

THE CORPORATION OF THE CITY OF BELLEVILLE

BY-LAW NUMBER 2005-200

A BY-LAW TO AUTHORIZE THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS TO ISSUE PERMITS TO MOVE VEHICLES, LOADS, OBJECTS OR STRUCTURES IN EXCESS OF WEIGHT AND SIZE LIMITS PRESCRIBED BY THE *HIGHWAY TRAFFIC ACT* ON CITY ROADS AND TO ESTABLISH CONDITIONS FOR WHICH SUCH PERMITS MAY BE ISSUED

WHEREAS the Municipal Corporation or other authority having jurisdiction over a highway may, upon application in writing, grant a permit for the moving of overweight vehicles, loads, objects or structures in excess of the dimensional limits as set out in Section 109 or the weight limits set out in Part VIII (being Sections 114 to 127) of the *Highway Traffic Act* pursuant to the provisions of Section 110 of the *Highway Traffic Act*, R.S.O., 1990, Chapter H.8, as amended.

AND WHEREAS the Council of The Corporation of the City of Belleville reserves the right to suspend or revoke a permit and to establish an appeal procedure pursuant to the provisions of the Statutory Powers Procedure Act, R.S.O., 1990, Chapter S.22, as amended.

AND WHEREAS the Council of The Corporation of the City of Belleville deems it desirable to grant such permits.

NOW THEREFORE the Council of The Corporation of the City of Belleville enacts as follows:

1. DEFINITIONS

In this by-law:

- 1.1 "Applicant" means the person making an application for a permit under this by-law.
- 1.2 "Corporation" means The Corporation of the City of Belleville.
- 1.3 "Council" means the Mayor and Members of City Council of the City of Belleville.

- 1.4 "Director of Engineering and Public Works" means the person appointed to administer and manage the provisions of this by-law for The Corporation of the City of Belleville and includes his authorized subordinates and assistants.
- 1.5 "Equipped Vehicle" means a self propelled vehicle manufactured, designed, redesigned, converted or reconstructed either temporarily or permanently for snow clearing, snow hauling or for any other snow moving purposes.
- 1.6 "Highway" 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 pedestrians and includes the area between the lateral property lines thereof.
- 1.7 "Motor Vehicle" includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine.
- 1.8 "Municipal By-Law Enforcement Officer" means the officer appointed to enforce the provisions of this by-law or any other by-law and includes his authorized subordinates or assistants, and by virtue of Section 15 of the Police Services Act, R.S.O. 1990, Chapter P.15 as amended, such Officer is a "Peace Officer".
- 1.9 "Officer" includes a municipal by-law enforcement officer, a police officer, a special constable or a peace officer.
- 1.10 "Operator" means the driver of any vehicle for which a permit has been issued and includes any person employed, engaged or contracted by the "Owner".
- 1.11 "Owner" means the owner of an overweight and oversized vehicle, load, object or structure for which a permit is sought or has been issued.
- 1.12 "Peace Officer" includes a police officer, a constable, a conservation officer or other person employed for the preservation and maintenance of the public peace and by virtue of Section 15 of the Police Services Act, R.S.O., 1990, Chapter P.15, as amended, includes a municipal by-law enforcement officer.

- 1.13 "Permit" means a permit issued under this by-law that grants a privilege to the holder thereof.
- 1.14 "Permit Holder" means the person to whom a permit is issued and includes an authorized owner or operator.
- 1.15 "Person" includes an individual, but also a partnership and body corporate and any association and the heirs, executors, administrators, successors and assigns or other legal representatives thereof to whom the context may apply.
- 1.16 "Trailer" means 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.
- 1.17 1.17.1 "Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road building machine 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;
- 1.17.2 "Emergency Vehicle" means a vehicle or combination of vehicles which provide any emergency service and includes an ambulance, a fire truck, a police vehicle, or a cardiac arrest emergency vehicle;
- 1.17.3 "Municipal Service Vehicle" means any vehicle owned by the Corporation or operated by employees of the Corporation and shall include any vehicle contracted by the Corporation for the purposes of providing municipal services.

2. EXEMPTION

- 2.1 The provisions of this by-law shall not apply to the following categories of vehicles:
- 2.1.1 emergency vehicles; and,
- 2.1.2 Municipal Service Vehicles.

