

CORPORATION OF THE TOWNSHIP OF WARWICK

BY-LAW NO. 123 OF 2017

Being a by-law to regulate the moving of buildings, structures or part thereof and oversize hauling on the streets and roads in the Township of Warwick

WHEREAS Section 9 of the Municipal Act, R.S.O. 2001, C.25 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS Section 110 (1) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8 authorizes a municipality to grant a permit for moving of heavy vehicles, loads, objects or structures in excess of the dimension limits set out in Section 109 or the weight limits set out in Part VIII of the Highway Traffic Act;

NOW THEREFORE the Council of the Corporation of the Township of Warwick hereby enacts as follows:

1. The provisions of this by-law shall apply to the moving of any building, structure, or part thereof, and any oversize hauling, on any road or street within the boundaries of Township of Warwick and over which the Council of the Corporation of the Township of Warwick has jurisdiction.
2. Oversize hauling for the purposes of this by-law shall mean heavy vehicles, loads, objects or structures in excess of the dimensional limits prescribed in the latest revision of the Highway Traffic Act, R.S.O. 1990.
3. No building, structure, or part thereof or oversize items shall be moved on any road or street within the boundaries of the Township of Warwick except in compliance with the terms of this by-law.
4. Should any section, clause or provision of this by-law be held by a Court of competent jurisdiction to be invalid, the validity of the remainder of this by-law shall not be affected.
5. Any person who violates any provision of this by-law may be prosecuted under the Provisions of the Provincial Offences Act, and will be subject to the penalties as set out therein.
6. Before any building, structure, or part thereof or oversize hauling is moved on any street or road within the boundaries of the Township of Warwick the owner or the

moving contractor of the building, structure, or part thereof proposed to be moved shall first apply for and obtain a permit to be issued by the Township of Warwick.

7. Each application for a permit shall be made in writing, as per format indicated in Schedule "A", and submitted to the Clerk of the Township of Warwick and shall set out, among other things, a description of the building, structure, or part thereof to be moved, its dimensions, method of moving, its present location, the proposed destination, the streets and roads proposed to be used in the moving and any bridge located on the proposed route.
8. The Public Works Manager of the Township of Warwick shall review and approve all permit applications.
9. Moves are restricted to daylight hours only on weekdays. Permits will not be issued for weekends or statutory holidays.
10. The applicant for a permit shall obtain approval from all utility companies (Hydro One, Bluewater Power, Bell Canada, Brooke Telecom) or other companies interested in wires or other appliances over, along, or upon roads or streets of the proposed route and shall at all times meet the requirements as may be imposed by the said companies. Such approvals shall be submitted with the application for permit as evidence thereof.
11. The fee for a moving permit shall be Four Hundred Dollars (\$400.00) and shall be submitted to the Clerk at the time the application for permit is submitted. This fee is non-refundable.
12. The applicant for a permit shall deposit with the Clerk, at the time the application is submitted, a certified cheque in the amount of Eleven Thousand Dollars (\$11,000.00). Said cheque shall be held by the Corporation of the Township of Warwick as a deposit towards repair of damage that may be caused to any road, street or bridge in the course of the moving and to ensure the completion of all repairs to the relocated house / building and the landscaping of the grounds where the relocation is taking place are completed. The municipality retains the right to collect or sue for damages, beyond the amount of the deposit, to any road, street or bridge.
13. The owner, operator or mover shall use the utmost precaution in the moving of such building, structure, or part thereof and is responsible for all damages that may be caused to the highway by reason of the driving, operating or moving of the building, structure, or part thereof.

14. Upon completion of the moving, the owner or contractor shall notify the Public Works Manager of the Township of Warwick who shall inspect the streets, roads and bridges used in the moving, estimate any damages that have occurred and furnish the Clerk of the Municipality with a statement of the same.
15. Where damages have occurred, the deposit of the applicant shall be applied to the costs of the repair and the balance, if any, shall be refunded.
16. Where no damages have occurred, the deposit of the applicant shall be forthwith refunded.
17. That Schedule "A" and "B" attached hereto shall form part of this by-law.
18. That all other by-laws in reference to the moving or relocating of buildings / structures and oversize hauling is hereby repealed.
19. That this by-law shall come into force and take effect on the final passing thereof.

READ A FIRST AND SECOND TIME THIS 6th DAY OF November, 2017.

READ A THIRD TIME AND FINALLY PASSED THIS 6th DAY OF November, 2017.

