

BY-LAW # 35

A BY-LAW TO REGULATE THE USE OF ROADS AND PUBLIC PROPERTY WITHIN THE SUMMER VILLAGE OF ITASKA BEACH

Under the authority of and pursuant to the provisions of the Town and Village Act of the Revised statutes of Alberta, 1955, the Council of the Summer Village of Itaska Beach enacts as follows:

1. Every owner or occupier of any house, building or lot within the Village who shall require to drive any vehicle across any sidewalk, boulevard, or other portion of a street or public road for the purpose of entering his house, building or lot, shall construct over or in place of the sidewalk or boulevard or other portion of the street as may be affected a crossing of material and of such construction as shall be satisfactory to the Council or its authorized officers and so designed and maintained as to be suitable for pedestrians using the sidewalk or boulevard and so as not to obstruct the free flow of water along the street or public road. The Council by resolution may require that no person shall commence construction of such a driveway unless a Permit for the work has first been obtained from the Secretary-Treasurer.
2. No person who is the owner or possessor of any animal which has died shall allow the same to lie on any street, lane or public place in the Village, and in case such animal shall have died on any street, lane or public place, such owner or possessor, as the case may be, shall at once cause the carcass to be removed and suitably disposed of.
3. No person shall place, abandon, throw or deposit any nails, tacks, glass or crockery bottles, paper carton, or any other container of metal or of wood or of any other material, dirt, stones, trees, or parts thereof, logs, shrubs, lumber, household garbage, rags, paper or rubbish, household furniture or vessels or tools, implements or automobiles or parts thereof, carcasses of dead animals or birds, or any other substance in any street, lane or public place within the Village, except a nuisance ground set aside for the purpose.
4. No person shall deposit, abandon, or throw any thing of any nature or material into a nuisance ground within or belonging to the Village except into the open pit available for the purpose.
5. The Council by resolution may require that no person shall set fire to any shavings, chips, straw, trees, shrubs, logs, or other combustible material, or make or light any fire or bonfire in any of the streets, lanes, or public places of the Village, unless authorized by the Secretary-Treasurer or a Councillor. This clause shall not apply to persons legitimately engaged in road construction or repair on the authority of the Council.
6. No person shall put, permit or place any article, substance or thing upon any street, lane, or public place so as to impede, obstruct, or endanger a pedestrian or a vehicle. This prohibition shall not apply to obstructions erected while authorized public works are in progress in such public places.
7. No person, except the duly authorized officers or employees of the Village, shall break, tear, or remove any planking, pavement, sidewalk, curbing, macadamizing, concrete, cement or other road surface, nor remove any trees or shrubs, nor make any excavation in or under any street, lane or public place in the Village, without having first obtained permission so to do from the Council or its authorized officers. Any such permission having been granted, the work shall be done as directed by and subject to the approval of the Council or its

authorized officers and so designed and maintained as to be suitable for pedestrians using the sidewalk or boulevard and so as not to obstruct the free flow of water along the street or public road. The Council by resolution may require that no person shall commence construction of such a driveway unless a Permit for the work has first been obtained from the Secretary-Treasurer.

2. No person who is the owner or possessor of any animal which has died shall allow the same to lie on any street, lane or public place in the Village, and in case such animal shall have died on any street, lane or public place, such owner or possessor, as the case may be, shall at once cause the carcass to be removed and suitably disposed of.
3. No person shall place, abandon, throw or deposit any nails, tacks, glass or crockery bottles, paper carton, or any other container of metal or of wood or of any other material, dirt, stones, trees, or parts thereof, logs, shrubs, lumber, household garbage, rags, paper or rubbish, household furniture or vessels or tools, implements or automobiles or parts thereof, carcasses of dead animals or birds, or any other substance in any street, lane or public place within the Village, except a nuisance ground set aside for the purpose.
4. No person shall deposit, abandon, or throw any thing of any nature or material into a nuisance ground within or belonging to the Village except into the open pit available for the purpose.
5. The Council by resolution may require that no person shall set fire to any shavings, chips, straw, trees, shrubs, logs, or other combustible material, or make or light any fire or bonfire in any of the streets, lanes, or public places of the Village, unless authorized by the Secretary-Treasurer or a Councillor. This clause shall not apply to persons legitimately engaged in road construction or repair on the authority of the Council.
6. No person shall put, permit or place any article, substance or thing upon any street, lane, or public place so as to impede, obstruct, or endanger a pedestrian or a vehicle. This prohibition shall not apply to obstructions erected while authorized public works are in progress in such public places.
7. No person, except the duly authorized officers or employees of the Village, shall break, tear, or remove any planking, pavement, sidewalk, curbing, macadamizing, concrete, cement or other road surface, nor remove any trees or shrubs, nor make any excavation in or under any street, lane or public place in the Village, without having first obtained permission so to do from the Council or its authorized officers. Any such permission having been granted, the work shall be done as directed by and subject to the approval of the Council or its authorized officers.
8. Every person who makes any excavation or opening in any place to which the public have access shall place fences or barricades around such openings or excavation, sufficiently light the same, and take such other precautions as may be necessary to insure the protection and the safety of the public.



