

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 063-2021

Being a by-law to prohibit heavy vehicles on municipal highways and to repeal By-law 36/13.

Last consolidated on December 17, 2025. The Township of Puslinch By-laws are provided online for public reference. By-laws are consolidated on an ongoing basis, but recent amendments may not be reflected in the latest consolidated version. Check the Amended History to get a complete listing of all pertinent regulations. For further information contact the Township's Clerk Office.

WHEREAS by Section 11 of the *Municipal Act, 2001, S.O. 2001, c.25* authorizes municipalities to pass by-laws respecting matters within its spheres of jurisdiction;

AND WHEREAS highways, including regulating traffic on highways is within the sphere of jurisdiction of the Township of Puslinch;

AND WHEREAS under Section 35 of the Municipal Act, 2001, the Township of Puslinch may pass by-laws restricting the common law right of passage;

AND WHEREAS the Council of the Corporation of the Township of Puslinch deems it necessary to enact heavy truck prohibitions on the specified highways;

AND WHEREAS it is desirable to establish set fines for contravention of the heavy truck prohibitions on the specified highways;

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

1. Definitions

“Administrative Fees” means any administrative fees as defined in the Administrative Monetary Penalty System By-law. [Amended by By-law 2025-090 on December 17, 2025]

“Administrative Monetary Penalty System By-law” means Township By-law No. 2025-043, as amended or replaced from time to time. [Amended by By-law 2025-090 on December 17, 2025]

“Administrative Penalty” means any administrative penalty as defined in the Administrative Monetary Penalty System By-law. [Amended by By-law 2025-090 on December 17, 2025]

“Camera System” or “Camera Systems” means any video, photographic, or time-lapse recording device, including fixed or mobile cameras, installed or used by the Township or its agents to monitor and record activity in support of by-law enforcement. [Amended by By-law 2025-090 on December 17, 2025]

“Certified Heavy Vehicle Photograph” shall mean any photograph(s) or recording(s) as obtained from a Camera System and certified by an Enforcement Officer in accordance with this By-law. [Amended by By-law 2025-090 on December 17, 2025]

“Designated Provisions” means the designated provisions of this By-law as described in Section 5.2. [Amended by By-law 2025-090 on December 17, 2025]

"Enforcement Officer" means a person appointed by the Township as a Municipal Law Enforcement Officer or Provincial Offences Officer. [Amended by By-law 2025-090 on December 17, 2025]

"Heavy Vehicle" means a vehicle as defined in the *Highway Traffic Act*, as amended, having a manufacturer's gross vehicle weight rating greater than 4,600 Kilograms including a truck and trailer combination, but does not include ambulances, Police and Fire Department vehicles and any vehicle while actually engaged in works undertaken for or on behalf of the Corporation of the Township of Puslinch, the County of Wellington, the federal or provincial government, or any utility;

"Highway" includes a common or public highway any part of which is intended for or used by the general public for the passage of vehicles and pedestrians and includes the area between the lateral property lines thereof;

"Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended. [Amended by By-law 2025-090 on December 17, 2025]

"MFIPPA" means the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended. [Amended by By-law 2025-090 on December 17, 2025]

"Municipal Act, 2001" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended. [Amended by By-law 2025-090 on December 17, 2025]

"Owner" shall be a person(s) who is the registered owner of a Heavy Vehicle. [Amended by By-law 2025-090 on December 17, 2025]

"Penalty Notice" means a penalty notice as described in Administrative Monetary Penalty System By-law. [Amended by By-law 2025-090 on December 17, 2025]

"Person" includes an individual and/or a corporation;

"Provincial Offences Act" means the Provincial Offences Act, R.S.O 1990, c. P.33, as amended. [Amended by By-law 2025-090 on December 17, 2025]

2. Prohibitions

2.1 No Owner shall permit a person to move, drive, stand, stop, park, or operate a Heavy Vehicle on the Highways set out in Column 1 of Schedule "A" attached hereto and forming part of the By-law between the limits set out in Column 2 of the said Schedule at any time. [Amended by By-law 2025-090 on December 17, 2025]

3. Exemptions

3.1 Subsection 2.1 shall not apply to any Heavy Vehicle actually engaged in making delivery to or a collection from premises which cannot be reached except by way of a Highway or portion of Highway referred to in Schedule "A"; or to prohibit the use of such Heavy Vehicle, for such purposes, provided that in making such delivery or collection the said Highway or portion of Highway is travelled only in so far as is unavoidable in getting to and from such premises; and provided that the delivery or collection is not in violation of any other Township By-law.

