

LETHBRIDGE COUNTY IN THE PROVINCE OF ALBERTA

BY-LAW NO. 20-025

A BYLAW OF LETHBRIDGE COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSES OF REGULATING WEIGHT RESTRICTIONS ON LETHBRIDGE COUNTY ROADWAYS AND MANAGED INFRASTRUCTURE OR PROPERTY.

WHEREAS pursuant to the Municipal Government Act, R.S.A 2000 c. M-26, as amended, (hereinafter referred to as "the Act") a Council of a Municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS pursuant to the Act, a Council may pass bylaws for municipal purposes respecting people, activities and things in, on or near public places or places that are open to the public;

AND WHEREAS pursuant to the Act, a Council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment including any or all of the matters listed therein;

AND WHEREAS pursuant to the Act, a municipality has the direction, control and management of all roads within the municipality;

WHEREAS the Alberta Traffic Safety Act, being Chapter T-6, Revised Statutes of Alberta, 2000 and amendments thereto, gives authority to a municipal council to pass a bylaw for the purpose of the physical preservation of highways and bridges under its direction, control, and management;

AND WHEREAS, such authority allows for restricting the weights of a commercial vehicle or a commercial vehicle and any goods being carried by the vehicle;

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

NOW THEREFORE the Council of Lethbridge County pursuant to the authority conferred upon it by the laws of the Province of Alberta, enact as follows:

1. This bylaw may be cited as Lethbridge County "Road Ban Bylaw".
2. The purpose of this bylaw is to protect Lethbridge County infrastructure and to regulate the Road Bans and Restricted Bridges, to promote the safe, enjoyable and reasonable use of such roadways and bridges for the benefit of all citizens of the municipality.
3. Definitions for any term used in this bylaw are as defined in the Alberta Traffic Safety Act and or the Commercial Vehicle Dimension and Weight Regulation AR 315/2002.
4. Lethbridge County reserves the right to, with approval of the Province of Alberta, increase the allowable weight or enter into any special program approved by the County Council on any local road.
5. The Director of Public Operations, or their designate, is hereby authorized to enter into Road Use Agreements or issue Overweight Permits on behalf of Lethbridge County in accordance with Policy 352 – Road Use.
6. Any person entering into a Road Use Agreement, or Overweight Permit, issued under the authority of this Bylaw, shall at all times ensure that the

condition attached to any said Road Use Agreement or Overweight Permit are complied with. Failure to comply with this Bylaw, or any Orders made under the authority of this Bylaw will in turn make the issued permit null and void.

7. No person shall operate a vehicle to move upon a roadway under Lethbridge County direction, control and management when:

- a) The vehicle weights or dimension exceed those set out in the Traffic Safety Act or the Commercial Vehicle Dimension and Weight Regulation AR 315/2002 and amendments thereto;
- b) The gross weight of all axles of a vehicle or vehicle combination exceeds the posted maximum allowable weight for a bridge as set out in a Lethbridge County Road Ban Order;
- c) The gross weight of a carrying axle or axle group, of a vehicle or combination of vehicles that exceeds the maximum allowable weight on a roadway that is subject to a road ban as determined by the percentage axle weight set out in a Lethbridge County Road Ban Order.

8. Delegated Authority

- a) The authority to impose a road ban or set the weight restrictions on a highway or a bridge under the direction, control and management of Lethbridge County is hereby delegated to the Chief Administrative Officer or their designate;
- b) Any Peace Officer or Royal Canadian Mounted Police (RCMP) Officer is authorized to enforce this bylaw, Peace Officer is defined as per the Traffic Safety Act Section 1 and Peace Officer Act Part 1.

9. Signage

- a) The Chief Administrative Officer, or their designate, shall cause signs to be erected along the roadway or bridge as he considers necessary to notify person using commercial vehicles on the roadway or bridge of the prohibition, limitation, condition or restriction;
- b) All gravel roadways will be treated as equal unless otherwise posted.

10. Permitting

- a) All commercial vehicle permitting will be authorized through the Alberta Central Permit Office TRAVIS MJ;
- b) No person may operate a vehicle with the gross weight of a carrying axle or axle group, of a vehicle or combination of vehicles in excess of the maximum allowable weights established by the province of Alberta unless under the authority of a permit authorized by Lethbridge County Chief Administrative Officer or their designate;
- c) Special exemption permits will be authorized to agricultural producers on an annual basis by application through a Lethbridge County Road Ban Exemption Permit Request;
- d) A commercial vehicle carrier or agricultural producer, due to adverse conditions, shall be required to post a road ban bond to insure condition of roadway.

11. Prosecutions and Penalties

- a) The prosecution and specified penalty for any commercial vehicle weight or dimension violation, road ban violation, or restricted bridge violation on any roadway under Lethbridge County direction, control and management shall proceed provincially via the provision of the Traffic Safety Act and or the Commercial Vehicle Dimension and Weight Regulation AR 315/2002 and the Provincial Offences Procedures Act and Regulation;
- b) Any Peace Officer or RCMP Officer is authorized to enforce this bylaw, not withstanding any Sheriff, Commercial Vehicle Enforcement Officer or other authorized personnel has authority to enforce local, provincial or federal violations.

12. Severability

- a) Should any provision of this bylaw be declared invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the bylaw and the remainder shall remain in force and be binding as though such provision had not been invalid.

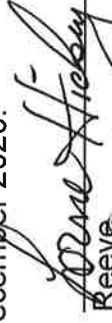
13. Rescind Previous Bylaws

- a) Lethbridge County Bylaw 652 is hereby rescinded.

14. Enactment

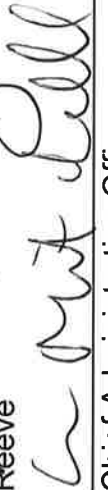
- a) This bylaw shall take effect on the day of the final reading.

GIVEN first reading this 3rd day of December 2020.


Reeve

Chief Administrative Officer

GIVEN second reading this 3rd day of December, 2020.


Reeve

Chief Administrative Officer

GIVEN third reading this 17th day of December, 2020.


Reeve

Chief Administrative Officer