

**THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT**

**BY-LAW NO. 10-24**

**BEING A BY-LAW TO PROVIDE FOR A DESIGNATED REDUCED LOAD PERIOD,  
THE HIGHWAYS TO WHICH THE DESIGNATION APPLIES, AND RELATED  
REQUIREMENTS**

---

WHEREAS Section 122 of the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as amended, provides for reduced loads on designated highways; and

WHEREAS Section 122(7) of the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as amended, provides that a municipal corporation or other authority having jurisdiction over a highway may, by by-law, 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 Section 122(4) of the *Highway Traffic Act*, R.S.O. 1990, c.H.8, provides for exceptions for various types of vehicles to the Reduced Load Period; and

WHEREAS a Reduced Load Period is deemed necessary for the protection of certain highways and roads located within the geographic boundaries of the Municipality of Sioux Lookout;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT ENACTS AS FOLLOWS:

**1.0 DEFINITIONS**

In this By-law, unless the context otherwise requires:

- 1.1 "Commercial Motor Vehicle" has the meaning ascribed thereto in the *Highway Traffic Act* as follows: unless otherwise defined by regulation, means a motor vehicle having attached to it a truck or delivery body and includes an ambulance, a hearse, a casket wagon, a fire apparatus, a bus and a tractor used for hauling purposes on a highway.
- 1.2 "Highway" has the meaning ascribed thereto in the *Highway Traffic Act* as follows: includes 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.
- 1.3. "*Highway Traffic Act*" (HTA) means the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended from time to time.
- 1.4. "Motor Vehicle" has the meaning ascribed thereto in the *Highway Traffic Act* as follows: includes an automobile, a motor-assisted bicycle unless otherwise indicated in this Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power-assisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry or a road-building machine.
- 1.5 "Municipality" means the geographic boundaries of the Municipality of Sioux Lookout, and under the jurisdiction of The Corporation of the Municipality of Sioux Lookout.
- 1.6 "Official Sign" means a reduced load or load restriction sign designed and installed in accordance with the regulations under the *Highway Traffic Act* and this By-law.

- 1.7 "Provincial Offences Act" (POA) means the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended from time to time.
- 1.8 "Provincial Offences Officer" has the meaning ascribed thereto in the *Provincial Offences Act* and includes:
- 1.8.1 a police officer;
  - 1.8.2 a constable appointed pursuant to any Act;
  - 1.8.3 a municipal law enforcement officer;
  - 1.8.4 a by-law enforcement officer; or
  - 1.8.5 an officer, employee, or agent of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a by-law, an Act or a regulation under an Act.
- 1.9 "Public Works Operations Manager"/"Manager" means the Public Works Operations Manager employed by The Corporation of the Municipality of Sioux Lookout.
- 1.10 "Reduced Load Period" or "Restricted Load Period" in the Municipality of Sioux Lookout shall be that period of time designated by the Public Works Operations Manager, and shall be any and all dates between March 1<sup>st</sup> and May 15<sup>th</sup>, inclusive, of any year.
- 1.11 "Trailer" has the meaning ascribed thereto in the *Highway Traffic Act* as follows: a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
- 1.12 "Vehicle" has the meaning ascribed thereto in the *Highway Traffic Act* as follows: Includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.

## **2.0 EXCEPTIONS**

- 2.1 This By-law does not apply to the following (per Section 122(4) of the HTA):
- 2.1.1 vehicles operated by or on behalf of a municipality or other authority having jurisdiction and control of a highway, where the vehicles are engaged in highway maintenance, including the carriage and application of abrasives or chemicals to the highway, the stockpiling of abrasives or chemicals for use on a highway, or the removal of snow from a highway;
  - 2.1.2 vehicles used exclusively for the transportation of milk;
  - 2.1.3 fire apparatus;
  - 2.1.4 vehicles operated by or on behalf of a municipality transporting waste;
  - 2.1.5 public utility emergency vehicles.
- 2.2 This By-law does not apply to the Highways, or parts thereof, specified in Schedule A attached to and forming part of this By-law.