9. No person shall plough, dig up, take, carry away, or in any way interfere with any earth, gravel, sand, turf, soil, <sup>shrubs, trees,</sup> or grass on any street, lane or public place in the Village, or from any vacant lot belonging to the Village, without first having obtained permission in writing from the Council or its authorized officers.
10. No person shall place or leave any nuisance or offensive matter or any trash or waste material on any street, lane or public place except in a refuse container of a type approved for use within the Village as a garbage container.
11. In this By-Law, unless the context otherwise requires, the word, term or expression:
- (a) "Village" shall mean the Summer Village of Itaska Beach.
  - (b) "Lane" shall include alley, and any Village utility lot to which the public is permitted access.
  - (c) "Person" shall include a corporation, partnership or firm.
  - (d) "Public Place" shall include any park, park reserve, Public Works Reserve, or other property owned by the Village or by the Province in the right of the Crown or any park way or park to which the public is permitted access.
  - (e) "Roadway" shall include that portion of the street intended for vehicular traffic within the Village.
  - (f) "Street" shall include every road, roadway, avenue, boulevard, sidewalk, thoroughfare, bridge and highway within the Village.
12. A. If the owner or occupier of a parcel of land does any of the things in this By-Law prohibited or fails to do any of the things in this By-Law required, the Council may by written or other notice order the condition to be remedied within a time specified in the notice.

Failure to remedy the condition within the specified time shall constitute a violation of this By-Law and shall render the person responsible liable on summary conviction thereof to a fine not exceeding one hundred dollars (\$100.00) and costs, and in default thereof to imprisonment with or without hard labor in the nearest common gaol for a period not exceeding sixty (60) days unless sooner paid.

Further, if the said person fails, neglects, or refuses to remedy the condition in the manner and within the time limit specified within the said notice, the Council may:

- (a) Cause such work to be done as the Council deems necessary to remedy the condition,
  - (b) charge the cost of the work done to remedy the condition to the owner, agent, lessee, or occupier, and in default of payment by a date set by the Council,
    - (i) recover the same as a debt due to the Village, or
    - (ii) charge the same against the land concerned as taxes due and owing in respect of that land and recover the same as such.
- B. Any other person who violates any of the provisions of this

- (a) "Village" shall mean the Summer Village of Itaska Beach.
- (b) "Lane" shall include alley, and any Village utility lot to which the public is permitted access.
- (c) "Person" shall include a corporation, partnership or firm.
- (d) "Public Place" shall include any park, park reserve, Public Works Reserve, or other property owned by the Village or by the Province in the right of the Crown or any park way or park to which the public is permitted access.
- (e) "Roadway" shall include that portion of the street intended for vehicular traffic within the Village.
- (f) "Street" shall include every road, roadway, avenue, boulevard, sidewalk, thoroughfare, bridge and highway within the Village.

12. A. If the owner or occupier of a parcel of land does any of the things in this By-Law prohibited or fails to do any of the things in this By-Law required, the Council may by written or other notice order the condition to be remedied within a time specified in the notice.

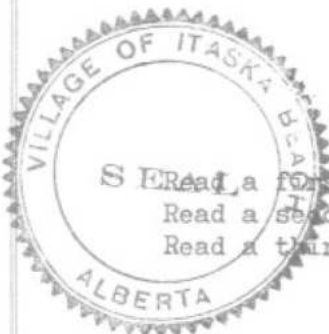
Failure to remedy the condition within the specified time shall constitute a violation of this By-Law and shall render the person responsible liable on summary conviction thereof to a fine not exceeding one hundred dollars (\$100.00) and costs, and in default thereof to imprisonment with or without hard labor in the nearest common gaol for a period not exceeding sixty (60) days unless sooner paid.

Further, if the said person fails, neglects, or refuses to remedy the condition in the manner and within the time limit specified within the said notice, the Council may:

- (a) Cause such work to be done as the Council deems necessary to remedy the condition,
- (b) charge the cost of the work done to remedy the condition to the owner, agent, lessee, or occupier, and in default of payment by a date set by the Council,
  - (i) recover the same as a debt due to the Village, or
  - (ii) charge the same against the land concerned as taxes due and owing in respect of that land and recover the same as such.

B. Any other person who violates any of the provisions of this By-Law shall on summary conviction be liable to a penalty not exceeding one hundred (\$100.00) dollars and costs, and in default thereof to imprisonment with or without hard labor in the nearest common gaol for a period not exceeding sixty (60) days unless sooner paid.

Read a first time the 11th day of February, 1964.  
 Read a second time the 11th day of February, 1964.  
 Read a third time and enacted into law the 10th day of March, 1964.



*[Handwritten signatures and initials]*  
 Mayor  
 Secretary-Treasurer