3. ADMINISTRATION AND ENFORCEMENT

- 3.1 The Council of the Corporation hereby appoints and authorizes the Director of Engineering and Public Works to:
- 3.1.1 administer the provisions of this by-law;
 - 3.1.2 issue permits on behalf of the Corporation;
 - 3.1.3 sign all permits on behalf of the Corporation;
 - 3.1.4 sign the Schedule "C" agreement on behalf of the Corporation;
 - 3.1.5 limit the time for which a permit is issued;
 - 3.1.6 designate particular highways or parts thereof which may be used by a permit holder;
 - 3.1.7 impose such other conditions on the permit holder that, in the discretion of the Director of Engineering and Public Works, are deemed necessary for the protection of persons and property from injury or damage;
 - 3.1.8 undertake any technical investigation or inspection for the purposes of administering this by-law;
- 3.2 The permits referred to in this section are to grant to an applicant who has filed a written application for the privilege of moving vehicles, loads, objects or structures in excess of weight and size limits as set out in the appropriate sections in Part VIII of the *Highway Traffic Act*, R.S.O., 1990, Chapter H.8, as amended.
- 3.3 The Director of Engineering and Public Works is authorized to evaluate an application and may require that the applicant provide a bond or other security sufficient to cover the cost of repairing any possible damage to a highway.
- 3.4 The Director of Engineering and Public Works is authorized to demand identification or any documentary proof from any person making an application for a permit under this by-law.
- 3.4.1 For the purposes of this by-law, any person refusing to provide the Director of Engineering and Public Works with identification or documentary proof at the time of the application shall be deemed to have refused to provide such information.

- 3.5 The Director of Engineering and Public Works may report to Council any breach of the by-law by any permit holder.
- 3.6 The Council of the Corporation hereby appoints the Officer to enforce the provisions of this by-law including the provisions of Sections 122 and 124 of the *Highway Traffic Act*, R.S.O., 1990, Chapter H.8, as amended.
- 3.7 The Director of Engineering and Public Works and the Officer are authorized to:
 - 3.7.1 demand the permit, identification, vehicle registration or other document from any owner, permit holder or operator to whom the by-law may apply; and,
 - 3.7.2 inspect any vehicle, load, object or structure and any ledger, weight bill or document for which a permit was issued in order to verify or confirm the dimensions, weight, destination and type of materials as provided in the application.

4. OBSTRUCTION

- 4.1 No person shall obstruct, hinder or interfere with the Director of Engineering and Public Works or the officer in the lawful performance of his duties.
- 4.2 No person shall cause the obstruction, hindrance or interference of the Director of Engineering and Public Works or the officer in the performance of his duties.

5. PERMIT REQUIRED

- 5.1 A permit shall be obtained by every:
 - 5.1.1 owner, or
 - 5.1.2 operator of any vehicles, loads, objects or structures for the purpose prescribed in Section 3.2 of this by-law.
- 5.2 A separate permit shall be obtained by every owner or operator in respect of each vehicle, load, object or structure as prescribed in Subsection 3.2 of this by-law.

- 5.3 No person shall operate or cause to be moved an overweight and oversized vehicle, load, object or structure upon any highway or part thereof within the City of Belleville until a permit has been procured by the owner or operator to do so.
- 5.4 No person shall be deemed to have been issued a permit until the Director of Engineering and Public Works has issued the permit. An application for a permit does not constitute a permit.
- 5.5 No owner, operator or any person shall operate a vehicle or combination of vehicles contrary to any conditions of a permit.

6. APPLICATIONS

- 6.1 On the application for a permit, the applicant shall complete the prescribed form and shall furnish the Corporation such information, documents and other means of identification as the Corporation may direct to be furnished. Such application shall be submitted to the Director of Engineering and Public Works.
- 6.2 No permit shall be issued by the Director of Engineering and Public Works unless and until he is in receipt of a non-refundable certified cheque payable to the Corporation in the amount of:
 - 6.2.1 the permit fee as set out in Schedule "B", the "Guidelines for Completing the City of Belleville Oversize/Overweight Permit Application," attached hereto and forming part of this by-law; and,
 - 6.2.2 when applicable, the bond or the security as prescribed in this by-law.
- 6.3 The applicant shall file with the Corporation the duration and routes of the equipment and vehicles requiring a permit in order that unnecessary traffic hazards or delays are avoided.
- 6.4 A duly executed copy of an agreement as set forth in Schedule 'C' of this by-law shall accompany each application for a permit.
- 6.5 Each permit shall indicate the date on which it expires.