Mayor – Todd Case

Administrator/Clerk – Amanda Gubbels

Schedule 'A' to By-law 123 of 2017



Township of Warwick
6332 Nauvoo Road
Watford, ON N0M 2S0
Phone: 519-849-3926
Fax: 519-849-6136

APPLICATION FOR MOVING/OVERSIZE HAULING PERMIT

PERMIT TYPE: House Building wind Turbine Other

Permit Required for (#) _____ Trucks(s) _____ Loads

1. Applicant Information

Applicant/Company Name

Contact Name

Street Address

City, Town, Village

Province

Postal Code

Telephone No.

Fax No.

Email Address

2. Load Description

Describe what is being moved: _____

a) Loaded Height (m) _____

b) Loaded Width (m) _____

c) Loaded Length (m) _____

d) Gross Weight (kg) _____ # Axles _____

3. Proposed Move Information

Move Date(s): _____

Move Time: _____

Moving From (address): _____

Moving To (address): _____

4. Route Details: *Please indicate below the proposed route*

5. Conditions of Permit

1. The applicant agrees to provide a Certificate of Public Liability and Property Damage Insurance of not less than \$2,000,000.00 (two million) naming the Township of Warwick as an additional insured.(This clause must be typed on the Certificate of Insurance).
2. The applicant agrees to provide a certified cheque in the sum of \$11,000 (if required) to be deposited with the Township of Warwick to offset any damage to Municipal Infrastructure during the move. This sum to be returned not later than thirty (30) days after the date of moving, less charges against the account.
3. The application must be fully completed, and all necessary signatures obtained before the application can be processed. Fourteen (14) days may be required for the approvals of the authorized route before the issuance of this permit.
4. The applicant may be required to provide private escort vehicle(s) or police escort(s). Where a police escort is required, all movement is at the discretion of the escorting police officer(s) and the permit holder must bear the cost of that escort.
5. The consent of all applicable agencies will be required on the application form. Fourteen (14) days may be required for the approval of the authorized route before the issuance of the permit.
6. After the permit is issued, the Applicant must give confirmation to all applicable utilities/agencies/ police services at least 7 days notice prior to the move taking place and personally arrange with various parties involved for any escorts, raising of wires etc. and pay these individuals involved for any charges.
7. The Public Works Manager will require that an Engineer's Report be provided on any moves where a bridge, culvert etc. in his opinion may be unsound in the case of overweight loads. The cost of the Engineer's Report will be borne by the applicant.
8. A copy of the Building Permit is required if applicable
9. Moving times are during daylight hours only, Monday – Friday.
10. There is a \$30 charge for changing a moving date on a permit.

X _____
Signature of Applicant

Date

6. Payment (please make all cheques payable to the Township of Warwick)

Cheque

Debit

Cash

This is to certify that _____ of _____ has secured permission from the Township of Warwick to move a _____ over Municipal roads on _____ beginning at Lot____ Concession____ and ending at Lot____ Concession____ in the Township of Warwick.

The said_____ assumes responsibility for all damages that may be caused to any road, bridge or other property by the reason of the driving, operating or moving of the building or structure. The \$400.00 permit fee has been paid and a deposit of \$11,000.00 by certified cheque, has been provided to the Clerk of the Township of Warwick.

Costs for any damage to Municipal property shall be taken from the deposit and any remaining balance shall be refunded. Moves are restricted to daylight hours on weekdays only. The applicant hereby acknowledges receipt of a copy of By-law Number xx of 2015.

Signed at the Township of Warwick this _____ day of _____, 20__ .

Applicant

Witness

Clerk-Administrator

Date

Approved by Public Works Manager

Date

Schedule 'B' to By-law 123 of 2017

Processing Moving/Oversize Hauling Permits

- The By-laws outlining the procedures are:

By-law 123 of 2017

(Being a by-law to regulate the moving of oversize buildings, structures or part thereof on the streets and roads in the Township of Warwick)
- The application fee is \$400.00
- The application must detail the route taken and the Public Works Manager needs to approve the application (Inspection of roads before and after the move)
- A certified cheque is required in the amount of \$11,000.00 to cover the cost if there is damage done to the road and to ensure the completion of all repairs to the relocated building and for the landscaping of the grounds where the relocated building is located. This cheque will be returned once the roads are inspected and proven to be undamaged by the move.
- Application should be forwarded to County Building Inspector.
- May need utility approval