

BY-LAW NO. 3622/83

A By-law of The City of Winnipeg to amend
The City of Winnipeg Traffic By-law.

THE CITY OF WINNIPEG in Council assembled, enacts
as follows:

1. Subsection 2(2) of By-law No. 1573/77 of The City
of Winnipeg is repealed and the following substituted there-
for:

"2(2) In this By-law:

- (a) "axle assembly" means the axle or axles and all the wheels of a vehicle, the centres of which may be included between two vertical parallel transverse planes 1.00 metre apart, extending across the full width of the vehicle;
- (b) "axle group" means two or more axle assemblies which are either articulated from a common attachment to the vehicle or are separately attached to the vehicle and have a common connecting mechanism that equalizes the load carried by each axle assembly and where:
 - (i) in the case of two adjacent axle assemblies in the group, the distance between the centres of the axle assemblies does not exceed 2.00 metres.
 - (ii) in the case of three or more adjacent axle assemblies in the group, the distance between the centre of the lead axle assembly and the centre of the back axle assembly does not exceed 3.00 metres.
- (c) "axle spacing" means the distance between the nearest axles of adjacent axle assemblies or adjacent axle groups;
- (d) "boulevard" means that portion of street between the curb line or the lateral line of the roadway and the adjoining property line exclusive of the sidewalk; and that portion of a street between the curb line or lateral lines of the roadways of a divided highway;
- (e) "bus stop" means a section of roadway adjacent to the curb reserved for the loading and unloading of buses and where parking and stopping by all other vehicles is prohibited;

- (f) "Chief of Police" means the Chief of Police of The City of Winnipeg or such person as may be authorized by the said Chief of Police to exercise some or all of the powers vested in him by this By-law;
- (g) "Commissioner" means the Commissioner of Works and Operations of The City of Winnipeg or such person as may be authorized by the said Commissioner to exercise some or all of the powers vested in him by this By-law;
- (h) "Council" means the Council of The City of Winnipeg or such Committee as Council may delegate as Traffic Authority;
- (i) "curb" means the lateral line of a roadway;
- (j) "driver" means a person who drives or is in actual physical control of a vehicle and includes any body corporate in respect of vehicles driven by its officers, employees, or agents in the course of their employment, and the expressions "drive" and "driving" have a corresponding meaning;
- (k) "driving axle" means an axle assembly or axle group as defined in this By-law, designed to propel the vehicle;
- (l) "End Dump Bulk Trailer" means a semi-trailer truck so constructed that the semi-trailer box may be elevated to provide for the dumping of a load through the rear of the trailer;
- (m) "gross weight" means the combined weight of vehicle and load;
- (n) "gross weight of axle assembly or axle group" means the weight of the load on the axle assembly or axle group together with the weight of the axle assembly or axle group and the weight of the wheels connected thereto;
- (o) "Holiday" or "Public Holiday" includes New Year's Day, Good Friday, Victoria Day, Remembrance Day, the day set aside to celebrate the Queen's Birthday, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day and Boxing Day or any other day proclaimed as a holiday;

- (p) "parade" means any procession or body of pedestrians excepting members of Her Majesty's Armed Forces, numbering more than thirty (30) standing, marching, or walking anywhere on a street, or any group of vehicles except a funeral procession or vehicles of Her Majesty's Armed Forces, numbering ten (10) or more stopped or moving anywhere on a street;
- (q) "private approach" means that portion of a sidewalk and/or boulevard lawfully improved or designed for the passage of vehicular traffic;
- (r) "Regional Street" means a street designated as such by Council on May 2, 1973 and as may be amended from time to time;
- (s) "single axle" means an axle assembly as defined in this By-law and which is separately articulated from the vehicle;
- (t) "steering axle" means the axle assembly or axle group of a vehicle designed to steer the direction of travel of the vehicle;
- (u) "street" means a highway over which The City of Winnipeg has jurisdiction;
- (v) "taxi stand" means a section of roadway adjacent to the curb where taxi cabs may park and where parking and stopping by all other vehicles is prohibited;
- (w) "truck" means a motor vehicle or semi-trailer truck, that is constructed or adapted to carry goods, wares and merchandise, freight or commodities, but not passengers or baggage, and that has more than four tires;
- (x) "truck tractor" means a motor vehicle designed and used primarily for towing other vehicles, and not so constructed as to carry a load other than the driver thereof and part of the weight of any vehicle so towed including the load thereon, and that has more than four tires;
- (y) "width of tire" means
 - (i) in the case of pneumatic tires, the nominal width of the tire marked thereon by the manufacturer, and

