

BY-LAW NO. 873 OF MUNICIPAL DISTRICT OF STARLAND NO. 47

IN THE PROVINCE OF ALBERTA, CANADA

A By-Law of the Municipal District of Starland No.47 for the purpose of preventing the parking of vehicles on highways for the purpose of loading or unloading water and to rescind By-Law No. 869.

Pursuant to Section 16(1)(c) of the Highway Traffic Act, Chapter H-7 R.S.A. 1980 and Section 110(3) and Section 172(3) of the Municipal Government Act, Chapter M-26 R.S.A. 1980 the Council of Municipal District of Starland No. 47 doth enact as follows:-

1. THAT "Water Truck" means every vehicle propelled by a power other than muscular power, which is designed and adapted for the purpose of hauling water, except trucks engaged in fire fighting activities.
2. THAT "Highway" has the same meaning as defined under the HIGHWAY TRAFFIC ACT;
3. THAT no person shall park a water truck along or upon any Municipal District highway for the purpose of loading or unloading water from ditches, dug-outs, canals, or any place where water may be available;
4. Any person who contravenes this by-law is guilty of an offence and liable on summary conviction to:
  - a) for a first offence, a fine of not less than \$200, and in default of payment, to imprisonment for a term of not more than thirty (30) days;
  - b) for a second or subsequent offence, to a fine of not less than \$500, and not more than twenty-five hundred dollars (\$2500), and in default of payment, to imprisonment for a term of not more than 60 days.
5. (1) If a person is issued a violation ticket summons under the Summary Convictions Act (c. S-26 RSA 1980) for the contravention of Section 3 of this by-law that person may exercise a specified penalty option in respect of that contravention.  
(2) The specified penalty for a contravention of Section 3 of this by-law is \$200.00.
6. (1) Where a peace officer, issues a summons in respect of a contravention of Section 3 of this by-law, the peace officer may deny that person the privilege of exercising a specified penalty option and require that person to appear before a justice on a day set forth in the summons.  
(2) Notwithstanding that a person is required to appear before a justice in answer to a summons issued by a peace officer under subsection (1), a Crown Counsel may permit that person to exercise a specified penalty option.
7. THIS by-law shall take effect at the final passing thereof.
8. That By-Law No. 869 is hereby rescinded.

First reading on motion of Councillor Gogol. Carried unanimously.

Second reading on motion of Councillor Almond. Carried unanimously.

Third reading on motion of Councillor Grenville. Carried unanimously.

DONE AND PASSED IN COUNCIL, duly assembled in the Municipal District Office, Morrin, Alberta this 10th day of September, 1985.

  
REEVE

  
MUNICIPAL ADMINISTRATOR