3.2 Subsection 2.1 shall not apply to an Owner for a person operating their Heavy Vehicle where the person is actually engaged in travelling to and from their place of residence or business located in the Township of Puslinch which cannot be reached except by way of Highway or portion of Highway referred to in Schedule "A" provided that said Highway or portion of Highway is travelled only in so far as is unavoidable in getting to and from the owner or operator's place of residence or business; and provided that the parking of the Heavy Vehicle is permitted at the

property in accordance with the Township's Zoning By-law. [Amended by By-law 2025-090 on December 17, 2025]

3.3 This By-Law shall not apply to ambulances, Police and Fire Department vehicles and any vehicle while actually engaged in works undertaken for or on behalf of the Corporation of the Township of Puslinch, the County of Wellington, the federal or provincial government, or any utility.

4. Enforcement

4.1 This by-law may be enforced by an Ontario Provincial Police Officer, Ministry of Transportation Officer and/or Municipal Enforcement Officer.

4.2 The Township is authorized to install and operate Camera Systems on municipal property or within municipal rights-of-way for the purpose of collecting evidence related to actual or potential contraventions of Township by-laws. [Amended by By-law 2025-090 on December 17, 2025]

4.3 Enforcement Officers may use the photographs or recordings collected from Camera Systems as part of an investigation or enforcement action, provided that such use complies with the requirements of MFIPPA. [Amended by By-law 2025-090 on December 17, 2025]

4.4 Any evidence collected by a Camera System may be used by an Enforcement Officer in support of issuing a Penalty Notice for an Administrative Penalty as described in the Administrative Monetary Penalty System By-law, or an Order, Notice of Violation, and/or laying a charge under a Township by-law pursuant to the Provincial Offences Act. [Amended by By-law 2025-090 on December 17, 2025]

4.5 An Enforcement Officer shall only certify a photograph or recording from Camera Systems, where the photograph or recording may show or have superimposed upon it any information or data, including:

- (i) The time and date when the photograph or recording was taken;
- (ii) A description of the location where the photograph or recording was taken, including the names of the streets and the direction of travel; and
- (iii) Clearly shows the number plate of the vehicle that is subject of the photograph or recording and as much of the rest of the photograph as is necessary to show that the enlargement is of part of that photograph or recording. [Amended by By-law 2025-090 on December 17, 2025]

4.6 Certified Heavy Vehicle Photograph shall be received in evidence as proof, in the absence of evidence to the contrary, that the Certified Heavy Vehicle Photograph was obtained through the use of a Camera System. [Amended by By-law 2025-090 on December 17, 2025]

4.7 In the absence of evidence to the contrary, a Certified Heavy Vehicle Photograph obtained through a Camera System is proof that,

- (i) information shown or superimposed on the front or back of the Certified Heavy Vehicle Photograph that was authorized by this By-law;
- (ii) the driver of a Heavy Vehicle has driven, moved, or operated on a Highway set out in Column I of Schedule "A" attached hereto and forming part of this By-Law between the limits set out in Column 2 of the said Schedule at any time contrary to this By-law;
- (iii) the Owner permitted the actions of the driver in Section 4.7(ii); and

(iv) No exemption is found to apply as described in Section 3.

[Amended by By-law 2025-090 on December 17, 2025]

4.8 An enlargement or reproduction of a Certified Heavy Vehicle Photograph or part of a Certified Heavy Vehicle Photograph taken by a Camera System is not required to show or have superimposed on it any information, if the enlargement or reproduction is tendered in evidence together with the Certified Heavy Vehicle Photograph of which it is an enlargement or reproduction. [Amended by By-law 2025-090 on December 17, 2025]

4.9 All Camera Systems shall be operated in accordance with applicable privacy laws. [Amended by By-law 2025-090 on December 17, 2025]

4.10 Where feasible and appropriate, signage shall be posted to notify the public of the operation of Camera Systems in accordance with MFIPPA. [Amended by By-law 2025-090 on December 17, 2025]

4.11 The Township shall implement procedures governing:

- (i) The collection and retention of recordings;
- (ii) The use and disclosure of personal information captured;
- (iii) Access control and storage security; and
- (iv) Public notice of surveillance where appropriate.

