

COMMON COUNCIL REPORT

M&C No.	2022-62
Report Date	March 01, 2022
Meeting Date	March 07, 2022
Service Area	Public Works and Transportation Services

Her Worship Mayor Donna Noade Reardon and Members of Common Council

SUBJECT: Spring Weight Restriction Permits

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	City Manager
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RECOMMENDATION

Your City Manager recommends Common Council authorize 1st and 2nd Readings of the Weight Restrictions By-Law, By-law Number LG - 17, in the form attached to M&C 2022-62.

EXECUTIVE SUMMARY

The movement of goods by truck within Saint John supports our economy. However, trucks place more wear and tear on City streets, often leading to increased maintenance costs or a reduced roadway lifecycle; this is an issue particularly during Spring months when the supporting soil below these streets are at its weakest. A balance is required to support these two competing interests.

The City's Weight Restrictions By-Law is one way in which this balanced approach is pursued. The by-law, among other measures, reduces the mass of the goods that trucks can carry during the Spring months normally permitted. However, this reduction (to 80% of masses normally permitted) is manageable by most trucking companies during this Spring Weight Restriction period. Further, common routes in the City used by trucks, such as to Industrial Parks and on already-designated truck routes, are exempt from these mass reduction requirements.

This "balance", however, is not quite achieved, at least in particular circumstances. There have been cases where trucking companies have inquired about travel on streets that are subjected to the 80% mass rule during the Spring where the good(s) could simply not be reduced on the truck. Examples include a truck carrying a large piece of equipment or a truck-mounted crane. Either the economic activity that the delivered good(s) supported would be negatively impacted by a delay until after Spring Weight Restriction period or a resource-intensive, extended approval process through a by-law amendment and Agreement was required to permit the goods delivery.

This report presents a permit process to replace the resource-intensive and extended approval process when exemption to the 80% rule is required. The new By-law, which includes a streamline permit process, will address future requests. The permit would offer similar protections to City streets and infrastructure to, and instead of, resource-intensive case-by-case Agreements. The reduced approval times and resources with appropriate checks-and-balances are expected to be a benefit to the City of Saint John, the trucking companies involved, the projects or companies requiring the delivered goods, and City's economy generally.

PREVIOUS RESOLUTION

N/A

REPORT

The structural integrity of the soil below and supporting City streets is weakened during the spring when the soil is saturated with water and shifting with melting ice. The asphalt and underground infrastructure are therefore more susceptible to damage by heavy vehicles with the soil structure's weakened state. The mass (weight) of heavy vehicles (and all vehicles), including any goods being carried, is transferred to the asphalt via wheels on axles.

The City's Weight Restrictions By-Law provides options that reduce impact on City streets as a result of heavy vehicles. The by-law requires, for example, a reduction in the permitted maximum axle mass during the Spring Weight Restriction period to 80% of what is typically permitted in the *Motor Vehicle Act* and its Regulation 2001-67. The City uses the Spring Weight Restriction period that is determined by the Province of New Brunswick each year, the dates of which can fluctuate year to year based on the weather.

The by-law exempts trucks from reducing axle mass to the 80% limit in the Spring on select streets identified in Schedule "A" of the by-law. The exempted streets make up routes to industrial properties, such as to the City's industrial parks, and Truck Routes identified within the City's Traffic By-Law. Exempting these streets is a way to reduce impact on the City's economy. Most exempted streets are classified as Collector or Arterial streets, where the asphalt is constructed thicker and to a greater standard in part to compensate for heavy trucks.

Spring Weight Restrictions for 2022 are currently in effect. They started on February 27 and are expected to continue until May 15, subject to weather conditions.

Within the past five years, City staff has received at least seven inquiries from trucking companies that advised the Spring Weight Restriction, specifically the

80% axle mass limits on non-exempt streets, may impact delivery of goods. In four of these seven cases, good(s) were believed to be a single item that could not be reduced in size or redistributed on available axles to abide by the by-law. In the three other cases, it was believed the goods being carried could simply be done so in smaller loads to abide by the by-law, such as in the case of soils or rocks. In two of the four cases where the good could not be reduced or redistributed, alternate solutions were ultimately implemented by the trucking company and/or company receiving the delivery. In the other two cases, a full amendment to the by-law and a specific Agreement, each developed by City staff and ratified by Common Council over two Council meetings, were required to temporarily exempt the streets to the deliveries' destination and to mitigate impact on the streets to be travelled upon.

City staff believe a permitting process could be implemented that authorizes a heavy vehicle to travel on City streets subjected to the 80% axle mass limit that is more efficient and as effective as the previously used process. The permitting process would reduce the time and resources required to consider and provide approval, which would be a benefit to the City, trucking companies, and the companies receiving goods. The new by-law attached to this report for Council's consideration requires the trucking company to undertake several steps to assure impact on City streets and infrastructure are mitigated, such as:

- provide details of the heavy vehicle to be used,
- provide the list of streets that will be used,
- provide the date and time when the heavy vehicle will operate,
- develop a traffic management plan,
- mitigate limitations of the space available on the street where the heavy vehicle will operate
- mitigate damage to the above or below ground infrastructure,
- take responsibility for damage to infrastructure,
- carry appropriate insurance and provide a security deposit,
- provide written confirmation from the Saint John Police Force and Provincial Department of Transportation & Infrastructure whether additional permits are issued or not required, and
- declare that it is not possible to reduce the size of the load or redistribute to meet permitted axle limits.

City staff used the experience of the two previously and successfully issued approvals under the by-law amendment/Agreement process to create a permitting process.

City staff notes that, although measures are being incorporated to identify and recover damage to infrastructure as a result of the heavy vehicle involved in the permit, it can be difficult to isolate damage caused by the vehicle from other vehicles or climatic causes.

City staff note that permits will not be issued in circumstances where the load (goods) being carried can be reduced in size or can be redistributed on available axles. Reducing loads involving soils or rocks are good examples of situations where the load can be reduced and a permit not issued. These permits are intended to be issued as the exception, as opposed to the norm, because, albeit measures are taken, each case still presents risks to premature infrastructure damage and deterioration not identified as being caused by the specific heavy vehicle.

The attached by-law is a complete update to the current City of Saint John Weight Restriction By-Law. In addition to incorporation of the discussed permitting process, the new by-law is aligned with the *Local Governance Act*, and includes improved references to axle limits contained in the *Motor Vehicle Act* and its Regulation.

STRATEGIC ALIGNMENT

This report aligns with Common Council's GROW priority by supporting economic activities, MOVE priority by supporting safe and effective movement of goods, and PERFORM priority by being more responsive to customer needs and through continuous improvement.

SERVICE AND FINANCIAL OUTCOMES

A cost recovery model is envisioned for the proposed permitting process. A \$300.00 application fee is proposed to recover administrative costs. Much of the additional due diligence work is at the cost of the applicant. As described already in this report, mitigation measures to protect infrastructure and recovery of cost if infrastructure damage occurs are being managed.

These permits would be issued from the One Stop Development Shop.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

Growth & Community Services, Saint John Police Force, and the Provincial Department of Transportation & Infrastructure provided input into this report.

The General Counsel's Office drafted the attached Weight Restrictions By-Law and provided input into this report.

ATTACHMENT

Weight Restrictions By-Law, By-law Number LG-17