(ii) in the case of all other tires the actual width of the tire surface in contact with the road."

2. Section 39 of By-law No. 1573/77 is repealed and the following substituted therefor:

"Route of Truck Travel

39. All trucks, truck tractors or combinations of either one of them with a trailer or trailers within The City of Winnipeg shall be operated only over and along the streets or sections of streets set forth as Truck Routes in Schedules 1 and 2 hereto, but any truck or truck tractor or combination of either one of them with a trailer or trailers may operate upon any street where necessary to the conduct of business 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 or truck tractor or combination of either one of them with a trailer or trailers shall return by the shortest routing to a Truck Route."

3. Section 39.1 of By-law No. 1573/77 is hereby repealed.

4. Section 45 of By-law No. 1573/77 is repealed and the following substituted therefor:

"Vehicle Weight and Length Limits

45. No person shall drive or move, or permit or cause to be driven or moved on any streets, a truck or truck tractor or combination or either one of them with a trailer or trailers, or any vehicle when

- (a) the gross vehicle weight or the gross weight of the steering axle, single axle, axle group, or the tire weight thereof is in excess of that set out in that part of Schedule 3 hereto, applicable thereto; or
- (b) the total vehicle length thereof is in excess of that set out in that part of Schedule 3 hereto, applicable thereto."

5. Section 46 of By-law No. 1573/77 is repealed and the following substituted therefor:

"46. Notwithstanding Section 45 hereof, a person may drive or move, or permit or cause to be driven

or moved on any of the streets or sections of streets specified in Schedule 4 hereto, a truck or truck tractor or combination of either one of them with a trailer or trailers, or any vehicle when

- (a) the gross vehicle weight, or the gross weight of the steering axle, single axle, axle group, or the tire weight thereof is not in excess of that set out in that part of Schedule 5 hereto, applicable thereto; and
- (b) the total vehicle length thereof is not in excess of that set out in that part of Schedule 5 hereto, applicable thereto."

6. Section 47 of By-law No. 1573/77 is repealed and the following substituted therefor:

"47. Notwithstanding Section 45 hereof, a person may drive or move, or permit or cause to be driven or moved on any streets or portions of streets, a truck or truck tractor or combination of either one of them with a trailer or trailers, or any vehicle provided that

- (a) the origin of the vehicle trip is outside of the City and the destination is within the City, or the origin of the vehicle trip is within the City and the destination is outside of the City, but not otherwise; and
- (b) the gross vehicle weight, or the weight of the steering axle, single axle, axle group, or the tire weight thereof is not in excess of that set out in that part of Schedule 5 hereto, applicable thereto; and
- (c) the total vehicle length thereof is not in excess of that set out in that part of Schedule 5 hereto, applicable thereto; and
- (d) upon leaving a point of origin within the City, the vehicle proceeds to the nearest junction of a truck route with Provincial Trunk Highway 100, Provincial Trunk Highway 101, and/or Lagimodiere Boulevard, also commonly known as Highway 59 and Route 20, whichever be the nearest, and follows the shortest route to that junction subject to Section 39

hereto; or

- (e) upon approaching the City, Provincial Trunk Highway 100, Provincial Trunk Highway 101, and/or Lagimodiere Boulevard, also commonly known as Highway 59 and Route 20, are used until reaching the junction with a truck route nearest the destination point within the City, and thereafter the vehicle follows the shortest routing to the destination point subject to Section 39 hereto; and
- (f) the vehicle does not proceed along or over any of those waterway crossings or overpasses identified in Schedule 6 and Schedule 8 hereto."

