

BY-LAW NO. 849/96

A BY-LAW OF LACOMBE COUNTY, IN THE PROVINCE OF ALBERTA,
RESPECTING THE USE OF ROAD RIGHT OF WAY UNDER THE DIRECTION, CONTROL
AND MANAGEMENT OF LACOMBE COUNTY.

Pursuant to authority granted under Part 2, Division 1 of the Municipal Government Act, Statutes of Alberta 1994, Chapter M.26.1, the Council of Lacombe County in open Council duly assembled, enacts as follows:

- (1) In this By-Law:
 - a. "Cultivate" means to loosen or break up the soil;
 - b. "Dispose" includes discharging, dumping, throwing, dropping or discarding or abandoning;
 - c. "Litter" means:
 - i. rubbish, refuse, garbage, waste materials, paper, packages, containers, bottles, cans or part thereof, or
 - ii. any article, product, machinery, motor vehicle, building materials or other manufactured goods or part thereof, or
 - iii. trees, shrubs, manure, sewage, straw, hay, soil, gravel, rock, dead animals or dead fowl.
 - d. "Road right of way" means:
 - i. a road allowance established by a survey, made under the Alberta Surveys Act, or
 - ii. a road widening, road diversion, road, street, avenue, lane, alley, walkway, or other public right of way as shown on a plan of survey registered in the Northern Alberta Land Registration District.
2. No person shall dispose of, or cause to be disposed of, any litter on a road right of way.
3. No person shall cultivate, or cause to be cultivated, a road right of way or any portion thereof.
4. No person shall remove, cut or otherwise destroy trees or shrubs located on a road right of way
5. No person shall remove any soil, sand or gravel from a road right of way.
6. No person shall grade, ditch or otherwise change the contour of a road right of way.
7. No person shall deposit snow upon the traveled portion of any road right of way.
8. Notwithstanding anything hereinbefore contained the County Commissioner, or designate, may issue a permit to a person authorizing any of the actions or things prohibited within Sections 3 to 7 inclusive of this By-Law.
9. Any person who contravenes any of the provisions of this By-Law is guilty of an offence and liable on summary conviction as follows:
 - a. For a first offence, to a fine of not less than \$150.00 and not more than \$1000.00 and in default of payment to imprisonment for a period not exceeding 30 days.
 - b. For a second offence, to a fine of not less than \$300.00 and not more than \$2000.00 and in default of payment to imprisonment for a period not exceeding 30 days.
 - c. For a third and any subsequent offence, to a fine of not less than \$500.00 and not more than \$5000.00 and in default of payment to imprisonment for a period not exceeding 90 days.

10. By-Law No 481/78 is rescinded.

Received first and second reading, and by unanimous consent of the Councillors present, a third reading and finally passed on this 18th day of November, 1996.