



BYLAW NO. 16-771
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 Allowance Licenses under a License of Occupation Bylaw 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.7.b of the Municipal Government Act (Current as of March 1, 2016), where it deems necessary or desirable to establish Bylaws pertaining to people, activities and things in, on or near a public place or place that is open to the public within Greenview;

WHEREAS the Council of 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 Greenview;

WHEREAS the Council of Greenview in the Province of Alberta has the authority, pursuant to the provisions of S.61 of the Municipal Government Act (Current as of March 1, 2016), where it deems necessary or desirable to grant rights, exclusive or otherwise, with respect to its property, including property under the direction, control and management of Greenview;

WHEREAS the provisions of S.609 of the Municipal Government Act (Current as of March 1, 2016), prohibits the public from acquiring an estate or interest in land owned or controlled by Greenview by adverse or unauthorized possession, occupation, enjoyment or use of the land;

WHEREAS the Council of Greenview has the authority, pursuant to the provisions of S.13.o of the Alberta Traffic Safety Act, to issue a License or permit that is terminable on 30 days' notice in writing for the temporary occupation or use of a road allowance or Highway or a portion of a road allowance or Highway when it is not required for public use;

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

1.0. Shall be referred to as the *License of Occupation Bylaw*.

2.0. DEFINITIONS

In this Bylaw:

2.1.1 **ROAD ALLOWANCE** means the undeveloped portion of land, which has been shown as a road on a plan of survey and has been registered in a land titles office, and that the public is ordinarily permitted to use for the passage or parking of vehicles and pedestrian use.

2.1.2 **ROAD ALLOWANCE LICENSE** means an agreement formed under the License of Occupation Bylaw between Greenview and a Licensee which allows the use of a specified portion of a Road Allowance for a specified time.

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 A person shall not occupy or otherwise use any portion of a Road Allowance unless a Road Allowance License authorizing the occupancy or use has been issued by Greenview.

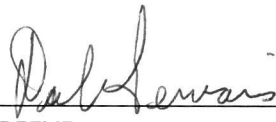
5.1.4 Violators shall be prosecuted in accordance with, but not limited to, the Traffic Safety Act and the Provincial Offences Procedure Act: Procedures Regulation.


5.1.5 This Bylaw shall come into force and effect January 1, 2018.

Read a first time this ^{13 - September}~~11~~ day of ~~October~~ A.D., 2016.

Read a second time this 11 day of October, A.D., 2016.

Read a third time and passed this 11 day of October, A.D., 2016.



REEVE


CHIEF ADMINISTRATIVE OFFICER