

THE CORPORATION OF THE TOWN OF SMITHS FALLS

BY-LAW NO. 7013-95

A By-law to amend the Street Use By-law No. 5783-91 thereby adding regulations for Oversize and Overweight Loads.

WHEREAS By-law No. 5783-91 regulates the maintenance and use of streets and the safety of persons and property utilizing such streets; and

WHEREAS it is deemed advisable to amend By-law No. 5783-91 thereby establishing permit requirements for vehicles carrying or hauling oversize or overweight loads and thereby allowing for the establishment of set fines for various violations of By-law 5783-91 as amended;

NOW THEREFORE the Council of the Corporation of the Town of Smiths Falls enacts as follow:

1. That clause 2(n) of By-law No. 5783-91 be deleted in its entirety and replaced with the following clause 2(n):

"2(n) No person, firm or corporation shall move, or cause to be moved, or assist in moving, any heavy vehicle, load, object or structure in excess of the dimensional limits set out in Section 109, Part VIII of the Highway Traffic Act onto, along or across any street, boulevard or sidewalk in the Town of Smiths Falls unless such person, firm or corporation obtains a permit from the Town Engineer. Every permit holder shall continue to comply with the requirements and obligations under which the permit was issued. Such permit shall be as attached hereto as Schedule "B". The application fee for such permit shall be as set out in Schedule "A" hereto."

2. That clause 2(l)(iii) shall be deleted in its entirety and replaced with the following clause 2(l)(iii):

2(l)(iii) The user fee for such obstruction of the sidewalk shall be as set out in Schedule "A" hereto.

3. That Schedule "A" to By-law 5783-91 be deleted in its entirety and replaced with Schedule "A" attached hereto.

4. That Schedules "A" and "B" attached hereto and forming part of this by-law shall be considered an integral and legal part of By-law No. 5783-91.

5. That clause 3(b) of By-law 5783-91 be deleted in its entirety and replaced with the following clause 3(b):

"3(b) Notwithstanding clause 3(a) and any order issued pursuant thereto, any person violating any of the provisions of this by-law, either by doing any act forbidden or by failing to do any act required by this by-law is guilty of an offence and on conviction shall be liable to a penalty pursuant to the Provincial Offences Act. Set fines may be established for certain offences contained in this by-law. Such set fines shall be established pursuant to the Provincial Offences Act. The Town reserves the right to dispense with the set fine and to seek a higher penalty through the courts if deemed advisable."

6. That the following clause 3(d) be added to By-law No. 5783-91:

"3(d) In addition to the above and pursuant to section 326 of the Municipal Act, in default of any matter or thing being done by the person directed or required to do it, such matter or thing may be done at the person's expense and the Town may recover the expense incurred in doing it by action or the same may be recovered in like manner as municipal taxes."

7. That the provisions of this by-law shall come into force and take effect upon the passing thereof.

Read a first and second time this 20th day of February, 1995

Read a third time and passed this 20th day of February, 1995.



Mayor



Clerk

SCHEDULE "A"
TO STREET USE BY-LAW NO. 5783-91

DEPOSIT/FEE SCHEDULE

EXCAVATION PERMIT

1. The deposit is refundable in full (less \$20.00 administration charge) upon inspection and approval by Public Works superintendent of the excavation and of its satisfactory reinstatement to the original condition.
2. It is the responsibility of the permit holder to arrange for inspections by Public Works. Reinstatement without adequate inspection at required stages of the project may oblige the permit holder to re-excavate the work. Critical stages of the project are considered to be:
 - i) when the excavation is open and the installation is commencing, prior to being backfilled
 - ii) during placement of asphalt/P.C. concrete/sod

3. DEPOSIT RATES

1. Asphalt Roads	\$70.00 m ²
2. Concrete Roads	\$95.00 m ²
3. Concrete Sidewalks	\$95.00 m ²
4. Asphalt Sidewalks	\$50.00 m ²
5. Concrete Curb	\$50.00 m ²
6. Concrete Curb & Gutter	\$75.00 m ²
7. Asphalt Driveway	\$25.00 m ²
8. Sod	\$70.00 m ²
9. Sawcut Trimming of Cuts	\$ 6.25 m
10. Asphalt Overlay (settlement repairs)	\$10.00 m ²

SIDEWALK USE

The user fee shall be calculated at a rate of \$0.80 per square metre per day and shall include roadway obstruction.

