

**THE CORPORATION OF THE UNITED COUNTIES**  
**OF STORMONT, DUNDAS AND GLENGARRY**

**BY-LAW No. 5204**

**A BY-LAW:** to authorize the issuance of permits to allow the movement of over-dimensional vehicles and designate reduced load periods on County Roads.

**WHEREAS:** Section 110 (1) of the Highway Traffic Act R.S.O. 1990 as amended provides that a municipal corporation having jurisdiction over the highway may, upon application in writing, grant a permit for use of the highway by a vehicle or combination of vehicles in excess of the dimensional limits set out in the Highway Traffic Act, and,

**WHEREAS:** Section 122 (7) of The Highway Traffic Act, R.S.O. 1990 as amended, provides that the municipal corporation or other authority having jurisdiction over a highway, 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 issuance of over dimensional permits and enacting of reduced load periods is deemed expedient and necessary for the protection of certain highways under the jurisdiction of the Corporation;

**NOW THEREFORE THE COUNCIL FOR THE UNITED COUNTIES OF STORMONT, DUNDAS AND GLENGARRY ENACTS AS FOLLOWS:**


- 1) That the issuance of over-dimensional moving permits in SDG conform to the requirements set out in *Schedule 'A'* of this By-law.
- 2) That the *Director of Transportation*, or designate, be authorized to start and end reduced load period for the roads identified within *Schedule 'B'* of this By-law.
- 3) That the effective start of the reduced load period commences, and be enforced, once "Official Signs" have been posted or erected in compliance with the *Highway Traffic Act* or any Regulations thereto upon the appropriate highway.
- 4) That, during the reduced load period, no commercial vehicle or trailer, other than a municipal vehicle, shall be operated or drawn upon any designated highway where the weight upon an axle exceeds 5,000 kilograms unless otherwise authorized by permit.

5) That By-law 5181 be hereby rescinded.

6) That this By-law come into force and effect on the passing thereof.

**READ** and passed in Open Council, signed and sealed this 15<sup>th</sup> day of July, 2019.

  
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WARDEN

  
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CLERK

**SCHEDULE "A" TO BY-LAW NO. 5204**  
**ISSUANCE OF OVERDIMENSIONAL PERMITS ON COUNTY ROADS**

**1) Definitions**

- a) "**Axle**" means an assembly of two or more wheels whose centres are in one transverse vertical plane and which are transmitting weight to the highway;
- b) "**Annual permit**" means a permit issued by the County to allow movement of over-dimensional vehicles, subject to specified restrictions, during a specific calendar year;
- c) "**Director**" means the County's Director of Transportation and Planning Services or designate;
- d) "**Over-dimensional vehicle**" means any combination of vehicle and load having a width, length, height or weight more than the limits provided for in the *Highway Traffic Act*;
- e) "**Route-Restricted Project permit**" means a permit issued by the County to allow movement of similar over-dimensional vehicles, subject to specified restrictions, for a period of up to 3 months from the date of issue on specified County highways;
- f) "**Reduced load periods**" means the period of time weight loads may be reduced on County highways by the Director pursuant to schedule 'B' of this by-law;
- g) "**Single Move permit**" means a permit issued by the County to allow movement of a specific over-dimensional vehicle, subject to specified restrictions, for a one-way trip of limited duration on specified County highways;
- h) "**Seasonal Permit**" means a permit issued by the County to allow movement of greater than permitted axle weights for essential agricultural-related moves during the reduced load period.
- i) "**Superload**" means a vehicle and load combination having one or more of the following characteristics (i) gross weight in excess of 120,000 kilograms, (ii) length of 45.75 metres or greater, (iii) width of 5.0 metres

**2) Over-dimensional vehicle movements**

Except as provided in *Emergency Moves*, no person shall move an over-dimensional vehicle on any County highway without having obtained an over-dimensional vehicle permit approved by the Director, CAO or their delegated authority.

### **3) Emergency Moves**

Where public safety or health is concerned, movement of an over-dimensional vehicle may occur without a permit at the discretion of the Director or Chief Administrative Officer (CAO). The Director or CAO may require any or all information to confirm the validity of an emergency over-dimensional vehicle movement. Where an emergency move has taken place, an over-dimensional vehicle permit shall be applied for on the same day the movement is commenced, or if the office of the Director is not open for the issuance of permits, on the morning of the next day on which the office is open.

