

HIGHWAY - STREET

Chapter 670 OVER-DIMENSIONAL VEHICLES

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Article 1 SHORT TITLE

670.1.1 Short title

This Chapter shall have the short title of "Over-Dimensional Vehicles Chapter." In the text of the Chapter, it is referred to as "this Chapter."

Article 2 INTERPRETATION

670.2.1 Applicant - defined

"applicant" means any person(s), utility or Corporation making application for an Over-dimensional Vehicle and Load Permit.

670.2.2 Annual Over-dimensional Vehicle and Load Permit - defined

"annual over-dimensional vehicle and load permit" means a permit issued by the Director to allow movement of over-dimensional vehicles and loads, subject to specified restrictions, for a period of 12 months from the date of issue.

670.2.3 Axle - defined

"axle" means an assembly of two or more wheels whose centres are in one traverse vertical plane and which are transmitting weight to the highway.

670.2.4 City - defined

"City" means the municipal Corporation of the City of Orillia or the geographic area as the context requires.

670.2.5 Combination vehicle - defined

"combination vehicle" means more than one vehicle, including load, that are coupled together.

670.2.6 Director - defined

"Director" means the Director of Environmental Services and Operations; Manager of Source Protection and Operations and Superintendent of Roads and Fleet.

670.2.7 Downtown core - defined

"Downtown core" means the Improvement Area described in Chapter 100 of the City's Municipal Code as amended from time to time.

670.2.8 Gross weight - defined

"gross weight" means the combined weight of vehicle and load.

670.2.9 Highway - defined

"highway" shall have the same meaning as in the *Highway Traffic Act*.

670.2.10 Highway Traffic Act - defined

"*Highway Traffic Act*" means the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended.

670.2.11 Officer - defined

“Officer” shall mean a Police Officer, Police Cadet, or Transportation Enforcement Officer of the Ministry of Transportation.

670.2.12 Over-dimensional vehicle and load - defined

“over-dimensional vehicle and load” means any combination of vehicle and load having a width, length, height or weight in excess of the limits provided for in the *Highway Traffic Act*.

670.2.13 Over-dimensional Vehicle and Load Permit - defined

“over-dimensional vehicle and load permit” means a permit issued by the Director to allow movement of over-dimensional vehicles and loads and includes an annual over-dimensional vehicle and load permit, a project over-dimensional vehicle and load permit, a single-trip over-dimensional vehicle and load permit and a single-trip, “Superload” vehicle and load permit.

670.2.14 Permit - defined

“permit” means an authorization granted in writing by the Director pursuant to this Chapter, to move an over-dimensional vehicle and load on a City highway.

670.2.15 Project Over-dimensional Vehicle and Load Permit - defined

“project over-dimensional vehicle and load permit” means a permit issued by the Director to allow movement of similar over-dimensional vehicles, subject to restrictions, for a period of up to 6 months from the date of issue on specified City highways.

670.2.16 Reduced load periods - defined

“reduced load periods” means the period of time weight loads are reduced on City highways pursuant to the City’s Traffic/Parking By-law.

670.2.17 Single-trip Over-dimensional Vehicle and Load Permit - defined

“single-trip over-dimensional vehicle and load permit” means a permit issued by the Director to allow movement of a specific over-dimensional vehicle and load, subject to specified restrictions, for a one-way trip of limited duration on specified City highways.

670.2.18 Superload - defined

“superload” means a vehicle and load combination having one or more of the following characteristics;

- (a) gross weight in excess of 120,000 kilograms,
- (b) length of 45 metres or greater, and
- (c) width of 6 metres (two-lane highways) or 7 metres (multi-lane highways).

670.2.19 Traffic Management Plan - defined

“Traffic Management Plan” means a standard document outlining the particulars of the proposed movement of an over-dimensional vehicle and load or vehicles and loads on any highway within the City and under the jurisdiction of the City hereto that is submitted by or on behalf of the applicant to the City for approval. The Traffic Management Plan shall contain the

information respecting how the applicant intends to comply with this Chapter.

670.2.20 Trailer - defined

“trailer” means a vehicle that at any time is 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.

670.2.21 Vehicle - defined

“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, excluding muscular power.

670.2.22 Heading references

Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this Chapter.

670.2.23 Use of singular, plural and gender references

In this Chapter, unless the contrary intention is indicated, words used in singular shall include the plural and words used in the male gender shall include the female gender and a corporation or vice versa where applicable.

