

1987 BILL 272

Second Session, 21st Legislature, 36 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 272

**AN ACT TO AMEND THE
PUBLIC HIGHWAYS DEVELOPMENT ACT**

MS. BARRETT

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 272
Ms. Barrett

BILL 272

1987

AN ACT TO AMEND THE PUBLIC HIGHWAYS DEVELOPMENT ACT

(Assented to _____, 1987)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 The Public Highways Development Act is amended by this Act.

2 Section 25(1)(d)(ii) is repealed.

3 The following is added after section 25:

25.1(1) Except as permitted by a business licence, no person shall display machinery, motor vehicles or other articles, whether placed for storage or wrecking or for the purposes of advertising or sale on or within any distance prescribed in the regulations from a controlled highway or a street.

(2) Subsection (1) does not apply to an individual displaying a motor vehicle that is owned by him, on property or on a controlled highway or street contiguous with property owned or occupied by him, other than in the course of a business.

Explanatory Notes

1 This Bill will amend chapter P-28 of the Revised Statutes of Alberta 1980.

2 Section 25(1)(d)(ii) presently reads:

25(1) The Minister may make regulations

(d) prohibiting, except under the authority of a permit,

(ii) the display of machinery, motor vehicles or other articles, whether placed for storage or wrecking or for the purposes of advertising or sale,

within any distance from a controlled highway that the regulations prescribe;

3 New section provides for limitations on the display of articles for sale or advertising, storage or wreckage on a controlled highway or in a city and sets the fine for failure to comply.

(3) Any person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$500 for each motor vehicle or item of machinery in respect of which the offence is committed, for every day on which the offence is committed.

(4) Where a corporation is convicted of an offence under this section, the court may find that the offence has also been committed by an individual who is a director, senior officer or manager of the corporation and who knew or who ought to have known that the corporation was committing the offence.

(5) Where a peace officer has reasonable grounds to believe that an offence is being committed under this section, he may impound any motor vehicle or item of machinery and deal with it as provided in a by-law of the municipality, as if it were parked on private property without permission.