### **4) Over-dimensional vehicle permits**

- 1) The County retains the right to not issue an over-dimensional vehicle permit, if, in the opinion of the Director, for reasons of public health, safety or protection of infrastructure a permit should not be issued.
- 2) The Director may direct or alter the proposed route of the over-dimensional vehicle or timing of the movement to maximize public safety and infrastructure protection.
- 3) Over-dimensional vehicles shall be reduced to the minimum practical size and weight.
- 4) When applying for an over-dimensional vehicle permit, the applicant shall:
  - a. complete the prescribed application form;
  - b. provide to the County such information, including, but not limited to, detailed vehicle dimensions, number of axles and axle spacing, tire width, gross vehicle weight and weight distribution;
  - c. file the completed application together with the non-refundable permit fee per the County's fee bylaw and other documents requested by the Director.
- 5) Over-dimensional vehicle permits are not transferable and shall apply only to a specific vehicle or vehicles.
- 6) An over-dimensional vehicle permit is not valid during reduced load periods, unless specified on the permit.

### **5) Permit Types and General Limits**

- 1) For all permits, the Director, or delegated authority, shall impose conditions based on the dimensions and weights requested to be moved which are consistent with industry standards, and, have due regard for public health, safety and/ or the protection of regional infrastructure.

- 2) *Single Moving Permits* are to be issued for over-dimensional moves with a specific origin and destination. A *Single Moving Permit* shall be valid for a period of up to a maximum of three days. The Director can extend or shorten the length of validity of the permit at their discretion.
- 3) *Annual Moving Permits* shall be valid for a single calendar year and restricted to the following weights and dimensions:
  - a. Width – 3.66 metres;
  - b. Height - 4.40 meters;
  - c. Length - 25.00 metres;
  - d. Weight – As permitted under the *Highway Traffic Act*.

Carriers issued *Annual Moving Permits* will need to comply with weight restrictions during the reduced load period and any other special conditions imposed by the Director.

- 4) *Seasonal Moving Permits* can be issued for essential agricultural-related moves, valid for the reduced load period within the year they are issued, and, restricted to the following weights and dimensions:
  - a. Width, Height, Length – As permitted in the *Highway Traffic Act*
  - b. Weight – Maximum of 7,500kg/ axle

Council of the United Counties of SDG shall determine what is considered an example of an essential agricultural-related move.

- 5) *Route Restricted Moving Permits* can be issued for unlimited moves along a specific route. *Route Restricted Permits* may only be issued when the Director is satisfied that there is no risk to the public in permitting the move, and, the moves will not negatively impact regional infrastructure. A *Route Restricted Moving Permit* shall be valid for a maximum of three months from the date of issue. At the discretion of the Director, and, when only one dimension of the move exceeds 25% of the values permitted within the *Annual Moving Permit*, the period of validity of a *Route Restricted Permit* can be extended to the end of a calendar year.

## **6) Night, Weekend and Holiday Moves**

- 1) Permit holders shall move over-dimensional vehicles between one-half hour before dusk and one-half hour after dawn. Night travel is prohibited unless specifically authorized by the Director. Night moves may be permitted in exceptional circumstances if the vehicle is less than or equal to 3.05m in width, less than or equal to 25.0m long, meet the conspicuity requirements set out by the Ministry of Transportation Ontario and meet any other conditions required by the Director.

- 2) In exceptional circumstances, the Director may permit vehicles authorized through a *Single Moving Permit* to travel on County Roads during weekends. Weekend moves will be restricted to one day only.
- 3) Unless otherwise approved by the Director, permits will not be valid on statutory holidays as well as Friday p.m. before a long weekend.

## **7) Inclement Weather**

- 1) No travel is permitted under an approved permit when road conditions, weather conditions, or visibility make traveling hazardous to the operator or to the driving public. Conditions shall be deemed to be hazardous upon any accumulation of ice or snow on the roadway or if the continuous use of windshield wipers is required. Vehicles that are underway when inclement weather occurs shall exit the road at the first available location and park in a safe place until the weather and road conditions clear.

## **8) Production and Revocation of Permits**

- 1) The driver of an over-dimensional vehicle on a highway shall produce a true copy of an over-dimensional vehicle permit, when so demanded by a police officer or an officer appointed by the County for carrying out the enforcement of this by-law
- 2) The driver of an over-dimensional vehicle on a highway shall produce a true copy of the verification of the weight and dimensions of the vehicle when so demanded by a police officer or an officer appointed by the County for carrying out the enforcement of this by-law
- 3) Where a police officer or officer appointed to carry out the enforcement of this by-law has reasonable or probable grounds that the weight or dimensions of a vehicle may exceed the requirements of this by-law, they may weigh the same by means of either a portable or stationary scales or may require the vehicle to be driven to the nearest weigh scales,
- 4) The County may revoke an over-dimensional vehicle permit issued under this by-law if it was issued on mistaken, false or incorrect information, if it was issued in error, the weights and/or dimensions as measured above are verified incorrect, the carrier demonstrates that they are unable to meet the conditions imposed through previous permits, or, if the holder thereof is in contravention of this by-law.

