

## THE CORPORATION OF THE TOWN OF INNISFIL

### BY-LAW NO. 113-06

#### **A By-law of The Corporation of the Town of Innisfil to provide for the issuing of permits for the moving of Oversize, Overweight loads, objects or structures on highways under the jurisdiction of The Corporation of the Town of Innisfil.**

WHEREAS the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 110 provides for a Municipality to grant permits for the moving of oversize, overweight vehicles, loads, objects or structures on highways under its jurisdiction; and

WHEREAS the Municipal Act, S.O. 2001. c.25, Section 27 (1) provides that a municipality may pass by-laws in respect of a highway over which it has jurisdiction; and

WHEREAS it is deemed expedient to provide for the issuing of permits for the moving of oversize, overweight vehicles, loads, objects or structures on highways under the jurisdiction of The Corporation of the Town of Innisfil.

NOW THEREFORE the Council of The Corporation of the Town of Innisfil enacts as follows:

1. **Definitions:**

- 1.1 **“Annual Moving Permit”** shall be a permit issued to a company or individual for the term of one (1) calendar year.
  - 1.2 **“Heavy Vehicle, Load, Object or Structure”** when used severally or separately in this by-law, shall mean any vehicle, load, object or structure over 2.6m (8.5 feet) in width, 12.5m (41 feet) in length or 4.15m (13.6 feet) in height.
  - 1.3 **“Highway”** shall mean a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
  - 1.4 **“Single Trip Permit”** shall be a permit issued to a company or individual for a specific time period.
  - 1.5 **“Town”** means The Corporation of the Town of Innisfil.
2. That no person shall transport or move or cause to be transported or moved a heavy vehicle, load, object or structure on or over any Town Highway without an approved permit issued by the town according to the established Police as adopted by resolution.
  3. That every approved permit shall be carried in the vehicle for which the permit is issued and shall be produced, when demanded, to any Police Officer or an Officer of the Ministry of Transportation.

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4. That an Application for a permit shall be made on the prescribed forms in the Schedules as per the Guideline to Oversize/Overweight loads set out in the established Policy as adopted by Resolution.
5. The Director of Community Services or his/her designate have the authority to issue a permit as required in Section 2 of this By-law, after having determined that the route chosen and the road conditions are acceptable and the application is complete.
6. When the single trip permit is issued the permit holder shall use only that route as approved in the permit. Where transportation under the terms of the permit has commenced and through an act of God, or other unforeseen circumstances the route cannot be followed, the permit holder shall immediately cease all transportation and notify the Town's Director of Community Services or his/her designate, to arrange an alternate route.
7. Every person who contravenes any provision of this By-law is guilty of an offence and upon convictions liable to a fine or penalty as provided for in the Provincial Offences Act.
8. Nothing in this by-law shall relieve any person from laws, procedures or requirements of any other agency having control over the transportation of vehicles, loads, objects or structures.
9. Farm equipment shall be exempt from this permit process in accordance with the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 113(1)(2).
10. This by-law takes effect and comes into force on and from the date it is passed by Council.

**READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED THIS 22<sup>ND</sup>, DAY OF NOVEMBER, 2006.**

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**Brian H. Jackson, Mayor**

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**Paul G. Landry, Clerk**