670.2.24 Schedules

All schedules to this Chapter shall form part of this Chapter.

670.2.25 Use of abbreviated words

In this Chapter, the following abbreviations stand for the words opposite hereto:

- (a) “m” stands for metre; and
- (b) “kg” stands for kilogram.

**Article 3
GENERAL PROVISIONS**

670.3.1 Delegated authority

Delegated authority to administer all or part of this Chapter which includes the signing of documents to issue or deny a permit or to revoke a permit is set out in Chapter 251 of the City of Orillia Municipal Code - Delegated Authority.

670.3.2 Compliance

No person shall operate or permit the operation of a vehicle or combination of vehicles in the City, except in compliance with the provisions of this Chapter, or the plans or specifications approved by the Director.

670.3.3 Other authority

Nothing in this Chapter shall exempt any person from complying with the requirements of any other by-law in force within the City, or with any other restrictions lawfully imposed by an

authority having jurisdiction to make such restrictions or from applying for and obtaining any permit, licence, permission or approval required under the *Highway Traffic Act*.

670.3.4 Over-dimensional vehicle and load movements

Except as provided in Section 670.4.1, no person shall operate an over-dimensional vehicle and load on any City highway without first having obtained an over-dimensional vehicle and load permit.

670.3.5 Indemnification

An over-dimensional vehicle and load permit is issued subject to the condition that the Permit Holder shall indemnify the City and each of its officers, agents, servants and workmen from all causes of action, loss, costs or damages arising from the movement, non-movement or imperfect movement of over-dimensional vehicles and/or loads as authorized by this Chapter whether with or without negligence on the part of the Permit Holder or the officers, agents, servants or workmen of the Permit Holder.

670.3.6 Damage to property or infrastructure

Where damage to public property or infrastructure occurs as a result of the movement of an over-dimensional vehicle and/or load on a highway or over or under a bridge, the City shall be compensated by the permit holder for the cost of any repairs including but not limited to engineering and legal costs.

670.3.7 Qualification of measurements

Calculations used in determining the length, width, height and weight of over-dimensional vehicles and loads shall be made in accordance with the *Highway Traffic Act* and its regulations.

670.3.8 Reduced load periods

Single-trip vehicle and load permits and project vehicle and load permits may be issued for overweight vehicle and load movements on City highways which are subject to reduced load periods but only when the risk of infrastructure damage is considered by the Director to be minimal.

Article 4

EMERGENCY MOVEMENT

670.4.1 Emergency movement - exemption

Subject to Sections 670.4.2 to 670.4.4 inclusive, where public safety or health, or a major business interruption is concerned, movement of an over-dimensional vehicle and load may occur without regard to the provisions of this Chapter.

670.4.2 Notification

Where an emergency movement has been made, the person making the movement shall, on the same day the movement is made, or if the City offices are closed, no later than the start of the next working day notify by telephone the City's Environmental Services and Operations Department of the following:

- (a) the name of the contractor or company that made the movement;
- (b) the nature of the vehicle, load and movement;
- (c) the locations and route of the movement;
- (d) the estimated duration of the movement; and
- (e) the reason for proceeding without obtaining a permit.

670.4.3 Required information

The Director may require any or all information to confirm the validity of an emergency over-dimensional vehicle and load movement.

670.4.4 Timing of application

Where a movement has proceeded under Section 670.4.1, an over-dimensional vehicle and load permit shall be applied for on the same day the movement is commenced, or if the office of the Director is not open for the issuance of permits, on the morning of the next day the office is open.

Article 5

OVER-DIMENSIONAL VEHICLE AND LOAD PERMIT

670.5.1 Right to deny permit

The City retains the right to not issue an over-dimensional vehicle and load permit, if, in the opinion of the Director, for reasons of public health, safety or protection of infrastructure a permit should not be issued.

670.5.2 Alter route

The Director may direct or alter the proposed route of the over-dimensional vehicle and load or timing of the movement in order to maximize public safety and infrastructure protection.

670.5.3 Minimum practical size and weight

Over-dimensional vehicles and loads shall be reduced to the minimum practical size and weight.