## **9) Indemnification, Damages and Enforcement**

- 1) An over-dimensional vehicle permit will only be issued subject to the condition that the permit holder shall indemnify and save harmless the United Counties of Stormont, Dundas & Glengarry their elected officials, officers, employees and agents from and against any and all claims, actions, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever,

including but not limited to bodily injury or to damage to or destruction of tangible property including loss of revenue arising out of or allegedly attributable to the negligence, acts, errors, omissions, whether willful or otherwise by Permit Holder, their officers, employees, agents, or others who the Permit is legally responsible. This indemnity shall be in addition to and not in lieu of any insurance to be provided by the Permit Holder.

- 2) Where damage to public property or infrastructure occurs, as a result of the movement of an over-dimensional vehicle on a highway or over or under a bridge, the County shall be compensated by the permit holder for the cost of any repairs including engineering and legal costs. The Director may, at their discretion, require the submission of a refundable security deposit prior to issuing a moving permit.
- 3) When improvements or modifications to County infrastructure are required in advance of an over-dimensional move, the County shall advise the applicant of such potential costs, and, take measures it deems necessary to ensure that any and all costs are recovered as result of the improvements or modifications needed to County infrastructure.
- 4) Every person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to a fine as provided for in the *Highway Traffic Act*
- 5) This by-law shall be enforced by the Ontario Provincial Police, Ministry of Transportation Ontario Enforcement Officers and County By-law Enforcement Officers.

**SCHEDULE "B" TO BY-LAW NO. 5204  
ROADS SUBJECT TO REDUCED LOADS**

<b>County Rd. #</b>	<b>From</b>	<b>To</b>
1	King's Highway No. 401	County Rd. 43
1	County Rd. 43	SDG / City of Ottawa Boundary
3	SDG / Leeds and Grenville Boundary	County Rd. 43
3	400 m north of Main Street, Winchester	County Rd. 7
5	County Rd. 16	Hollister Rd.
6	County Rd. 15	SDG / Prescott & Russell Boundary
7	County Rd. 31	County Rd. 43
7	County Rd. 9 (west leg)	SDG / Prescott & Russell Boundary
8	County Rd. 2	County Rd. 7
9	County Rd. 7	County Rd. 15
10	600 m east of County Rd. 34	Ontario / Quebec Border
11	County Rd. 18	County Rd. 43
12	County Rd. 2	700 m south of County Rd. 43
12	700 m north of County Rd. 43	SDG / Prescott & Russell Boundary
13	County Rd. County Rd. 31	County Rd. 6
14	King's Highway 401	County Rd. 12
14	County Rd. 12 (Newington)	County Rd. 43
15	County Rd. 36 (West Leg)	250 m south of County Rd. 43
15	100 m north of the CPR main line	King's Highway 138
16	County Rd. 2	County Rd. 3
17	County Rd. 27	500 m west of County Rd. 34
18	SDG/Leeds and Grenville Boundary	Pinkus Drive (Williamsburg)
18	500 m east of County Rd. 31	King's Highway No. 138
18	King's Highway No. 138	County Road 34
18	County Road 34	Ontario/ Quebec Border
19A	SDG/ City of Cornwall Boundary	SDG 19
19	SDG / City of Cornwall Boundary	County Rd. 18
20	County Rd. 19	200m South of Steward Glen Road
21	County Rd. 34	SDG / Prescott & Russell Boundary
22	King's Highway 138	County Rd. 30
23	250 m north of King's Highway 401	Ontario / Quebec Border
23	Ontario / Quebec Border	SDG / Prescott & Russell Boundary
23A	250 m north of County Rd. 34	SDG / Prescott & Russell Boundary
24	County Rd. 20	SDG / Prescott & Russell Boundary
25	County Rd. 20	County Rd. 23
26	County Rd. 2	County Rd. 18
27	County Rd. 2	250 m south of King's Highway 401
27	Hay Road (Summerstown Station)	County Road 18
28	County Rd. 31	County Rd. 8
29	County Rd. 12	County Rd. 15
30	County Rd. 43	SDG / Prescott & Russell Boundary
32	County Rd. 13	SDG / Prescott & Russell Boundary
33	401 Interchange (north side)	County Rd. 36



<b>County Rd. #</b>	<b>From</b>	<b>To</b>
36	400 m north east of County Rd. 2	County Rd. 18
40	County Rd. 1	County Rd. 16
41	County Rd. 8	King's Highway 401
42	County Rd. 44	SDG / City of Cornwall Boundary
44	1800m east of SDG 42	County Rd. 19
45	County Rd. 43	County Rd. 34