- 6.6 Any permit issued under this by-law shall remain the property of the Corporation and such permit is not transferable to any other person except between an owner of a vehicle and the operator, and is not transferable to any other vehicle, load, object or structure.
- 6.7 No person shall give false or incorrect information for the purposes of obtaining a permit. Any omission or misrepresentation by inadvertence or otherwise that is material to the application, shall render a permit null and void.
- 6.8 No person shall refuse to provide information for the purposes of obtaining a permit.
- 6.9 The onus of procuring a permit shall be that of the person requiring a permit.
- 6.10 Each application for a permit shall be on the prescribed form as set out in Schedule 'A' to this by-law.
- 6.11 The applicant shall obtain the written consent of the following persons and agencies (as required):
 - 6.11.1 Fire and Emergency Services Department
 - 6.11.2 Belleville Police Service
 - 6.11.3 Veridian Connections
 - 6.11.4 Hydro One
 - 6.11.5 Bell Canada
 - 6.11.6 Cogeco Cable
 - 6.11.7 Canadian Pacific Railway
 - 6.11.8 Canadian National Railway
 - 6.11.9 Traffic Technician, Engineering and Public Works Department
 - 6.11.10 Director of Engineering and Public Works Department

7. CONDITIONS FOR ISSUANCE OF A PERMIT

- 7.1 No permit may be issued by the Director of Engineering and Public Works unless:
- 7.1.1 all the appropriate information pertaining to the vehicles, loads, objects or structure has been provided in writing on the application;
 - 7.1.2 such further personal history and related information as required has been provided;
 - 7.1.3 the applicant has supplied proof of property damage and public liability insurance for the minimum amount of five million (\$5,000,000) dollars for the term of the permit as well as proof of insurance covering any vehicle requiring such permit;
 - 7.1.4 the applicant has paid all outstanding fines in respect to this by-law ordered by a court of competent jurisdiction at any time and in any year prior to making the application;
 - 7.1.5 the owner, operator or permit holder of any such vehicle or equipment, who has obtained a permit, is responsible for all damages of whatsoever nature that may be caused by reason of the driving, operating or moving of any such vehicle and/or equipment;
 - 7.1.6 the owner, operator or permit holder of any such vehicle, is responsible for all damages whatsoever that may be caused to the highway by reason of the driving, operating or moving of such vehicles and/or equipment; and,
 - 7.1.7 the permit may contain any special conditions or provisions that in the opinion of the Director of Engineering and Public Works may be deemed necessary for the protection of the public and/or the highway.
- 7.2. Failure to comply with the requirements of Subsection 7.1.3 of this by-law shall immediately render the permit null and void.

8. PERMIT HOLDER'S DUTY

- 8.1 Every permit holder shall ensure that:
 - 8.1.1 the original permit is supplied to the operator in order that it may be produced upon demand by the officer;
 - 8.1.2 the operator of the vehicle used to transport the item for which a permit was issued, travels upon the authorized highways only;
 - 8.1.3 the permit is used for only the item for which it was issued;
 - 8.1.4 the operator stops when directed to do so by the officer; and,
 - 8.1.5 they have read, understood and complied with all the 'Oversize/ Overweight Permit Provisions and Conditions' which form part of any permit issued and as included as Schedule 'D' in this by-law.

9. OFFENCES

- 9.1 No permit holder shall:
 - 9.1.1 fail or refuse to produce the permit upon demand;
 - 9.1.2 use any unauthorized highway or part thereof;
 - 9.1.3 use the permit to move any thing other than the item for which the permit was issued;
 - 9.1.4 fail or refuse to stop when directed to do so by an officer;
 - 9.1.5 fail or refuse to identify himself to the officer;
 - 9.1.6 fail or refuse to produce the motor vehicle registration to the officer; and,
 - 9.1.7 when applicable, fail to produce the weigh bill for the current load to the officer,
 - 9.1.8 fail to abide by the conditions in the permit.