## **3.0 GENERAL**

- 3.1 Subject to Section 2 and Schedule A of this By-law, a Reduced Load Period shall apply to all Highways under the jurisdiction of the Municipality.
- 3.2. Subject to Section 2 and Schedule A of this By-law, the provisions of Sections 122(1), (2), and (3) of the HTA shall apply during the Reduced Load Period, more specifically as follows:
  - 3.2.1 No Commercial Motor Vehicle or Trailer, shall be operated or drawn upon any designated Highway where the weight upon an axle exceeds 5,000 kilograms/5 tonnes.
  - 3.2.2 During a Reduced Load Period:
    - 3.2.2.1 no two-axle tank-truck, while used exclusively for the transportation of liquid or gaseous heating fuel,
    - 3.2.2.2 no two-axle truck, while used exclusively for the transportation of livestock feed, and
    - 3.2.2.3 no vehicle transporting live poultry
 shall be operated upon any designated Highway where the weight upon an axle exceeds 7,500 kilograms.
- 3.2 Subject to Section 2 and Schedules A of this By-law, no Commercial Motor Vehicle or Trailer shall be operated during the Reduced Load Period as set out in this By-law.
- 3.3 If deemed necessary by the Public Works Operations Manager or their designate, the Reduced Load Period may commence prior to March 1st or may be extended beyond May 15<sup>th</sup> of any given year.
- 3.4 If the Public Works Operations Manager or their designate deems it to be appropriate, the Reduced Load Period may be terminated at their discretion.
- 3.5 If the Public Works Operations Manager or their designate deems it appropriate, in emergency situations, they may permit loads in excess of five tonnes per axle on a day by day, case by case, road by road basis. If an operator or driver submits by email a request for an emergency exemption, it may be approved if weather and road conditions can accommodate the request on a short-term basis, if not greater than a 24-hour period.
- 3.6 Sioux Lookout Hydro Inc. is identified as a public utility for the purposes of this By-law.

#### **4.0 SCHEDULES**

- 4.1 The following Schedule is attached to and forms part of this By-law:

Schedule A - Highways Under the Jurisdiction of the Municipality of Sioux Lookout Excluded from Reduced Load Restrictions – list and maps (2).

#### **5.0 HINDER/OBSTRUCT OFFICER**

No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, a Provincial Offences Officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-law.

#### **6.0 OFFENCES AND PENALTIES**

Penalties provided in Sections 124 and 125 of the HTA shall apply to offenses under this By-law.

#### **7.0 SEVERABILITY**

Should a court of competent jurisdiction find any section or provision, or part thereof, of this By-law to be invalid or to be of no force and effect, such section or provision or part thereof shall be deemed to be severable, and all other sections or provisions or parts of this By-law shall be deemed to be separate and independent therefrom and shall continue to be in full force and effect.

#### **8.0 REPEAL OF PREVIOUS BY-LAWS**

Any previous Reduced Load Period or Load Restriction By-laws of The Corporation of the Municipality of Sioux Lookout are hereby repealed.

#### **9.0 SHORT TITLE**

This By-law may be referred to as the "Reduced Load By-law".

#### **10.0 FORCE AND EFFECT**

This By-law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS TWENTY-FIRST DAY OF FEBRUARY 2024.



