

Bylaw No. 2221

A bylaw of the M.D. of Provost No. 52 establishing fines for unauthorized usage and/or obstruction of road allowances and public rights of way within the jurisdiction of the Council of the M.D. of Provost No. 52.

WHEREAS the title to all roads in a municipality is vested in the Crown in Right in Alberta; and

WHEREAS the Council of the M.D. of Provost No. 52 has, pursuant to the *Municipal Government Act* RSA 2000, as amended, the direction, control and management of all roads within the municipality and the ability to pass bylaws regarding same; and

WHEREAS the wilful emplacement of obstructions on and/or the unauthorized utilization of roads or road allowances, developed or otherwise, by third parties presents a potential safety hazard to the traveling public;

NOW THEREFORE the Council of the M.D. of Provost No. 52, in the Province of Alberta, duly assembled, enacts as follows:

1. This bylaw may be cited as the "Road Allowance Protection Bylaw".
2. Definitions
 - a) Words used in this bylaw have the same meaning as words used or defined in the *Municipal Government Act* and the *Traffic Safety Act* and their respective Regulations, except where varied by this Bylaw.
 - b) "M.D." means the Municipal District of Provost No. 52.
 - c) "Road" means any and all portion of the lands vested in the Crown in Right of Alberta as a road allowance and under the control of the M.D., whether developed or otherwise, and reasonably accessible to the traveling public.
 - d) "Authorization" means a written declaration by the M.D. to a third party to engage in a specific activity or thing within the boundaries of the lands defined in Section C, above.

Prohibition

3. a) No person shall erect, emplace or cause to be emplaced any obstruction, barricade or impediment across or along any road in such fashion as access and passage may be impeded, blocked or endangered.
- b) No person shall, without authorization, undertake or cause to be undertaken on any road any activity not directly related to its usage as a road and which degrades or endangers the character of the road and/or impedes the safe and unfettered passage of the traveling public, including but not limited to cultivation, animal husbandry, mining, forestry or excavation of any kind.

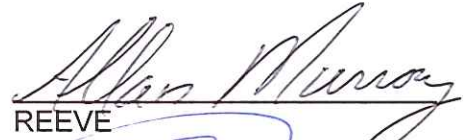
Penalty

4. Any person, or their agent or employee, who contravenes any provision of this bylaw, shall be guilty of an offence and liable to a fine:
 - a) as specified in Schedule "A", which may from time to time be amended by Resolution of Council; or
 - b) as per the *Traffic Safety Act* and regulations there under as amended, whichever may be greater.
5. Any Peace Officer is authorized to enforce this bylaw.
6. This Bylaw shall come into force and effect upon the passage of the third and final reading and signing thereof.

Read a first time this 11th day of August, A.D., 2011.

Read a second time this 11th day of August, A.D., 2011.

2011. Read a third time and finally passed this 11th day of August, A.D.,


REEVE


ADMINISTRATOR

Schedule A
Specified Penalties

3. a) Erection or emplacement of an obstruction, barricade or impediment along or across a road so as impede, block or endanger access and passage:
-\$250.00 for a first offence, and \$500.00 for each additional offence thereafter committed within the space of a calendar year.
- b) Undertaking or causing to be undertaken any unauthorized activity on any road not directly related to its usage as a road and which endangers the character or integrity of the road and/or impedes the unfettered passage of the traveling public:
- \$250.00 for a first offence, and \$500.00 for each additional offence thereafter committed within the space of a calendar year.