10. PERMIT HOLDER

10.1 An owner or operator who operates a vehicle for which a permit is issued shall be deemed to be the permit holder.

11. SUSPENSION / REVOCATION

11.1 The Director of Engineering and Public Works may revoke any or each of the permits issued for cause and without limiting the generality of the foregoing for:

11.1.1 a breach of the law,

11.1.2 any violation of the provisions of this by-law,

11.2 The Director of Engineering and Public Works shall revoke any or each permit issued for failure to maintain sufficient liability insurance policies.

11.3 The Director of Engineering and Public Works may suspend a permit for cause, during any period that is less than the unexpired portion of the permit period in lieu of revocation as provided herein.

11.4 The Director of Engineering and Public Works may suspend for cause any permit for a period of four (4) weeks or until the next available meeting of Council, whichever occurs first, and shall notify the Mayor and Members of Council of such suspension.

11.5 The provisions of this section may be exercised in addition to any prosecution or other legal action.

11.6 No person shall be deemed to acquire a permit if his permit has been revoked in the past.

12. NOTICE OF SUSPENSION OR REVOCATION

12.1 When a permit has been suspended or revoked, the Director of Engineering and Public Works shall send a notice of suspension or revocation by registered mail or personal service to the permit holder at his last known address.

12.2 Service by registered mail shall be deemed to have been made on the fifth (5th) day after the notice was mailed.

- 12.3 The notice shall contain details of the reason(s) for the suspension or revocation and shall also contain a paragraph to advise the person that he may appeal the decision by filing an appeal according to the provisions of Section 13 of this by-law.
- 12.4 Any person contravening any of the provisions of this by-law while under suspension shall be regarded as though no permit had been issued.

13. APPEAL OF SUSPENSION OR REVOCATION

- 13.1 Any person whose permit has been suspended or revoked may appeal to City Council within fifteen (15) days immediately following the service of the notice referred to in Section 12 hereof;
- 13.2 City Council shall, within a reasonable time after receiving an appeal notice, hold a hearing at a place and time convenient to both parties in order to afford the person an opportunity to make representation.

14. SEVERABILITY

- 14.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part thereof shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.

15. PENALTIES

- 15.1 Any person who contravenes any provision of this by-law or who operates a vehicle or combination of vehicles contrary to any conditions of a permit is guilty of an offence and upon conviction, is liable to a fine of not less than two hundred (\$200) dollars and not more than twenty thousand, (\$20,000) dollars exclusive of costs.
- 15.2 Any person who contravenes any provision of this by-law, for which a penalty is provided in this by-law, is guilty of an offence and upon conviction, is subject to the penalties provided therefore in this by-law and pursuant to the provisions of the *Highway Traffic Act*.
- 15.3 In addition to imposing a fine, a Court of competent jurisdiction may, upon conviction of an offence under this by-law, issue an order prohibiting the continuation or repetition of the violation by the person convicted.

- 15.4 Every person who operates or permits the operation of a vehicle or combination of vehicles where the gross vehicle weight exceeds the gross vehicle weight allowed under the permit is guilty of an offence and on conviction, a fine shall be imposed as if the person had not been issued the permit under this by-law and had been convicted of an offence under Section 116, 117 or 118 of the *Highway Traffic Act* in respect of any gross vehicle weight, axle unit weight or axle group weight in excess of the maximum allowable weights under the *Highway Traffic Act* or the regulations.

16. ADMINISTRATION

- 16.1 THAT By-Law Number 2004-11 is hereby rescinded and all by-laws or parts of by-laws inconsistent with the provisions of this By-Law are hereby rescinded.

THIS BY-LAW SHALL COME INTO FORCE AND TAKE EFFECT IMMEDIATELY ON AND AFTER THE PASSING THEREOF.

Read a first time this **14th** day of **November, 2005**.

Read a second time this **14th** day of **November, 2005**.

Read a third time and finally passed this **14th** day of **November, 2005**.

MARY-ANNE SILLS MAYOR

WAYNE B. TOD CITY CLERK

SCHEDULE “B” - BY-LAW NO. 2005-200

**GUIDELINES FOR COMPLETING THE CITY OF BELLEVILLE
OVERSIZE/OVERWEIGHT PERMIT APPLICATION**

An oversize/overweight permit allows the movement of oversize/overweight vehicles, indivisible loads, objects or structures on City of Belleville roadways which exceed the limits set out in the *Highway Traffic Act*.

