

**BY-LAW 24-95  
PARKLAND COUNTY**

**BEING A BY-LAW OF THE COUNCIL OF PARKLAND  
COUNTY TO RESTRICT AND CONTROL THE PLACEMENT,  
ERECTION, OR PLANTING OF ROADSIDE IMPROVEMENTS  
ADJACENT TO HIGHWAYS WHICH ARE SUBJECT TO THE  
DIRECTION, CONTROL, AND MANAGEMENT OF PARKLAND  
COUNTY**

**WHEREAS** under the provisions of the Public Highways Development Act, R.S.A., 1980 c. P-28 s.41, the County may, by By-law, determine and fix the distance within which roadside improvements can be placed, erected, or planted adjacent to highways which are subject to the control and management of the County; and

**WHEREAS** Council, for the purpose of assisting in the protection of individuals using the highways which are subject to the direction, control, and management of the County, wishes to pass a by-law to fix the distance adjacent to highways within which roadside improvements cannot be placed, erected, or planted without the approval of Council; and

**WHEREAS** this by-law shall be known as the "Roadside Improvement By-law."

**NOW THEREFORE**, the Council of Parkland County, in Council duly assembled, hereby enacts as follows:

1. In this By-law
  - a) "highway" shall mean
    - (i) land used or surveyed for use as a public highway or road, and which is subject to the direction, control, and management of the County,
    - (ii) includes a bridge forming part of a public highway or road and any structure incidental to the public highway, or road, or bridge, and which is subject to the direction, control, and management of the County.
  - b) "roadside improvement" shall mean
    - (i) any building, structure, fixture, or road;
    - (ii) any tree, shrub or hedge; or
    - (iii) any sign, notice, advertising devise, or flashing or rotating light.
  - c) "closest point of intersection" shall mean the closest point where the boundary of one highway meets or intersects with the boundary of another highway;
  - d) "Council" shall mean the Council of Parkland County;
  - e) "Owner" shall mean
    - (i) a person registered in a land titles office as the owner of an estate in fee simple or a life estate in land;
    - (ii) a purchaser of land whose interest as purchaser is recorded on the certificate of title for that land or in a registered caveat relating to that land;
    - (iii) a tenant or a person who is in possession or occupation of land; and
    - (iv) in the case of Crown land, a person shown in the records of the department of the Government administering the land as having an estate or interest in the land;
  - f) "County" shall mean Parkland County.
2. No Owner of land adjacent to a highway shall erect, construct, place, or plant, or permit to be erected, placed, or planted any roadside improvement within thirty (30) meters of the closest point of intersection of two (2) highways if the roadside improvement obstructs, or has the potential to obstruct, the vision of pedestrians or drivers of vehicles on one or both of the highways. The determination of which situations obstruct, or have the potential to obstruct, shall be made by the Director of Transportation and Utilities or his designate.

3. No Owner of land adjacent to a secondary road or arterial road shall erect, place, or plant or permit to be erected, placed or planted any roadside improvement within twenty five (25) meters of the center line of the secondary or arterial highway, or within twenty (20) meters of a local or collector highway if the roadside improvement obstructs, or has the potential to obstruct, the vision of pedestrians or drivers of vehicles on the highway, or which may cause a drifting or accumulation of snow on the highway, or which may injure the highway.
4. Notwithstanding the prohibitions contained in sections 2 and 3 of this By-law, Council shall be at liberty to permit the placement, erection, or planting of a roadside improvement within the distances set out in sections 2 and 3 of this By-law on such terms and conditions as may be approved by Council.
5. Anyone who fails to comply with the provisions set out in this By-law or who fails to comply with any condition set by Council pursuant to section 4 of this By-law is guilty of an offense and is liable for the penalties provided for in the General Penalty By-law being By-law 39-81.
6. Upon the passage of this By-law, By-law No. 22-94 is repealed.
7. This By-law shall come into force and take effect on the day that it is passed.

**READ** a first time this 12 day of September, A.D., 1995.

**READ** a second time this 12 day of September, A.D., 1995.

**READ** a third time with the unanimous consent of the members present this 12 day of September, A.D., 1995.

**PARKLAND COUNTY**

  
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**REEVE**

  
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**MANAGER, ADMINISTRATION SERVICES**