

TOWN OF VIRDEN

BY-LAW NO. 2541

BEING A BY-LAW OF THE TOWN OF VIRDEN TO REGULATE AND CONTROL THE USE OF STREETS BY TRUCKS AND BUSES.

WHEREAS paragraph 232(1)(b) of The Municipal Act provides that a council may pass by-laws for municipal purposes respecting municipal roads;

AND WHEREAS subsection 249(1) of the Act provides, in part, that a person who contravenes a by-law of a municipality is guilty of an offense;

AND WHEREAS subsection 249(2) of the Act provides that where a contravention continues for more than one day, the person is guilty of a separate offense for each day it continues;

AND WHEREAS Fees, Discounts and Penalties Regulation 20/97 registered March 4, 1997 provides that the maximum fine that a council may impose in respect of a contravention a by-law is \$1,000.00;

AND WHEREAS it is deemed necessary and expedient to establish truck routes and to restrict truck traffic to those truck routes to prevent the premature failure of road structures and to enhance the overall aesthetics of the community;

NOW THEREFORE the Council of the Town of Virden enacts as follows:

1. In this By-law

“Truck” means any vehicle with a registered gross vehicle weight in excess of 5,400 kg; and

“Bus” means any vehicle designed for the transportation of people with a design capacity in excess of 10 persons and shall include a school bus.

2. The designated truck routes in the Town of Virden shall be:

- a) King Street
- b) Seventh Avenue North from King Street to Thomas Drive
- c) Fifth Avenue South from King Street to Provincial Road No. 257
- d) Sixth Avenue from King Street to Provincial Road No. 257

3. All routes designated as truck routes pursuant to section 2 above shall be identified by the placement of Traffic Control Devices adjacent thereto in such number as the Council shall deem necessary.

4. No vehicle designated as a truck or bus in accordance with the definition in section 1 hereto shall leave the designated truck routes.

5. Notwithstanding section 4, any truck may operate on any street where necessary for loading and/or unloading freight or the provision of a service at a destination point, provided that truck routes are used until reaching the intersection nearest the destination point. Upon leaving the destination point, a truck shall return by the shortest route to the truck route.

6. Notwithstanding section 4, any vehicle with a registered gross vehicle weight in excess of 5,400 kilograms may travel to and from the Royal Canadian Legion located at 530 Eighth Avenue South for the purposes of driver license testing by utilizing the following streets:

- i) Eighth Avenue from King Street to Queen Street; and
- ii) Queen Street from Eighth Avenue to Sixth Avenue.

7. Notwithstanding section 4, any bus may operate on any street where necessary for loading and/or unloading passengers at a destination point, provided that truck routes are used until reaching the intersection nearest the destination point. Upon leaving the destination point, a bus shall return by the shortest route to the truck route.

8. Notwithstanding section 7, any school bus may travel to and from the Fort la Bosse School Division Office at 523 Ninth Avenue South for the purpose of conducting school division business by utilizing the following streets:

- i) Queen Street from Thomas Drive to Sixth Avenue;
- ii) Ninth Avenue from Queen Street to Wellington Street;
- iii) Wellington Street from Eighth Avenue to Ninth Avenue; and
- iv) Eighth Avenue from Wellington Street to Queen Street.

9. It shall be an offence for an operator of a truck or bus to depart from a designated truck route except as authorized in section 5,6,7 and/or 8.

10. It shall be an offence for any person to park a truck or bus at any time on any street in Virden other than a truck route except when the vehicle is engaged in loading or unloading or the provision of a service for which the truck is required.

11. Any person or persons found to be in contravention of this by-law shall be issued a Common Offence Notice. Service of such notice shall be deemed to have been completed by personal service to the operator of the vehicle, by leaving a true copy of the notice affixed to the vehicle, or by mail to the address noted on the vehicle registration.

12. Any person or persons committing an offence under this by-law shall be liable on summary conviction to a fine of one hundred dollars (\$100.00) plus court costs, as applicable. Where an offence continues for more than one day, the person is guilty of a separate offence for each day that it continues.

13. That subsections 19(1) and 19(2) of Traffic By-law No. 2093 of the Town of Virden be and are hereby repealed.

DONE AND PASSED as a by-law of the Town of Virden in the Province of Manitoba this 17th day of March, A.D. 1998.

Mayor

Chief Administrative Officer

Read a first time this 3rd day of March, A.D. 1998.
Read a second time this 17th day of March, A.D. 1998.
Read a third time this 17th day of March, A.D. 1998.