



BYLAW NO. 19-808
Of the Municipal District of Greenview No. 16

A Bylaw of the Municipal District of Greenview No. 16, in the Province of Alberta, to regulate and manage the implementation of Road Bans by the Municipal District of Greenview No. 16.

WHEREAS the Council of the Municipal District of Greenview No. 16 (Greenview) in the Province of Alberta has the authority, pursuant to the provisions of S.18.1 of the Municipal Government Act (Current as of March 1, 2016), where it deems necessary or desirable to provide direction concerning the control and management of all roads within the municipality;

WHEREAS the Council of Greenview has the authority, pursuant to the provisions of S.152.1 of the Alberta Traffic Safety Act, to enact Bylaws for the physical preservation of a highway under its direction, control and management, including any bridge that forms part of that highway by restricting the weight of a commercial vehicle or a commercial vehicle and any goods being carried by the vehicle, to weight that is less than the weight that may be borne;

WHEREAS the Council of Greenview has the authority, pursuant to the provisions of S.152.3 of the Alberta Traffic Safety Act, to delegate by Bylaw to an employee of the municipality or to a committee established by the Council the power to impose road bans;

THEREFORE, it is hereby enacted by the Council of Greenview, a Bylaw that:

1.0. Shall be referred to as the *Road Ban Bylaw*.

2.0. DEFINITIONS

In this Bylaw:

- 2.1.1 **COMMERCIAL VEHICLE**, as defined in the Traffic Safety Act, means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation but does not include a private passenger vehicle.
- 2.1.2 **HIGHWAY**, as defined in the Traffic Safety Act, means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes
- (i) a sidewalk, including a boulevard adjacent to the sidewalk,
 - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be a highway.
- 2.1.3 **ROAD BAN**, as defined in the Traffic Safety Act, means the maximum allowable weight that may be borne on a Highway by a Commercial Vehicle pursuant to a regulation made under Sections 151 and 152 of the Traffic Safety Act.

3.0. GENERAL

3.1.1. Greenview and its agents, shall not be liable for loss or damage caused by anything done or omitted to be done in good faith in the performance or intended performance of their functions, duties or powers under this Bylaw.

4.0. LEGISLATION

4.1.1 It is understood that the most recent versions of all respective Federal, Provincial and Municipal statutes apply under this Bylaw.

5.0. AUTHORITY & ENFORCEMENT

5.1.1 Each section of this Bylaw shall be read and construed as being separate and severable from each other section. Furthermore, should any section of this Bylaw be found to have been improperly enacted, that section or part shall be regarded as being severable from this Bylaw and the remaining Bylaw shall be effective and enforceable.

5.1.2 One Member of Council and Greenview's Chief Administrative Officer or designate, shall enact or cancel Road Bans and limit or increase the allowable weights of Commercial Vehicles when and where necessary so as to prevent damages to any Highway within its jurisdiction.

5.1.3 Upon enacting or cancelling a Road Ban, signage shall be placed on or removed from the respective Highway(s), identifying the allowable weight of Commercial Vehicles.

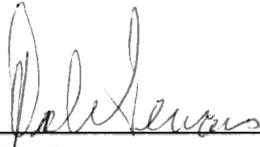
5.1.4 Violators shall be prosecuted in accordance with Traffic Safety Act, the Provincial Offences Procedure Act: Procedures Regulation, and the Commercial Vehicle Dimension and Weight Regulation.

Read a first time this 11th day of February, A.D., 2019.

Read a second time this 11th day of February, A.D., 2019.

Read a third time and passed this 25th day of February, A.D., 2019.

This Bylaw shall come into force and effect February 25th, 2019.



REEVE



INTERIM CHIEF ADMINISTRATIVE OFFICER