

VILLAGE OF ANDREW

BYLAW 95-9

A BYLAW OF THE VILLAGE OF ANDREW A MUNICIPAL CORPORATION IN THE PROVINCE OF ALBERTA, FOR TEMPORARILY CLOSING OR RESTRICTING THE USE OF A HIGHWAY UNDER ITS DIRECTION, CONTROL AND MANAGEMENT AND TO ESTABLISH A POSITION OF DESIGNATED OFFICER TO ASSIGN THE POWERS, DUTIES AND FUNCTIONS INVOLVED IN THE TEMPORARY CLOSURE OF A HIGHWAY.

WHEREAS, the Municipal Government Act, S.A. 1994 c.M-26.1, as amended, allows the Council, or a Designated Officer of the Council of a Municipality to temporarily close the whole or any part of a Road at any time that a construction or maintenance project on or adjacent to the Road may create a hazard;

AND WHEREAS the Highway Traffic Act, R.S.A. 1980 c.H-7, as amended, provides that the Council of a Municipality may make Bylaws closing or restricting the use of any highway under its direction, control and management with respect to any class or classes of vehicles or with respect to any class or classes of pedestrians

AND WHEREAS the Municipal Government Act, S.A. 1994 c.M-26.1, as amended, authorizes a Council, or a Designated Officer of Council, to delegate its powers, duties or functions to a Designated Officer;

NOW THEREFORE by virtue of the power conferred upon it by the laws of the Province of Alberta, the Council of the Village of Andrew, duly assembled, enacts as follows:

SECTION 1 SHORT TITLE

- 1.1 This Bylaw may be cited as the "Temporary Road Closure Bylaw".

SECTION 2 DEFINITIONS

- 2.1 In this Bylaw:

- 2.1.1. "Chief Administrative Officer" means the Chief Administrative Officer for the Municipality and whatever subsequent titles may be conferred on that officer by Council or Statute.
- 2.1.2. "Council" means the Council of the Village of Andrew.
- 2.1.3. "Municipality" means the Village of Andrew.
- 2.1.4. "Designated Officer" means a Designated Officer within the meaning of the Municipal Government Act, S.A. 1994 c.M-26.1, as amended.
- 2.1.5. "Municipal Government Act" means the Municipal Government Act, S.A. 1994 c.M-26.1, as amended.
- 2.1.6. "Road" means land:
- (i) shown as a Road on a plan of survey that is being filed or registered in a Land Titles Office, or;
 - (ii) used as a public Road;

and includes a bridge forming part of a public Road in any structure incidental to a public Road.

SECTION 3 APPLICATION FOR HIGHWAY USE

- 3.1 The position of Utility Manager is established as a Designated Officer of the Municipality.
- 3.2 The person appointed to this position will have the powers, duties and functions of temporarily closing the whole or any part of a Road at any time in the event that a construction or maintenance project on or adjacent to the Road may create a hazard. In addition, the Designated Officer may provide for the proper enforcement of such temporary closure by way of the erection of barricades or the adoption of any other means which the Designated Officer considers necessary or expedient.
- 3.3 Council will be Resolution appoint an individual to the Designated Officer position established by this Bylaw and provide for the terms and conditions of the Designated Officer's employment. Council will review the performance of the Designated Officer.
- 3.4 The Designated Officer is hereby authorized to further delegate, and to authorize the delegation of any matter delegated to the Designated Officer by Council under this Bylaw to any employee of the Municipality.
- 3.5 The Designated Officer is accountable to the Chief Administrative Officer for the exercise of the powers, duties and functions delegated.

SECTION 4 TEMPORARY ROAD CLOSURE

- 4.1 The Designated Officer or his delegate may temporarily close the whole of any part of a Road at any time that a construction or maintenance project on or adjacent to the Road may create a hazard.
- 4.2 The Designated Officer or hid delegate may provide for the proper enforcement of the temporary Road closure by erecting barricades sufficient to give effect to the temporary closure or by adopting such other means as the Designated Officer or his delegate consider necessary or expedient.

SECTION 5 EFFECTIVE DATE

5.1 This Bylaw shall come into effect upon the passage thereof.

Read a first time this 27th day of September , 1995 .

Read a second time this 11th day of October , 1995

Read a third time this 11th day of October , 1995 .

MUNICIPALITY

Per: 
MAYOR

Per: 
MUNICIPAL ADMINISTRATOR