MAXIMUM WIDTH:

- Vehicle including load – 2.6 metres

MAXIMUM LENGTH:

- Single vehicle including load – 12.5 metres
- Semi-trailer including load – 14.65 metres

(Semi-trailer – a vehicle that is towed by another vehicle)

MAXIMUM LENGTH (COMBINATION):

- Combination of vehicles and load – 23 metres

MAXIMUM HEIGHT:

- Vehicle and load – 4.15 metres

MAXIMUM WEIGHT:

- Maximum weight allowances are determined by the axle configurations and spacings and gross weights set out in the *Highway Traffic Act*.

PERMIT APPLICATION PROCESS:

Application forms must be completed in full and may be submitted by fax, e-mail, mail, or in person at Belleville City Hall, 2nd Floor, Engineering and Public Works Department, 169 Front Street, Belleville, Ontario.

Incomplete applications will be returned.

If travel is also required on Provincial Highways, please contact the Ontario Ministry of Transportation (MTO) to receive the necessary permit.

.../2

The applicant requires a number of “Authorized Signatures” as follows:

AUTHORIZATION SIGNATURES LOCATIONS

All signatures to be in place prior to issuance of moving permit.

Director of Engineering and Public Works
City Hall
169 Front St, 2nd Floor
Belleville, ON K8N 2Y8
Phone: 613-967-3200 Ext. 3261
Fax: 613-967-3262

Department of Engineering & Public Works
Public Works Yards/Traffic Technician
75 Wallbridge Crescent
Phone: 613-967-3200 Ext. 3266
Fax: 613-968-3913

Belleville Fire and Emergency Services Department
72 Moira Street West
Phone: 613-962-2010
Fax: 613-969-7047

Belleville Police Services
94 Dundas Street East
Phone: 613-966-0882
Fax: 613-966-2701

Bell Canada (Belleville)
Engineering Department/Larry Mussio
75 Bridge Street East
Phone: 613-966-3573
Fax: 613-968-5286

Canadian National Railway
Division Engineering/Rui Ribeiro
4 Welding Way, off 1 Administration Rd
Concord, ON L4K 1B9
Phone: 905-669-3373
Fax: 905-760-3406

Canadian Pacific Railway
Michael Stilwell
Toronto, ON
Phone: 416-297-3026
Fax: 416-

.../3

Cogeco Cable
Technical Operations/John Porter
Phone: Belleville - 613-967-9751 Ext. 24
Phone: Kingston - 613-544-6311 Ext 8509
Fax: Belleville - 613-966-5329

Hydro One (Belleville)
171 Centre Street
Phone: 1-866-646-4619
Fax: 613-967-3582

Veridian Connections (Hydro) (Belleville)
Peter Hoekstra
459 Sidney St (Corner of Sidney & College St West)
Phone: 613-966-1235 Ext. 2275
Fax: 613-966-5256

CONSIDERATION OF PERMIT ISSUER:

In reviewing applications consideration is given to a number of factors, including:

- Complete application.
- Effect of proposed move on the safety and convenience of other road users.
- Effect on existing public infrastructure.
- Known physical characteristics of proposed route.
- Does the application involve the relocation or movement of a building?
- Likely traffic conditions at the time of move.
- Any special events during the proposed time of move.
- Distance and length of time of move.
- Can loads be reduced in size and/or weight (alternate configurations)?
- Is a Traffic Management Plan required for exceptional moves?

TYPES OF PERMITS:

The City of Belleville issues three (3) types of permits: Annual, Seasonal, and Single trip.

Annual Permits -

Annual permits are valid for a period of twelve (12) months from the date of issuance.

Annual permits can be considered for vehicles with the following maximum dimensions:

Length:	12.5 metres
Width:	3.7 metres
Height:	4.26 metres

.../4

Seasonal Permits -

Seasonal permits are issued to allow operators to move similar loads, vehicles, over the same route for a period of up to and including six (6) months.

