

## The Corporation of the County of Peterborough

### By-law No. 2017 – 03

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#### **A By-law to amend By-law No. 2015-79, being a by-law to restrict the weight of vehicles passing over a bridge (Load Limits on Bridges By-law) (Establish load restriction for Westwood Bridge)**

Whereas Section 123(2) of the Highway Traffic Act, R.S.O. 1990, c. H.8 provides that:

“The municipality or other authority having jurisdiction over a bridge may by by-law limit the gross vehicle weight of any vehicle or any class thereof passing over the bridge, and the requirements of subsection (1) with respect to the posting up of notice apply thereto.”;

And Whereas Section 5(3) of the Municipal Act, S.O. 2001, c. 25 (hereinafter referred to as the “Act”) provides that a municipal power, including a municipality’s capacity, rights, powers and privileges under Section 9, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

And Whereas Section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And Whereas Section 8(1) of the Act, further provides that section 8 shall be interpreted broadly so as to confer broad authority on municipalities,

- (a) to enable them to govern their affairs as they consider appropriate; and
- (b) to enhance their ability to respond to municipal issues.

And Whereas at the County Council Meeting of June 1, 2011, County Council passed By-law No. 2011-38, being a by-law to restrict the weight of vehicles passing over a bridge (Load Limits on Bridges By-law) and to repeal By-law No. 44-2001;

And Whereas at the County Council Meeting of September 18, 2013, County Council passed By-law No. 2013-26, being a by-law to restrict the weight of vehicles passing over a bridge (Load Limits on Bridges By-law) and to repeal By-law No. 2011-38;

And Whereas at the County Council Meeting of February 19, 2014, County Council passed By-law No. 2014-19, being a by-law to restrict the weight of vehicles passing over a bridge (Reed Bridge) (Load Limits on Bridges By-law) and to repeal By-law No. 2013-26;

## County of Peterborough

### Amendment to Load Limits on Bridges By-Law (Establish load restriction for the Westwood Bridge)

#### By-law # 2017 – 03

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And Whereas at the County Council Meeting of June 25, 2014, County Council passed By-law No. 2014-58, being a by-law to amend By-law No. 2014-19, being a by-law to restrict the weight of vehicles passing over a bridge (Close Dutch Line Bridge);

And Whereas at the County Council Meeting of December 16, 2015, County Council passed By-law No. 2015-79, being a by-law to amend By-law No. 2014-58, being a by-law to restrict the weight of vehicles passing over a bridge (amend the load restrictions on the Keene Station Bridge, Burnt Mill Bridge and Nichols Cove Bridge);

And Whereas at the County Council Meeting of January 4, 2017, County Council accepted the recommendation of the Director of Public Works contained in the Manager of Engineering & Design's report "Amendment to Load Limits on Bridges By-law No. 2015-79" wherein he recommended:

"Whereas inspections of County Structures have demonstrated the need to maintain/establish load restrictions for vehicles passing over certain bridges to be regulated through the endorsement of a County By-law necessary to limit the gross vehicle weight of any vehicle passing over a bridge;

Now therefore be it resolved that the Clerk be directed to prepared a By-law to amend By-law 2015-79 to that effect, and that the Clerk be directed to notify the Ontario Provincial Police, School Boards and affected agencies.";

Now Therefore the Council of the Corporation of the County of Peterborough in Session duly assembled enacts as follows, that:

1. Schedule "A" of By-law No. 2015-79 is hereby deleted and substituted with the attached Schedule "A" to this By-law, which schedule forms an integral part of this By-law.
2. Attached hereto as Schedule "B" to this By-law is the Certificate of Engineer dated December 8, 2016, supporting the decision to establish the load restriction on the Westwood Bridge, which schedule forms an integral part of this By-law.
3. Any person violating the provisions of this by-law shall be subject to the penalties provided in section 125 of the Highway Traffic Act, R.S.O. 1990, c. H.8
4. This By-law shall become effective when a notice of the limit of weight permitted, legibly printed has been posted in a conspicuous place at each end of the bridge.