7. Sections 53, 53.1 and 53.2 are repealed and the following substituted therefor:

"Penalty

53. (1) Every person found guilty of a breach of any provision of this By-law, unless a penalty or fine is specifically provided therefor, shall be liable to a fine not exceeding \$1,000.00 in the case of an individual, or not exceeding \$5,000.00 in the case of a corporation, in addition to costs.
- (2) Every person found guilty of a breach of Section 39 of this By-law shall be liable to a minimum fine of \$75.00 in addition to costs.
- (3) Every person found guilty of a breach of any provision of Sections 17, 45, 46, 47 or 48 of this By-law shall be liable
- (A) to a fine of not less or more than \$10.00 for each fifty kilograms, or fraction thereof, by which the actual gross weight of the vehicle or axle assembly exceeds the maximum gross weight prescribed in the appropriate schedule thereto, in addition to costs.
 - (B) where the fine computed under Clause (A)
 - (a) is, on a first offence, less than \$100.00, to a fine of not less than \$100.00 in addition to costs, and

- (b) is, on a second offence, less than \$200.00, to a fine of not less than \$200.00 in addition to costs, and
- (c) is, on a third or subsequent offence, less than \$500.00, to a fine of not less than \$500.00 in addition to costs.

Liability of Owners to Conviction

53.1 Where an offence, consisting of a violation of any provision of this By-law

- (a) is committed by means of, or with respect to any vehicle; or
- (b) occurs by reason of, or with respect to, the ownership, use or operation of any vehicle;

the owner of the vehicle may be charged with commission of the offence and, if the judge or justice before whom the charge is tried, is satisfied that the offence was committed, the owner is guilty of the offence and is liable, on summary conviction, to the penalty herein provided for that offence unless, the owner satisfies the judge or justice that at the time of the violation, the vehicle was in the possession of a person other than the owner or the driver without the consent of the owner.

Liability of Driver

53.2 Nothing in Section 53.1 relieves the driver of the vehicle from any liability to conviction of the offence to which he may be subject."

8. Schedule 3 to By-law No. 1573/77 is repealed and the following substituted therefor:

"Schedule 3 -

Maximum Weights and Length of Vehicles on Streets,
Pursuant to Section 45 of the Traffic By-law.

- (a) Maximum gross weight of any vehicle or combination of vehicles, 36,500 kilograms.

(b) Axle Assemblies:

- (i) Maximum gross weight of any steering axle, 5,500 kilograms, subject to Schedule 9.
- (ii) Maximum gross weight of any single axle, 9,100 kilograms, subject to Schedule 9.
- (iii) Maximum gross weight of any axle group, 16,000 kilograms, subject to Schedule 9.
- (iv) Maximum gross weight of any axle assembly for each centimetre of width of tires on the wheels of that axle assembly, 90 kilograms.

(c) No semi-trailer truck, including load and any part thereof, shall exceed a length of 20.0 metres.

(d) No combination of vehicles coupled together, including the loads carried thereby and any part of the loads, shall exceed a total length of 21.5 metres.

(e) Notwithstanding clause (d) of this Schedule, no truck-tractor coupled to a semi-trailer and a trailer in combination, where the distance between the centre of the drive axle or axles, or the 5th wheel pin and the extreme rear of the trailer, whichever is the greater is not more than 16.75 metres, shall exceed a total length of 23.0 metres."

9. Schedule 5 to By-law No. 1573/77 is repealed and the following substituted therefor:

"Schedule 5 -

Maximum Weights and Lengths of Vehicles on Certain Streets and Sections of Streets, Pursuant to Sections 46 and 47 of the Traffic By-law

(a) Maximum gross weight of any vehicle or combination of vehicles, 56,500 kilograms.