670.5.4 Application requirements

When applying for an over-dimensional vehicle and load permit, the applicant shall,

- (a) complete the prescribed application form;
- (b) provide the City with such information as the Director may require including, but not limited to, detailed vehicle dimensions, number of axles and axle spacing, tire width, gross vehicle weight and weight distribution;
- (c) file the completed application together with the non-refundable permit fee indicated in Chapter 452 of the City of Orillia Municipal Code as amended from

time to time;

- (d) where applicable, provide the Traffic Management Plan described in Article 12;
- (e) provide the indemnification agreement described in Section 670.3.5; and
- (f) proof has been provided that the person applying for the permit is the owner of the vehicle or a duly authorized representative of the owner.

670.5.5 Permit non-transferable

An over-dimensional vehicle and load permit is not transferable and shall apply only to a specific vehicle and load or vehicles and loads.

670.5.6 Reduced load periods

An over-dimensional vehicle and load permit is not valid during reduced load periods, unless specified on the permit.

Article 6

ANNUAL OVER-DIMENSIONAL VEHICLE AND LOAD PERMIT

670.6.1 Valid calendar year

An annual over-dimensional vehicle and load permit is valid for one calendar year (January 1 to December 31), with maximum weights and dimensions as provided in Sections 670.6.2 and 670.6.3.

670.6.2 Maximum weights and dimensions - single vehicles

For single vehicles, the following maximum weights and dimensions apply:

- (a) the maximum length shall be in accordance with the *Highway Traffic Act*, including a maximum rear overhang of 4.65 m;
- (b) the maximum width shall be up to and including 3.99 m without escort, or up to and including 4.3 m with escort;
- (c) the maximum height shall be 4.26 m; and
- (d) the maximum weight shall be in accordance with the *Highway Traffic Act*.

670.6.3 Maximum weights and dimensions - combination vehicles

For combination vehicles, the following maximum weights and dimensions apply:

- (a) the maximum length shall be 25 m including a maximum rear overhang of 4.65 m. A greater rear overhang may be allowed, subject to approval by the Director;
- (b) the maximum width shall be up to and including 3.99 m without escort, or up to and including 4.3 m with escort;

- (c) the maximum height shall be 4.26 m; and
- (d) the maximum weight shall be 63,500 kg.

Article 7
PROJECT OVER-DIMENSIONAL VEHICLE AND LOAD PERMIT

670.7.1 Valid 6 months

A project over-dimensional vehicle and load permit is valid for up to 6 months from date of issue, with maximum weights and dimensions as provided in Sections 670.7.2 and 670.7.3.

670.7.2 Maximum weights and dimensions - single vehicles

For single vehicles, the following maximum weights and dimensions apply:

- (a) the maximum length shall be in accordance with the *Highway Traffic Act*, including a maximum rear overhang of 4.65 m;
- (b) the maximum width shall be up to and including 3.99 m without escort, or up to and including 4.3 m with escort;
- (c) the maximum height shall be 4.26 m; and
- (d) weight in excess of the *Highway Traffic Act* shall be at the discretion of the Director.

670.7.3 Maximum weights and dimensions - combination vehicles

For combination vehicles, the following maximum weights and dimensions apply:

- (a) the maximum length shall be 36.75 m, including a maximum rear overhang of 4.65 m;
- (b) the maximum width shall be 4.3 m;
- (c) no height restriction provided that the load is on a float-type trailer and provided that heights of or greater than 4.26 m require route verification; and
- (d) the maximum weight shall be 85,000 kg.

Article 8
SINGLE-TRIP OVER-DIMENSIONAL VEHICLE AND LOAD PERMIT

670.8.1 Permit considerations

A single-trip over-dimensional vehicle and load permit may be issued for an over-dimensional vehicle and load at the sole discretion of the Director with due consideration to public safety and infrastructure protection.

670.8.2 Required application information

A description of the transportation requirements for the load and any other information that in the opinion of the Director is necessary shall be provided with the permit application.

**Article 9
SUPERLOADS****670.9.1 Permit considerations**

Superloads shall require a single-trip vehicle and load permit that may be issued at the sole discretion of the Director.

670.9.2 Required application information

A description of the transportation requirements for the Superload and any other information that in the opinion of the Director is necessary shall be provided with the permit application.

670.9.3 Traffic Management Plan

A Traffic Management Plan shall be provided for all single-trip vehicle and load permits for Superload applications.

670.9.5 Timing of application submission

A minimum of 45 calendar days is required to process a Superload permit application.

