

THE RURAL MUNICIPALITY OF COALFIELDS NO. 4

BYLAW 2017-2

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

The Council of the Rural Municipality of Coalfields No.4 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 Coalfields No. 4;
 - 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 details to the municipality for any and all damages incurred to the section of road outlined in the bond.
6. Additional provisions:
 - a) The signing company will identify all of the trucks, by license plate, that will be using the roads, performing work for the specific company named on the Bond.
 - b) The rate will be \$250,000 per oil company, per year, with 10% being non-refundable.
 - c) The signing company will be responsible for all damages done to the roads, that have been incurred by their sub-contractors.
 - d) All trucks, hauling for the company, must get permits during road bans, through our permitting office Province and State Permitting, at 1-877-547-4095.
 - e) After road ban season permits will be required for loads over primary weights, through Province and State Permitting.
 - f) These terms are subject to change re: unforeseen circumstances.

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7. 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;
 - c) State clearly the conditions determined by the committee for the bond; and
 - d) Contain a cheque in the amount of \$250,000 to be filed with the Administrator. The cheque will be cashed with 10% being non-refundable, and the 90% will be held in trust to cover any possible road damages.
 - e) Each road bond will be reviewed annually and renewed, if still required, by February 28th, with the amount being topped up to the \$250,000 and keeping the 10% non-refundable.
 - f) A bond can be cancelled at any time with both parties in agreement as long as all damages have been paid for.

8. Upon receipt of the bond the Administrator shall:
 - a) present a copy of the bond at the next meeting of council and record so in the minutes
 - b) deposit the cheque with 10% being non-refundable, and the balance being held in trust for any road damages

9. A valid permit provided by Province and State Permitting shall be placed in the vehicles used by the bonded company at all times.

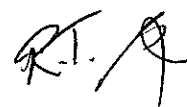
10. Any bond issued pursuant to this bylaw shall be in the form of a contract attached hereto as Schedule "A".

11. A bond issued pursuant to this bylaw shall remain in effect until cancellation of the bond by the committee, expiration of the contract of the bond, or by joint agreement with the committee and the bonded company.

12. Annually or upon expiration of the bond:
 - a) The committee, division councillor, foreman and a representative from the bonded company if they 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); detailing the deposit amount on hand and showing any balance still on hand;
 - i) Payment will be taken from the deposit funds if there are sufficient funds; or
 - ii) Payment will be required for any outstanding balance; and
 - iii) The bond will need to be topped up annually as per 7. e.

13. This bylaw will be effective March 1, 2017.

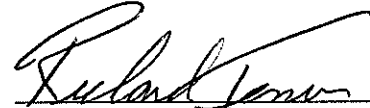
14. This bylaw is passed on third reading this 20th day of April, 2017.

A handwritten signature in black ink, appearing to be 'R.T.' followed by a stylized flourish.

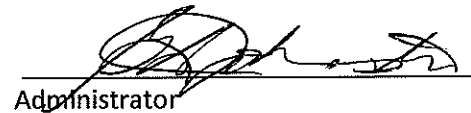
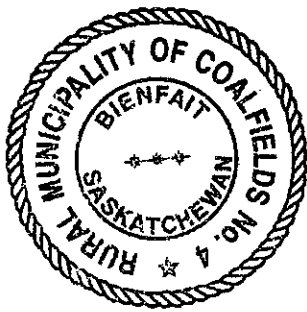
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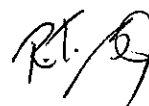


Administrator

Seal

*This is a true certified copy
of Bylaw 2017-2.*

Dated this 20th day of April 2017.



Schedule "A"

ROAD BOND CONTRACT NO. —

The Rural Municipality of Coalfields No.4
(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, the movement of which in the municipality's opinion is likely to result in damage.

The municipality requires the bonded company to enter into a Road Bond Agreement pursuant to Bylaw #2017-2.

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

THE PARTIES AGREE AS FOLLOWS:

The bonded company shall be responsible for all subcontractors: and

- 1.1 Can 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 a cheque in the amount of \$250,000 with the Administrator, 10% non-refundable

- 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.
- a) Firstly the money will be taken from the bond money on deposit.
 - b) Any remaining balance will be paid within 30 days of invoice.

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

Glenda Johnston, Administrator
RM of Coalfields No. 4
PO Box 190
BIENFAIT SK SOC OMO
Phone: 306-388-2323 Fax: 306-388-2330
Email: rm.04@myaccess.ca

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

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

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

Agreed this _____ day of _____, 20____.

For the *Rural Municipality of Coalfields No. 4*

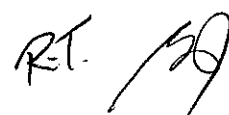
Committee Member

Committee Member

For (*Name of Bonded Company*) _____

President or Name

Secretary/Treasurer or Witness



Schedule "C" OUTLINE AND EXPLANATION OF COSTS:

R.T. / 19