(b) Axle Assemblies:

- (i) Maximum gross weight of any steering axle, 5,500 kilograms, subject to Schedule 9.

- (ii) Maximum gross weight of any single axle, 9,100 kilograms, subject to Schedule 9.
 - (iii) Maximum gross weight of any axle group, 16,000 kilograms, subject to Schedule 9.
 - (iv) Maximum gross weight of any axle assembly for each centimetre of width of tires on the wheels of that axle assembly, 90 kilograms.
- (c) No semi-trailer truck, including load and any part thereof, shall exceed a length of 20.0 metres.
 - (d) No combination of vehicles coupled together, including the loads carried thereby and any part of the loads, shall exceed a total length of 21.5 metres.
 - (e) Notwithstanding clause (d) of this Schedule, no truck-tractor coupled to a semi-trailer and a trailer in combination, where the distance between the centre of the drive axle or axles, or the 5th wheel pin and the extreme rear of the trailer, whichever is the greater, is not more than 16.75 metres, shall exceed a total length of 23.0 metres."

10. Schedule 6 to By-law No. 1573/77 is repealed and the following substituted therefor:

"Schedule 6 -

Waterway Crossings and Overpasses Upon Which Gross Vehicle Weights are Limited to 36,500 kilograms, Pursuant to Section 47(f) of the Traffic By-law

A) On Truck Routes

- (1) Academy Road to Sherbrook Street (Maryland Bridges) also commonly known as Route 70 crossing of the Assiniboine River.
- (2) Disraeli Freeway also commonly known as Route 42 overpass of Higgins Avenue and crossing of the Red River.

- (3) Donald Street also commonly known as Route 42 crossing of the Assiniboine River.
- (4) Dublin Avenue also commonly known as Route 57 crossing of Omand's Creek.
- (5) Dugald Road commonly known as Route 115 and P.T.H. 15 overpass of the C.N.R. Symington Cut-off.
- (6) Hespeler Avenue to Redwood Avenue (Redwood Bridge) also commonly known as Route 37 crossing of the Red River.
- (7) Higgins Avenue to Stadacona Street (Louise Bridge) crossing of the Red River.
- (8) Highway 1 also commonly known as Trans Canada Highway and as Route 135 crossing of the Seine River.
- (9) Jubilee Avenue also commonly known as Route 125 overpass of Pembina Highway also commonly known as Route 42.
- (10) Main Street to St. Mary's Road (Main Street and Norwood Bridges) also commonly known as Route 52 and Highway 1 crossing of the Red River and the Assiniboine River.
- (11) Marion Street commonly known as Route 115 crossing of the Seine River.
- (12) Nairn Avenue also commonly known as Route 37 Overpass of the C.P.R. Molson (Keewatin) Main Line.
- (13) Osborne Street to Dunkirk Drive (St. Vital Bridge) also commonly known as Route 62 crossing of the Red River.
- (14) Panet Road crossing of the Dugald Drain.
- (15) Portage Avenue also commonly known as Route 85 and Highway 1 crossing of the Omand's Creek.

- (16) Provencher Boulevard also commonly known as Route 57 crossing of the Red River.
- (17) Provencher Boulevard also commonly known as Route 57 crossing of the Seine River.
- (18) St. James Street crossing of Omand's Creek.
- (19) Saskatchewan Avenue crossing of Omand's Creek.
- (20) Sturgeon Road crossing of Sturgeon Creek.
- (21) Kenaston Boulevard to Century Street (St. James Bridges) also commonly known as Route 90 crossing of the Assiniboine River.

B) On Other Streets (Not Truck Routes)

- (1) Brady Road crossing of Lot 16 Drain.
- (2) Ham Street crossing of Cordite Drain.
- (3) Hamilton Avenue crossing of Sturgeon Creek.
- (4) Logan Avenue crossing of Omand's Creek.
- (5) Plessis Road crossing of Cordite Drain.
- (6) Sherwin Road crossing of Omand's Creek."