**Article 10
NIGHT MOVES****670.10.1 Prohibited hours**

An over-dimensional vehicle shall not be operated on a highway between one-half hour before dusk and one-half hour after dawn.

670.10.2 Exemptions

The limits imposed by Section 670.10.1 shall not apply where:

- (a) the extremities of the over-dimensional vehicle and load are marked with a solid amber lamp visible in the front and rear, conforming to the Society of Automotive Engineers (SAE) Code P2 or P3 with markings to appear on each lamp a retro-reflective "D" sign; and
- (b) weather or road conditions or visibility do not make travelling hazardous to the operator or to the driving public;
- (c) for the purpose of paragraph (b), weather and road conditions shall be deemed to be hazardous if there is an accumulation of ice and snow on the roadway, if the continuous use of windshield wipers is required, or if winds are high.

670.10.3 Hazardous weather or road conditions - exit highway

Vehicles that are underway when hazardous weather or road conditions occur shall exit the

highway at the first available location and park in a safe place until the weather and road conditions clear.

Article 11 LIMITATIONS IN THE DOWNTOWN CORE AREA

670.11.1 Additional restrictions

Over-dimensional vehicle and load movements within the City's downtown core area on normal working days are subject to the following additional restrictions:

- (a) no vehicle with a width exceeding 3.85 m, or length or height exceeding the limits set out in the *Highway Traffic Act* shall be permitted to use any highway within the downtown core area between the hours of 7:00 a.m. and 9:00 a.m. in the morning and 4:00 p.m. and 6:00 p.m. in the afternoon;
- (b) no vehicle with a width exceeding 3.99 m, or length or height exceeding the limits set out in the *Highway Traffic Act* shall be permitted to use any highway within the downtown core area between the hours of 6:00 a.m. in the morning and 6:00 p.m. in the afternoon without a police escort; and
- (c) no vehicle with a width exceeding 3.85 m up to and including 3.99 m shall be permitted to use any highway within the downtown core area between the hours of 6:00 a.m. in the morning and 6:00 p.m. in the afternoon without a private escort.
- (d) A Traffic Management Plan shall be provided for all over-dimensional vehicle and load movements within the downtown core area.

670.11.2 Statutory holidays and week-ends

For annual and project over-dimensional vehicle and load permits, movements within the downtown core area during statutory holidays and weekends are permitted subject to escort requirements with a minimum of five working days notice to the Director.

Article 12 TRAFFIC MANAGEMENT PLAN

670.12.1 Requirement to provide

Unless waived by the Director, the applicant shall prepare a Traffic Management Plan in support of an application for an over-dimensional vehicle and load permit when one or more of the following conditions is present:

- (a) the vehicle length exceeds 36.75 m;
- (b) the vehicle width exceeds 4.3 m;
- (c) The gross vehicle and load weight exceeds 85,000 kg.

670.12.2 Required components

The Traffic Management Plan shall include in detail all aspects of the intended move as directed by the Director and shall be undertaken at the sole expense of the applicant. The Traffic Management Plan may contain one or more of the following components as determined by the Director:

- (a) the date or dates and the proposed time of the move;
- (b) a detailed route survey indicating all appropriate locations for road closures, pull-over areas to permit relief of traffic congestion, emergency parking, fuel stops, significant turning movements, contingency plans for breakdown, escort services including any requirement for a police escort and any anticipated roadside related activities;
- (c) an engineering evaluation of the road surface; and
- (d) an engineering evaluation of any bridge to be crossed along the route where the proposed load is in excess of 120,000 kg. The applicant shall hire a professional engineer competent to evaluate the bridge or bridges and present the findings to the City in a format suitable for review by engineering staff.

670.12.3 Repairs or improvements to road base

Where repairs or improvements to a road base or surface are required prior to the proposed movement of a vehicle and/or load, the road surface shall be reinforced at the cost of the applicant.

670.12.4 Strengthening or reinforcement of bridge

Where strengthening or reinforcement of a bridge or bridges is required prior to the proposed movement of a vehicle and/or load, the bridge or bridges shall be strengthened or reinforced at the sole cost of the applicant including ancillary expenses such as utility relocation, traffic control, temporary structure removal and site restitution following the move.

670.12.5 Road or bridge design

A copy of the proposed road or bridge strengthening or reinforcement design shall be submitted to the Director in a format acceptable for review by engineering staff.

