

CANADA
PROVINCE DE QUÉBEC
MRC VALLÉE DE-LA-GATINEAU
MUNICIPALITÉ DE CANTON DE LOW

BY-LAW 12-2018

concerning the movement of trucks, equipment transport vehicles, tool vehicle on pritchard and kallala roads – 3

WHEREAS paragraph 5 of section 626 of the Highway Safety Code (RSQ, c C-24.2) allows the municipality to adopt a by-law to prohibit the movement of any road vehicle on the roads it indicates provided that this prohibition is indicated by appropriate signage;

WHEREAS section 291 of the Highway Safety Code (RSQ, c C-24.2) allows the municipality to restrict or prohibit on a road, for which it is responsible for the maintenance, the circulation of all or some heavy vehicles;

WHEREAS section 291 of the Highway Safety Code (RSQ, c C-24.2) provides that the restriction or prohibition on driving provided for in section 291 may be partially waived, by appropriate signage, to enable a place where access can only be gained by entering the Prohibited Traffic Zone to pick up or deliver property, provide service, perform work, have the vehicle repaired or driven to the point of attachment;

WHEREAS this Council considers it appropriate and necessary to adopt the said draft by-law concerning the circulation of trucks, equipment transport vehicles and tool vehicles on Pritchard and Kallala public roads, where the maintenance is the responsibility of the municipality to ensure the protection of the road network, the safety of the citizens and the tranquility of the residential sectors and thus be consistent with the bylaw 18-771 of the Municipality of La Pêche;

WHEREAS a notice of motion of the present by-law was duly given at a previous meeting of this council held on November 5th, 2018 with dispensing of reading;

BE IT RESOLVED that the council of the Municipality of La Pêche, by the present by-law, order and statute the following:

ARTICLE 1

The preamble to this Regulation forms an integral part of it.

ARTICLE 2

This by-law repeals and replaces By-law No. 13-649 and its amendments.

ARTICLE 3

In this By-Law, the following words mean:

Truck: A road vehicle, other than an emergency vehicle, having a gross vehicle weight rating of 4,500 kg or more, designed and constructed primarily for the transportation of goods or for the transportation of equipment attached thereto permanence and its operating accessories. Trucks are also sets of road vehicles in which at least one of the vehicles forming it has a gross vehicle weight rating of 4,500 kg or more;

Tool Vehicle: A road vehicle, other than a vehicle mounted on a truck chassis, manufactured to perform work and whose workstation is integrated with the driver's station of the vehicle. For the purposes of this definition, a truck chassis is a frame equipped with all the mechanical components that must be on a road vehicle manufactured for the transport of persons, goods or equipment

Road vehicle: A motorized vehicle that can travel on a road; road vehicles are excluded from the use of track-only vehicles, power-assisted bicycles and electrically powered wheelchairs; trailers, semi-trailers and removable axles are treated as road vehicles.

Local delivery: Delivery made in a restricted traffic area and signposted by a sign that authorizes truck and vehicle drivers to drive in this prohibited traffic zone to perform any of the following tasks on this route:

- a) Take or deliver property; provide a service; perform a job;
- b) Have the vehicle repaired;
- c) Drive the vehicle to its point of attachment.

Point of attachment: the point of attachment of the vehicle refers to the place of business of the company, i.e. the place of storage of the vehicle, the office, the warehouse, the garage, or at the company parking lot.

Emergency vehicle: A road vehicle used as a police vehicle in accordance with the Police Act (RSQ, c P-13.1), a road vehicle used as an ambulance in accordance with the Act respecting pre-hospital emergency services (L.R.Q., S-6.2), a fire service road vehicle or any other road vehicle meeting the criteria established by regulation to be recognized as an emergency vehicle by the Société de l'assurance automobile du Québec (SAAQ).

ARTICLE 4

The circulation of trucks, equipment transport vehicles and tool vehicles are prohibited on public roads with the exception enumerated.

ARTICLE 5

Section 4 does not apply to trucks and tool vehicles that are required to travel to a point to which they can only gain access by entering the Prohibited Traffic Zone in order to carry out one or the other tasks covered by local delivery.

In addition, it does not apply:

- (a) Non-standard vehicles operating under a special permit specifically allowing access to the prohibited road;
- (b) agricultural machinery, farm tractors, and farm vehicles, as defined in the Regulation respecting the registration of road vehicles (Order in Council 1420-91 dated 16 October 1991);
- (c) tow trucks;
- d) Emergency vehicles.

The exceptions provided for in this section are indicated by P-130-P or P-130-20 signage authorizing local delivery.

ARTICLE 6

Unless otherwise specified in this by-law, each prohibited road or part of a prohibited road forms a prohibited traffic zone.

However, if they are contiguous, they form a single prohibited traffic zone.

Where the said roads and a road prohibited by the Ministry of Transport or another municipality are contiguous, they shall, unless otherwise specified, be part of a common prohibited circulation zone comprising all contiguous prohibited roads.

The no-traffic zone is marked by signs that must be installed at the ends of the prohibited roads that form part of it, at their intersection with a road where traffic is permitted. These signs must be of the P-130-1 type to which the P-130-P sign is attached, or of the P-130-20 type.

Elsewhere than at the ends of the no-traffic zone, forbidden paths may be indicated by a P-130-24 type information sign reminiscent of the P-130-P or P-130-20 specification, particularly at the ends of the municipal territory.

ARTICLE 7

Anyone who contravenes section 4 commits an offense and is liable to a fine identical to that provided for in the Highway Safety Code (L.R.Q., C. C-24.2).

Under section 647 of the Highway Safety Code, fines must be equal to those imposed by the Code for offenses of the same nature. Under section 315.2 of the Code, the fine is \$ 175 to \$ 525.

This by-law comes into force in accordance with the law.

Pierre Gagnon, Director General

Carole Robert, Mayor

Notice of motion: November 5, 2018
Adoption of the draft by-law: November 5, 2018
Adoption of the regulation:
display:
Coming into force