\_\_\_\_\_  
Doug Lawrance, Mayor



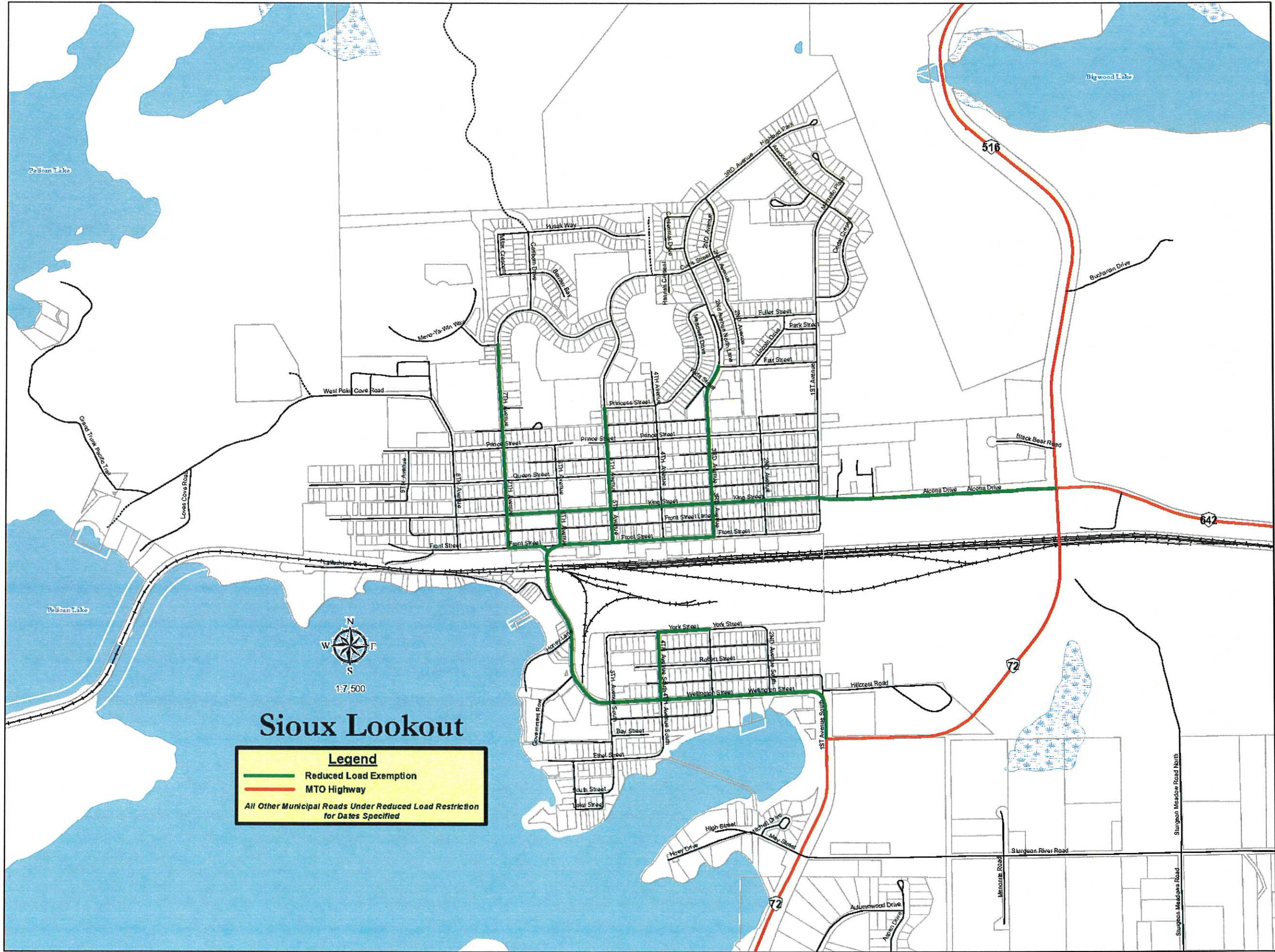
\_\_\_\_\_  
Brian P. MacKinnon, Municipal Clerk

**SCHEDULE A – By-law No. 10-24**

**HIGHWAYS IN THE MUNICIPALITY OF SIOUX LOOKOUT  
EXCLUDED FROM REDUCED LOAD RESTRICTIONS**

Also see maps (2) attached for reference.

<b>Road/Street/Avenue Name</b>	<b>From</b>	<b>To</b>
<b>HUDSON</b>		
Second Avenue	Second Street	Fourth Street
Fourth Street	Second Avenue	First Avenue
The Mill Road	First Avenue	Goodie Lake Road
<b>SIOUX LOOKOUT</b>		
Alcona Drive	Intersection of Highways 516, 642 and 72	First Avenue
King Street	First Avenue	Seventh Avenue
Front Street	Third Avenue	Seventh Avenue
Third Avenue	Front Street	Fair Street
Fifth Avenue	Front Street	Princess Street
Sixth Avenue	Front Street	King Street
Seventh Avenue	Front Street	Meno-Ya-Win Way
Wellington Street	Front Street	First Avenue South
First Avenue South	Wellington Street	Highway 72
York Street	Third Avenue	Fourth Avenue South
Fourth Avenue South	York Street	Wellington Street



# Sioux Lookout



1:7,500

**Legend**

- Reduced Load Exemption
- MTO Highway

*All Other Municipal Roads Under Reduced Load Restriction for Dates Specified*

