

Village of Clive

Bylaw #472-05

ROAD BANS BYLAW

Being a Bylaw of the Village of Clive in the Province of Alberta, to provide for the limiting of weights of vehicles on highways under the direction, control and management of the Village of Clive.

WHEREAS Section 152 of the Traffic Safety Act, RSA 2000, c.T-6, as amended ("the Act"), provides that a council of a municipality may, for the physical preservation of a highway under its direction, control and management, make bylaws restricting the weight of a commercial vehicle or a commercial vehicle and any goods being carried by the vehicle, to a weight that is less than the weight that may be bore under this Act.;

AND WHEREAS the Act provides that the council of a municipality may by bylaw delegate to an employee of the municipality the power to impose road bans;

AND WHEREAS the Council of the Village of Clive deems it necessary to provide for weight restrictions for vehicles on highways under the direction, control and management of The Village of Clive;

NOW THEREFORE the Council of the Village of Clive, duly assembled, enacts as follows:

1. That this Bylaw shall be referred to as the "Road Bans Bylaw".
2. That words used in this bylaw have the same meaning as words defined in the Traffic Safety Act.
3. That no person shall operate a vehicle on a highway under the direction, control and management of the Village of Clive other than in accordance with the weight limitations as specified in the Traffic Safety Act and the Public Vehicle Weight Regulation, as amended, except where limited or restricted by the provision of this Bylaw.
4. That the Council of the Village of Clive reserves the right to limit the weight on any load traveling on any highway under their jurisdiction by way of Road Bans.
5. That the Council of the Village of Clive delegate to the Chief Administrative Officer (C.A.O.) the power to impose Road Bans.
6. That when a road ban is imposed, the C.A.O. shall cause signs to be erected along the highway as considered necessary to notify persons using vehicles on the highway of the prohibition, limitation, condition or restriction.
7. That a public vehicle in respect of which an Overload Permit is issued in accordance with the provisions of the Traffic Safety Act shall not, pursuant to that overload permit, be operated on a highway under the direction, control and management of the Village, unless:
 - a). The Village of Clive has given its approval to that public vehicle being operated on that highway;
 - b) The owner, operator, driver of mover of the public vehicle shall agree to be responsible for all damages which may be caused to the highway by reason of driving, operating or moving of any such vehicle upon the highway; and

- c) As requested by the Village, the owner, operator, driver or mover of the vehicle posts a bond sufficient to cover the cost of repairing possible damages to the highway in an amount determined by and determined to be satisfactory to the Village.

8. That this Bylaw shall take full force and effect upon third and final reading.

READ a first time this 12th day of December, 2005.

READ a second time this 9th day of January, 2006.

READ a third time and declared finally passed on this 23rd day of January, 2006.

Mayor

Municipal Administrator