corporation of the Municipality of Brockton has jurisdiction, are hereby designated as being subject to the provisions of this By-Law and the provisions of this By-Law shall apply to all highways within the Municipality of Brockton.
 3. That weight restrictions or reduced load restrictions shall be effective during such time or times and on such portion or portions of the highway to which the weight restriction or

reduced load restriction are to apply when reduced load signs are erected and on display and/or notice is placed on the Municipality's website.

4. That the provisions of Subsections 1, 2, 3, 4 and 7 of Section 122 of the Highway Traffic Act shall apply to all highways within the Municipality of Brockton and shall commence on the first (1st) day of January through to the thirty-first (31st) day of December, in each and every year and may be adjusted at the Director's discretion.
5. That notwithstanding anything to the contrary, section 3 shall only apply during such times when and where the official signs have been erected.
6. That the Director or his/her designate, shall have the authority to place or remove any or all reduced load signs as may be necessary to implement this By-Law.
7. That the Director or his/her designate, shall have the authority to grant permits for use of highway or portion thereof during any reduced load period by a vehicle in excess of limits set out in this By-Law, where such a permit is deemed to be required and necessary.
8. That every person who contravenes any 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.
9. That all by-laws, or parts thereof, contrary to this by-law are hereby repealed.
10. That this By-Law shall come into effect upon the passing thereof.
11. This By-Law may be cited as the "Restricted Load Period By-Law".

Read, Enacted, Signed and Sealed this 23rd day of January, 2024.

Mayor – Chris Peabody

Director of Legislative and Legal Services (Clerk)
– Fiona Hamilton