670.12.6 Modification of Traffic Management Plan, movements or loads

The Director may modify the Traffic Management Plan and may direct the movement of the vehicle and/or load to a specific highway route and may impose any other requirements, which are deemed to be in the interest of public safety and infrastructure protection.

**Article 13
VEHICLE ESCORT****670.13.1 Requirement to provide - police escort**

Unless otherwise waived by the Director in writing, a police escort shall be required for an over-dimensional vehicle and load where:

- (a) the provisions of Section 670.11.1 of this Chapter apply;
- (b) the width of the vehicle including load exceeds 5.0 m;
- (c) the load exceeds 45.75 m in length; and
- (d) a police escort is requested by the Director.

670.13.2 Police patrol vehicles

Where a police escort is required, the escort shall include police patrol vehicles to the front and the rear of the over-dimensional vehicle and load and shall be on a cost-recovery basis to the City or the police service and is subject to such other conditions as may be imposed by the police service conducting the escort.

670.13.3 Requirement to provide - private escort

- (a) Unless otherwise waived by the Director in writing, a private escort of one vehicle shall be required for an over-dimensional vehicle and load where:
 - (i) the provisions of Section 670.11.1 of this Chapter apply;
 - (ii) the width of the vehicle including load is between 4.0 m and 4.61 m;
 - (iii) the load is between 30.0 m and 45.75 m in length or the length of the overhang exceeds 4.65 m; or
 - (iv) the height exceeds 4.26 m.
- (b) Despite Section 670.13.3, if the width of the vehicle and load is between 4.61 m and 4.99 m, two private escort vehicles are required.

Article 14 ENFORCEMENT

670.14.1 Enforcement

An Officer is hereby vested with the authority of enforcing the provisions of this Chapter.

670.14.2 Production of permit

The driver of an over-dimensional vehicle and load on a highway shall produce a true copy of an over-dimensional vehicle and load permit when so demanded by an Officer.

670.14.3 Production of verification of weight

In addition to any over-dimensional vehicle and load permit required by the City, the driver of an over-dimensional vehicle and load on a highway shall produce a true copy of the verification of the weight of the vehicle when so demanded by an Officer.

670.14.4 Power to verify dimensions and weight

Where an Officer has reasonable or probable grounds that the dimensions or weight of a vehicle may exceed the requirements of this Chapter, he or she may weigh the same by means of either a portable or stationary scales or may require the vehicle to be driven to the nearest weigh scales, and he or she may measure the dimensions of the vehicle by using a measuring tape or other measuring device.

670.14.5 Hinder or Obstruct

No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this Chapter, or any person lawfully acting in aid of such an Officer. Without limiting the generality of the meaning of "hinder" or "obstruct", a person shall be deemed to have obstructed or hindered an Officer in the execution of their duties if he or she:

- (a) provides false information to an Officer; or
- (b) is alleged on reasonable and probable grounds to have contravened any of the provisions of this Chapter, and fails to identify themselves to an Officer upon request.

670.14.6 Revocation of permit

The Director may revoke an over-dimensional vehicle and load permit issued under this Chapter if it was issued on mistaken, false or incorrect information, if it was issued in error, or if the holder thereof is in contravention of this Chapter, or if the holder is in contravention of any regulation, law or requirement of any governmental authority having jurisdiction that is applicable to the vehicle, or where the holder does not conform with the application, plans or specifications upon which the permit was issued.

670.14.7 Penalties

- (a) Any person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Highway Traffic Act*.
- (b) Where a section of this Chapter has been contravened, a director or officer of a corporation who knowingly concurs in the contravention is guilty of an offence.
- (c) Upon conviction, in addition to any other remedy and to any penalty imposed by this Chapter, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

670.14.8 Validity and severability

Every provision of this Chapter is declared to be severable from the remainder of the Chapter and if any provision of this Chapter shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder.

670.14.9 Rebuttable presumption - identification

In a prosecution for a contravention of this Chapter, evidence of identification shall be

presumed to be correct and accurate, unless rebutted by evidence to the contrary.

Article 16 ENACTMENT

670.15.1 Effective date

This Chapter shall come into force and effect on the date of passing of the enabling by-law.

Adopting By-law: By-law 2010-127, 23 August 2010.

By-law Amendments: By-law 2013-21, 25 February 2013; By-law 2013-123, 30 September 2013; By-law 2017-14, 13 February 2017; By-law 2018-13, 12 February 2018; By-law 2020-48, 25 May 2020.