[Amended by By-law 2025-090 on December 17, 2025]

4.12 Evidence of an Owner involved in the alleged contravention of this By-law may be set out in a certificate of offence or it may be set out in a separate document including where the Township commences a proceeding by laying an information. [Amended by By-law 2025-090 on December 17, 2025]

5. Offences and Fines

5.1 Any Owner who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided in the Provincial Offences Act. [Amended by By-law 2025-090 on December 17, 2025]

5.2 Section 2, inclusive of all subsections thereunder, of this By-law are hereby designated as parts of this By-law to which the Administrative Monetary Penalty System By-law applies. [Amended by Section 5 of By-law 2025-045 on August 5, 2025]

5.3 Any Owner shall be liable to pay an Administrative Penalty and any Administrative Fees upon issuance of a Penalty Notice for a contravention of this By-law in accordance with the Administrative Monetary Penalty System By-law. [Amended by By-law 2025-090 on December 17, 2025]

5.4 All the provisions of this By-law shall continue to apply pursuant to the Provincial Offences Act and/or the Township's Administrative Monetary Penalty System By-law. For greater certainty, the Township may enforce a contravention of this By-law through the Township's Administrative Monetary Penalty System By-law and the Provincial Offences Act, but not both for the same contravention. [Amended by By-law 2025-090 on December 17, 2025]

~~5.5 Where a person has not paid the administrative penalty within 30 days in accordance with the Administrative Monetary Penalty System By-law, the Township may add the administrative penalty to the tax roll for any property for which the owner or owners are responsible for paying the administrative penalty under Section 434.2. [Amended by Section 5 of By-law 2025-045 on August 5, 2025]~~ [Amended by By-law 2025-090 on December 17, 2025]

6. Signage

6.1 The Director of Public Works, Parks and Facilities or designate, is authorized to erect or cause to be erected the necessary signs in accordance with the *Highway Traffic Act*, as amended.

7. Validity

7.1 If any section, subsection, paragraph, sentence, clause, or provision of this By-Law be declared by a Court of competent jurisdiction to be invalid, illegal or ultra vires for any reason, all other provisions of this By-Law shall remain and continue in full force and effect and shall remain valid and binding.

8. Repeal

8.1 That By-law 36/13 is hereby repealed.

9. Effective Date

This by-law shall come into force and take effect on the date of its final passing with the following exceptions:

Section 2 of this By-law shall come into effect upon No Heavy Trucks signs being erected in compliance with the *Highway Traffic Act* and its regulations;

Schedules “B” to this By-law shall be effective upon the approval and/or amendment by the Regional Senior Justice of the Ontario Court of Justice.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 15th DAY OF DECEMBER, 2021.

James Seeley, Mayor

Courtenay Hoytfox, Clerk

Schedule “A”
To By-law No. 2021-063

The Corporation of the Township of Puslinch

Column 1	Column 2
Forestell Road	Wellington Road 32 and Wellington Road 35
Pioneer Trail	Laird Road West and the Puslinch-Guelph (City) Townline/Boundary
Ellis Road	Wellington Road 33 and Wellington Road 32
Roszell Road	Puslinch-Cambridge Townline Road and Forestell Road
Victoria Road South	Wellington Road 34 and Maltby Road East
Watson Road South	Wellington Road 34 and Wellington Road 37/Arkell Road
Sideroad 12 North	Concession 4 Road and Forestell Road
Concession 7	Concession 1 and Gore Road
Gore Road	Concession 7 and Lennon Road
Concession 1	Concession 7 and Highway 6
Leslie Road	Concession 1 and Highway 6
Concession 2	Wellington Road 32 and Sideroad 20 South
Maltby Road	Victoria Road and Watson Road
Concession 4	Roszell Road and Highway 6 North
Sideroad 20 North	Wellington Road 34 and Forestell Road
Concession 7	Concession 2A and Concession 1
Concession 7	County Road 34 and Maltby Road
Watson Road South	Wellington Road 34 and Wellington Rd 36
MacPherson Lane	Highway 6 and Maddaugh Road

Schedule “B”
To By-law No. 2021-063

The Corporation of the Township of Puslinch
Part I, *Provincial Offences Act*
By-law Number 2021-063 to Restrict Heavy Trucks on Township Highways

ITEM	SHORT FORM WORDING	PROVISION CREATING OF DEFINING OFFENCE	SET FINE
1	Move, drive or operate a heavy vehicle on a prohibited route	Section 2	\$450

AMENDMENT HISTORY

HEAVY VEHICLES BY-LAW

DATE (Y/M/D)	BY-LAW	AUTHORITY	CONSOLIDATED
2025/08/05	2025-045	Item 12.1.1 BL2025-043 Being a by-law to enact an administrative monetary penalty system to enforce Designated By-laws for the Township	✓
2025/12/17	2025-090	Item 12.1.2 BL2025-090 By-law to amend By-law 2021-063 Heavy Vehicle By-law	✓