

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2025-XX

A BY-LAW TO REGULATE AND PROHIBIT HEAVY
VEHICLE TRAFFIC ON CERTAIN HIGHWAYS IN THE
TOWN OF LINCOLN.

WHEREAS:

1. Section 11.(3) of the *Municipal Act, 2001, S.O. 2001, c.25, as amended*, provides that a lower-tier municipality may pass by-laws respecting matters regarding highways, including parking and traffic on highways.
2. The Town of Lincoln Committee of the Whole considered and approved Report PW-05-25 associated with this By-law on May 12, 2025.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN
OF LINCOLN ENACTS AS FOLLOWS:

1. **Definitions**

The definitions contained within the *Highway Traffic Act, R.S.O., 1990, c.H. 8* shall apply in the interpretation of this By-law except where they are inconsistent with this By-law in which case the definitions herein shall apply.

- a) **Council** means the Council of the Corporation of the Town of Lincoln.
- b) **Heavy Vehicle** means the use of a Highway by a vehicle, object or contrivance for moving loads, having a gross weight, including the vehicle, object or contrivance and load in excess of 5,000 kg or greater than the specified weight identified on any authorized sign posted on the said Highway.
- c) **Highway** means Highway or a part of a Highway under the jurisdiction of the Town of Lincoln.
- d) **Highway Traffic Act** means the *Highway Traffic Act, R.S.O. 1990, c H.8* as amended and regulations made thereunder.
- e) **Police Officer** means an employee of the Niagara Regional Police Service who is appointed as a peace officer pursuant to the Police Services Act.
- f) **Registered Gross Weight (RGW) (Reg. Gross Wt.)** means the weight for which a permit has been issued under the Highway Traffic Act and which is based on the weight of the vehicle or combination of vehicles and load.
- g) **Town** means the Corporation of the Town of Lincoln.

2. **Vehicle Restrictions**

a) **Heavy Vehicle Traffic**

- i. When authorized signs are on display, no person shall drive, move or operate a heavy vehicle with a RGW over 5,000 kg on any Highway under the jurisdiction of the Town where said Highway is named or described and set out in Schedule A to this By-law and any amendments thereto.
- ii. When the authorized sign on display identified a specific RGW, no person shall drive, move or operate a heavy vehicle over the weight displayed on the sign on the said Highway under the jurisdiction of the Town where said Highway is named or described and set out in Schedule B to this By-law and amendments thereto.

b) **Exemptions**

Part 2, Subsection A, of this By-law does not apply to:

- Vehicles less than the RGW restriction on the said Highway.
- Ambulances, fire department vehicles and emergency response vehicles.
- Public utility vehicles.
- School buses.
- Vehicles operated on behalf of the Town or any other authority having jurisdictions on the Highway.
- Farm vehicles.
- Recreation vehicles.
- Heavy vehicles in excess of 5,000 kg that require access to any premise or premises or lands located on that section of the Highway as prohibited and set out in Schedule A or Schedule B to the By-law.

3. **Enforcement and Authorities**

A Police Officer may enforce the provisions of this By-law.

4. **Highway Traffic Act**

The provisions of this By-law shall be subject to the provisions of the *Highway Traffic Act, R.S.O., 1990, c.H. 8* and any amendments thereto.

5. **Enactment**

- a) That the provisions of By-law No. 2015-50 are hereby repealed, save and except Schedule A, as amended, attached thereto and forming part of that By-law which shall be deemed to be attached hereto as Schedule A to this By-law.
- b) That this by-law come into force and effect on the date that the authorized signs have been installed on the section of Highway as identified and set out in Schedule A or Schedule B of this By-law.

PASSED AND ENACTED on the XXth day of MONTH, YEAR.

MAYOR: SANDRA EASTON

CLERK: JULIE KIRKELOS

Schedule of Proposed Additions to Schedule "B" of By-law 2025-XX
(Heavy Vehicle Traffic - Over 15,000 kg RGW)

<u>Road Name</u>	<u>From</u>	<u>To</u>	<u>Limitation</u>
Thirty Road	South Town Limit	King Street (RR81)	No Heavy Vehicles at Any Time
Mountainview Road	South Town Limit	King Street (RR81)	No Heavy Vehicles at Any Time