11. Schedule 7 to By-law No. 1573/77 is hereby repealed and the following substituted therefor:

"Schedule 7 -

Weight Restrictions or Allowances on Specific Streets, Waterway Crossings and Overpasses, Pursuant to Section 48 of the Traffic By-law

1.(a) No person shall operate a truck or truck-tractor, or any vehicle which

- (i) has more than 4 tires; or
- (ii) is in excess of 9,100 kilograms gross vehicle weight,

along or over Salter Street between a point

36.0 metres north of Logan Avenue and a point 35.4 metres south of Dufferin Avenue (The Salter Street Bridge) in the traffic lane adjacent to the sidewalk in each direction of travel.

- 1.(b) No person shall operate a truck or truck-tractor, or any vehicle which

- (i) has more than 6 tires, or
- (ii) is in excess of 13,500 kilograms gross vehicle weight,

along or over Salter Street between Logan Avenue and Dufferin Avenue (The Salter Street Bridge) in the traffic lane adjacent to the median in each direction of travel.

2. No person shall operate a truck or truck-tractor, or any vehicle in excess of 9,100 kilograms gross vehicle weight, along or over Arlington Street between Logan Avenue and Dufferin Avenue (The Arlington Street Bridge).
3. No person shall operate a truck or truck tractor, which has more than six tires, along Jubilee Avenue.
4. No person shall operate a truck or truck tractor, or any vehicle in excess of 13,500 kilograms gross vehicle weight along or over the Notre Dame Avenue Crossing of Omand's Creek.
5. No person shall operate a truck or truck tractor, or any vehicle in excess of 10,000 kilograms gross vehicle weight along or over the Molson Street Crossing of Cordite Drain.
6. No person shall operate a truck or truck tractor, or any vehicle in excess of 13,500 kilograms gross vehicle weight along or over The Two Mile Road Crossing of the Seine River."

12. By-law No. 1573/77 is amended by the addition of the following Schedules:

(a) "Schedule 8 -

Waterway Crossings and Overpasses Upon Which Gross Vehicle Weights are Limited to 50,000 kilograms, Pursuant to Section 47(f) of the Traffic By-law

1. Bishop Grandin Boulevard also commonly known as Route 165 crossing of the Red River.
1. Empress Street Overpass of Portage Avenue also commonly known as Route 85 and Highway 1.
3. Osborne Street also commonly known as Route 62 crossing of the Assiniboine River.
4. Portage Avenue also commonly known as Route 85 and Highway 1 Overpass of Century Street also commonly known as Route 90."

(b) "Schedule 9 -

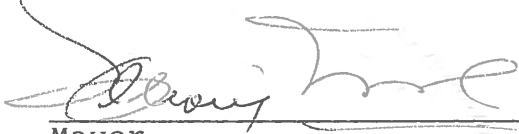
Minimum Axle Spacings, Pursuant to Schedule 3 and Schedule 5 of the Traffic By-law

(a) Minimum axle spacings

- (i) from steering axle to driving axle, 3.00 metres
- (ii) from single axle to single axle, 3.50 metres
- (iii) from single axle to axle group, 3.50 metres
- (iv) from axle group to axle group, 5.00 metres; except for End Dump Bulk Trailers which shall be 4.00 metres

- (b) Where axle spacings are less than the minimum specified under clause (a), the combined maximum gross weight permissible on the adjacent axle assemblies or adjacent axle groups is reduced by 330 kilograms for every 0.10 metre short thereof."

DONE AND PASSED In Council Assembled, this *14th*
day of *December*, A.D. 1983.

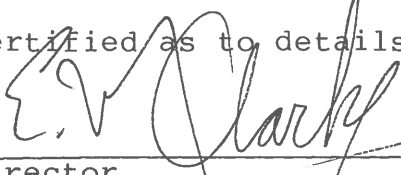


Mayor



City Clerk

Certified as to details:



Director
Streets and Transportation

Certified as to form:



for City Solicitor