

THE RURAL MUNICIPALITY OF MOOSE CREEK NO. 33

BYLAW NO 13-2016

A BYLAW TO PROVIDE FOR OPERATION OF CERTAIN VEHICLES DURING ROAD RESTRICTIONS

The Council of the Rural Municipality of Moose Creek No. 33 in the Province of Saskatchewan enacts as follows:

This bylaw shall be referred to as the Road Bond Bylaw

1. In this bylaw:
 - a) "Administrator" shall mean the administrator of the municipality;
 - b) "Council" shall mean the council of the municipality;
 - c) "Municipality" shall mean the Rural Municipality of Moose Creek No. 33;
 - d) "Committee" means a road committee established in accordance with section 81 of *The Municipalities Act* for the purpose of issuing orders.
2. Council may by resolution establish a road bond committee for the purpose of issuing bonds in accordance with *The Municipalities Regulations* Part III.
3. The committee shall consist of two members of council and each appointment shall be for a term of one year, to be reviewed at the first meeting of council.
4. The committee may issue a bond only if
 - a) damage to the road will be caused during the haul; or
 - b) there may be a high risk of property damage or personal injury to the public.
5. A contract established pursuant to this bylaw shall include provisions to
 - a) Provide for the operation of certain vehicles on specified roads and bridges
 - b) State the gross weight of vehicles on specified roads and bridges or portions thereof, and be shown on an attached map; and
 - c) Outline any and all conditions of the bond which shall be determined by the committee, and including payment to the municipality for any and all damage incurred to the section of road outlined in the bond.
6. A bond issued under this bylaw must:
 - a) be signed by the members of the road committee and the company requesting the bond;
 - b) state the date on which it is signed and the date on which it takes effect;
 - e) state clearly the conditions determined by the committee for the bond; and
 - d) contain a cheque in the amount determined by the committee to be filed with the Administrator

7. Upon receipt of the bond the Administrator shall:

- a) File the cheque in the vault for safekeeping until the bond has expired; and
- b) present a copy of the bond at the next meeting of council and record so in the minutes

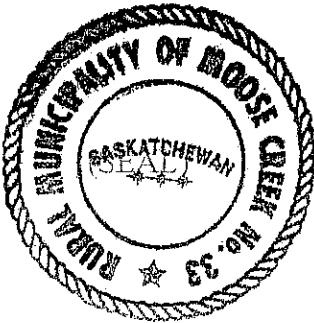
8. A permit provided by the Administrator shall be placed in the vehicles used by the bonded company at all times.

9. Any bond issued pursuant to this bylaw shall be in the form of a contract attached hereto as Schedule "A".

10. A bond issued pursuant to this bylaw shall remain in effect until cancellation of the bond by the committee and/or expiration of the contract of the bond.

11. Upon expiration of the bond:

- a) The committee, division councillor, and foreman shall review the condition of the bonded road and determine what repairs will be needed;
- b) The administrator shall then invoice the company for repairs outlined in subsection (a); and
 - i) If payment has not been received, the Administrator shall deposit the cheque held in trust, and issue payment of the remainder of the bond; or
 - ii) If payment is received within thirty days, the Administrator shall return the cheque which was held in trust.



Murray Rossow
Reeve

Sentura Freitag
Administrator

CERTIFIED A TRUE COPY OF THE ORIGINAL

Sentura Freitag
ADMINISTRATOR

Read a third time and adopted this
4th day of March, 2016

Sentura Freitag
Administrator

Schedule "A"

ROAD BOND CONTRACT NO. _____

The Rural Municipality of Moose Creek No. 33
(herein called "the municipality")

XXXXX Oil Company
(herein called "the bonded company")

WHEREAS:

The bonded company wishes to ship, haul or receive certain goods, equipment or materials over certain public roads within the municipality during road bans, the movement of which in the municipality's opinion is likely to result in damage.

The municipality requires the hauler to enter into a Road Bond Agreement pursuant to Bylaw #3-2012.

The agreement is made pursuant to and subject to the provisions of *The Municipalities Act* and its regulations.

THE PARTIES AGREE AS FOLLOWS:

- 1.0 The bonded company shall:
 - 1.1 Only haul on or over the following MUNICIPAL ROADS: (Municipal roads are roads constructed to graded and drained standards). *See Schedule B: Map*

 - 1.2 Deposit to the Administrator a cheque in the amount of \$_____. See *Schedule C* for breakdown of costs.
 - 1.3 The company agrees to the following conditions: (to be determined by the municipality)

 - 1.4 The company agrees to pay upon invoice any and all damages incurred to the road, and which are determined by the municipality.
 - 1.5 The municipality agrees to return the cheque deposited to the Administrator as per Section 1.2, upon receipt of payment outlined in section 1.4. If payment outlined

in Section 1.4 is not received, the Administrator shall recoup costs for damages from the cheque outlined in Section 1.2.

1.6 In the case of notice or communication to the municipality:

Sentura Freitag, Administrator
RM of Moose Creek No. 33
Box 10
ALAMEDA SK S0C 0A0
Phone: 306-489-2044
Fax: 306-489-2112
Email: rm33@sasktel.net

1.7 In the case of notice or communication to the bonded company:

(Company Contact Name, Address, Phone Number, Fax Number, and Email)

1.8 The agreement shall be in effect from _____ to _____ and may be extended by the agreement of the parties.

Agreed this _____ day of _____, 20____.

For the *Rural Municipality of Moose Creek No. 33*

Committee Member

Committee Member

For (*Name of Bonded Company*) _____

President or Name

Secretary/Treasurer or Witness

Schedule "C"

OUTLINE AND EXPLANATION OF COSTS:
