

RURAL MUNICIPALITY OF MOOSE CREEK NO. 33

BYLAW NO 06-2023

A BYLAW TO ESTABLISH PENALTIES FOR HAULING OVERWEIGHT ON RM ROADS

The Council of the Rural Municipality of Moose Creek No. 33 in the Province of Saskatchewan, enacts as follows:

1. This bylaw may be referred to as the “Overweight Trucking Fines Bylaw”.
2. “Bylaw Enforcement Officer” means the Chief Administrative Officer of the Municipality or the Solicitor appointed by the Council for the Rural Municipality of Moose Creek No. 33.
3. “Municipality” means the Rural Municipality of Moose Creek No. 33.
4. “Permit” means any transport permit issued by the Rural Municipality of Moose Creek No. 33 or any agent appointed by the Municipality to issue transport permits on its behalf.
5. “Secondary Weight” and “Primary Weight” as defined by *The Vehicle Weight and Dimensions Regulations, 2010*
6. Section 5 shall apply only with respect to an infraction of vehicles operating on a road within the Municipality with a trucking weight over:
 - a. that of Secondary weight on roads designated as secondary weight, and
 - b. that of Primary Weight on roads designated as primary weight.without first obtaining a Permit from the Municipality to haul overweight.
7. Each person or business who contravenes this bylaw shall be given the opportunity to plead guilty and pay \$500 within 30 days of issuance of the fine.
 - a. If the individual, or business fails to pay the specified fine within 30 days of issuance, then that person, or business shall be liable to prosecution of the offence in accordance with the provisions of *The Summary Offences Procedure Act, 1990* of Saskatchewan.
8. Every person or business who contravenes this bylaw shall be issued a fine by the Bylaw Enforcement officer and is guilty of an offence and liable on summary conviction:
 - a. In the case of an individual, to a fine of not less than \$2,500.00 and not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues.
 - b. If an individual fails to pay the fine specified in paragraph 6 within 30 days, then a payment option of \$2,500.00 exists.
 - c. In the case of a business, to a fine of not less than \$5,000.00 and not exceeding \$25,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues.
 - d. If business fails to pay the fine specified in paragraph 6 within 30 days, then a payment option of \$5,000.00 exists.
9. This Bylaw shall not apply to emergency vehicles, municipal maintenance equipment and farm equipment.
10. The Municipality shall be entitled to all its expenses and costs incurred in remedying a contravention of this Bylaw.

11. Conviction of a person or a business for breach of this Bylaw shall not relieve him/her/it from compliance therewith.
12. Bylaw # 02-2020 is hereby repealed.



[Handwritten Signature]

Reeve

[Handwritten Signature]

Chief Administrative Officer

Read a third time and adopted this
15th day of November 2023

[Handwritten Signature]

Chief Administrative Officer