Single Trip Permits -

A single trip permit is issued to facilitate an oversize/overweight move for a one (1) way trip along a specified route for a limited time period:

Length:	- Combination vehicles from 23m to 45.75 metres
	- Single vehicle 12.5 metres
Width:	From 2.61m to 4 metres
Height:	4.16 metres or greater
Weight:	If <i>Highway Traffic Act</i> limits are exceeded, may require additional conditions at Director of Engineering and Public Works discretion.

Permit Fees -

Annual Permit:	\$200.00
Seasonal Permit:	\$150.00
Single Trip Permit:	\$ 75.00
Permit Replacement:	\$ 15.00

NIGHT MOVES:

Night moves are generally not permitted within the City of Belleville. In addition, no travel is allowed when road conditions, weather conditions, or visibility make traveling hazardous to the operator or to the driving public. If inclement weather occurs while the move is under way, operators shall at the first opportunity park in a safe place (clear of the traveled portion of the roadway) until the weather and road conditions clear.

FLAGS, SIGNS, AND MARKINGS:

Vehicles and/or loads in excess of the *Highway Traffic Act* legal dimensions require special flags, signs, and markings. Any vehicle/load receiving an oversize/overweight permit from the City of Belleville must conform to the requirements for vehicle and/or load marking provisions contained with the *Highway Traffic Act*.

ESCORT REQUIREMENTS:

A permit may be issued on the condition that the permit holder provides an escort vehicle(s).

<u>Height:</u>	4.15 metres and greater	Escort required
<u>Width:</u>	2.61m to 3.99m	No escort required
	4.00m to 4.99m	Private escort required
	5.00m and greater	Police escort required
<u>Length:</u>	23.01m to 36.75m	No escort required
	36.76m to 45.74m	Private escort required
	45.75m and greater	Police escort required
<u>Weight:</u>	All loads/vehicles must conform to the legal restrictions of the <i>Highway Traffic Act</i> .	

There may be other occasions where private and/or police escort is warranted, particularly where major intersections will be disrupted for a lengthy period.

3. Proposed Movement Information

Start Date ^Y / ^M / ^D

End Date ^Y / ^M / ^D

Origin – Street Address, City, Province

Destination – Street Address, City, Province

Contracted Destinations for Equipped Vehicle (i.e. snowplow)

City Streets (Route) to be Travelled in Order

4. Is This Request to:

Carry Tow Move a Self-Propelled Vehicle Move a Building

5. What is Being Moved:

Load Description

Load Measurements

Length _____ m Width _____ m Height _____ m Weight _____ kg

6. Overall Dimensions of Vehicle or Vehicle/Equipment Combination

Overall Combined Length _____ m Width at Widest Point _____ m Height at Highest Point _____ m

Gross Weight *HTA(Mark X in _____ kg.
Box if Legal Weight)

* Highway Traffic Act

7. Insurance

Name of Insurance Company: _____

Property Damage \$ _____
(Minimum required \$5,000,000)

Public Liability \$ _____
(Minimum required \$5,000,000)

8. Authorized Signatures

Fire and Emergency Services Department: _____

Belleville Police Services: _____

Traffic Technician, Engineering and Public Works Department: _____

Veridian Connections: _____

Hydro One: _____

Bell Canada: _____

Cogeco Cable: _____

Canadian Pacific Railway: _____

Canadian National Railway: _____

Director of Engineering and Public Works Department _____

9. Declaration

I/We understand that under the provision of Section 7 of the City of Belleville By-Law Number 2005-____, the owner, operator or permit holder of a heavy vehicle, load, object or structure who has obtained a permit is nevertheless responsible for all damage that may be caused to the highway, overhead wires/fiber optics, property, persons, encroachments, or railway right of way by reason of the driving, operating or moving of any such heavy vehicle, load, object or structure. The applicant certifies that the information contained in this application is true and acknowledges and accepts the responsibilities imposed by law on the applicant in relation to the operation of a commercial motor vehicle under the authority of the permit issued pursuant to this application. Permit is invalid if false information is given.