OVERSIZE/OVERWEIGHT PERMIT

The oversize/overweight permit application fee shall be \$15.00



CORPORATION TOWN OF SMITHS FALLS SPECIAL VEHICLE PERMIT

Schedule B
Bylaw 5783-91

Issued under Section 110 of the Highway Traffic Act, Part 15. The municipal corporation or other authority having jurisdiction over the highway may, upon application in writing, grant a permit for the moving of heavy vehicles, loads, objects or structures in excess of the dimensional limits set out in section 109 of the weight limits set out in Part VIII.

MOVE COMMENCES	MOVE TERMINATES	PERMIT NUMBER
-----------------------	------------------------	----------------------

APPLICANT (FIRM NAME IN FULL)

ADDRESS:

TOWNSHIP:

TELEPHONE:

PROV:

DESCRIPTION OF LOAD (TYPE OF LOAD)

TRAILER LICENCE NO.

TRACTOR LICENCE NO.

TOTAL MAXIMUM HEIGHT:

TOTAL MAXIMUM WIDTH:

PLACARD UNDER THE TRANSPORTATION OF DANGEROUS GOODS ACT IS REQUIRED YES NO, IF "YES" THE SMITHS FALLS FIRE DEPARTMENT MUST BE NOTIFIED

ROUTE: STARTING FROM

.....

.....

RESTRICTIONS / REQUIREMENTS

.....

.....

APPROVALS : PERMIT MUST BE SIGNED BY ALL AGENCY BELOW

Signature	ESCORTS REQUIRED
BELL CANADA 18 Rideau Ave. N. Smiths Falls Tel: (613)283-1088 Fax: (613)283-8530	<input type="checkbox"/> YES <input type="checkbox"/> NO
SMITHS FALLS HYDRO COM. 11 Market St. S. Smiths Falls Tel: (613)283-0436 Fax: (613)283-9040	<input type="checkbox"/> YES <input type="checkbox"/> NO
TRILLIUM CABLE TV 207 Brockville St. N. Smiths Falls Tel: (613)283-6150 Fax: (613)283-1526	<input type="checkbox"/> YES <input type="checkbox"/> NO
SMITHS FALLS POLICE 77 Beckwith St. N. Smiths Falls Tel: (613)283-4124 Fax: (613)283-1253	<input type="checkbox"/> YES <input type="checkbox"/> NO
SMITHS FALLS PUBLIC WORKS 77 Beckwith St. N. Smiths Falls Tel: (613)283-4124 Fax: (613)283-1253	<input type="checkbox"/> YES <input type="checkbox"/> NO

APPLICANT PLEASE NOTE - All Expenses incurred for ESCORT SERVICES WILL be borne by the APPLICANT

This permit is granted subject to the condition that the applicant, owner, operator or mover of a heavy vehicle, load, object or structure in respect of which this permit is granted shall:

- .a) reimburse the Corporation of the Town of Smiths Falls for all costs incurred by the Municipality
- .b) indemnify and save harmless the Corporation of the Town of Smiths Falls from any action, claim, damage or loss whatsoever arising from and in relation to the protection of persons and property from injury or damage that may be caused by reason of a environmental accident, driving, operating or moving of any such heavy vehicle, load, object or structure.

Signature Applicant

Signature Director of Public Works

A application fee of \$ 15.00 must be paid to The Town of Smiths Falls for each application

Payment Received yes no Date:

Receipt #