Name (Please Print)

Signature of Authorized Applicant

Y M D

/ /

Position/Title

Date

CITY OF BELLEVILLE USE ONLY

Special Comments

SCHEDULE "C"

TO BY-LAW NO. 2005-200

THIS AGREEMENT made on this _____ day of _____, 2005

BETWEEN:

(Hereinafter called the "Applicant")

AND

THE CORPORATION OF THE CITY OF BELLEVILLE
(Hereinafter called the City)

WHEREAS the Applicant has applied to the City to drive _____

_____ over the highways in the City of Belleville

NOW THEREFORE in consideration of the City issuing a permit to the Applicant for the use of a highway or part thereof by a vehicle in excess of the dimensional limits as set out in the *Highway Traffic Act*, or the weight limits prescribed by said *Act*, the Applicant agrees as follows:

1. The Applicant and/or any employees of the Applicant undertake to the City to use all due care and attention in the operation of the vehicle and/or equipment and undertake to take into consideration the condition of the highway or part thereof over which any vehicles and equipment will be driven, and to take all necessary means to avoid any loss or injury to others as the result of the use of the vehicles and/or equipment.
2. The Applicant and/or any employees of the Applicant undertake that all work shall be carried out with all possible diligence and dispatch in a proper and workmanlike manner, and in accordance with any requirements of the Director of Engineering and Public Works.
3. The Applicant and/or any employees of the Applicant will carry out all work at their own risk and expense and hereby release the City of and from any claims that may arise, whether by reason of his negligence or by reason of any negligence on the part of the City (its employees, workmen or others for which the City may be responsible), and in any event, will make no claims against the

SCHEDULE "D"
TO BY-LAW NUMBER 2005-200
OVERSIZE/OVERWEIGHT PERMIT
PROVISIONS AND CONDITIONS

1. Notwithstanding any of the provisions of this permit, the Belleville Police Services or the City of Belleville may change or cancel this permit and may cause the vehicle(s) and load to be removed from the roadway due to congestion or hazardous conditions being encountered as a result of the unit being on the road, and may require the operator to wait for an escort to continue the move.
2. The applicant will satisfy themselves as to the suitability of the approved route for the proposed movement. No representations are made by municipal authorities as to the clearances and capacities involved therein. The applicant shall verify for themselves all structure clearance heights and widths, on site, forty-eight (48) hours prior to move.
3. In consideration of the issuance of this permit and other good and valuable consideration, the applicant, their heirs, executors, administrators, or assigns, hereby agree to indemnify and save harmless, the City of Belleville from any action, claim, damages, costs (including legal costs) or loss whatsoever, arising from operations carried out under this permit.
4. The applicant shall show proof of having obtained a building permit where applicable for the movement of buildings. Buildings moved from within the City of Belleville must have sewers capped and be inspected by the City's Building/Plumbing Inspector. Applicant must give a minimum of twenty-four (24) hours written notice to the City's Development Services Department prior to commencing the move.
5. The applicant may be required to file a bond and/or certified cheque with this application in such an amount as at the discretion of the City of Belleville, utility, or railroad, as deemed necessary to cover the cost of facilitating the move and of repairing any damages resulting therefrom.
6. All authorized signatures of the City of Belleville and the agencies indicated as required on this permit shall be obtained before this permit is considered to be valid.
7. Any violations of this permit, or the provisions and conditions therein, may result in the permit being cancelled.

8. This permit shall accompany the vehicle for which it is issued. In the case of multi-vehicle permits, a copy of the permit and supplemental list of vehicles shall accompany each vehicle. The permit and all attachments shall be produced upon request of the officer.
9. This permit is not valid at any time from one-half hour after sunset, to one-half hour before sunrise, or at any other time when, due to insufficient light, or unfavourable atmosphere conditions, persons and vehicles on the highway are not clearly discernable at a distance of 150 metres or less, or from Monday to Friday inclusive during the hours of 6:30 a.m. - 9:00 a.m., and 4:00 p.m. – 6:00 p.m.
10. Any vehicles and/or loads exceeding the legal width, length or weight limits identified in the *Highway Traffic Act* must be flagged, signed and/or marked as per the requirements of the *Highway Traffic Act*.
11. This permit is issued on condition the permit holder accepts responsibility for any and all damage(s) that may be caused to overhead wires, fibre optic cables, structures, roads, encroachments, railways or any other public or private property as a result of the move.
12. The permit holder must comply with all other requirements of the *Highway Traffic Act*.
13. This permit is valid only on roadways under the jurisdiction of the City of Belleville.
14. During the term of this permit, the permit holder may encounter construction zones where clearances may be reduced. The permit holder is responsible for obtaining any route amendment that may be necessary due to construction activities.