

BYLAW NO. 2010-1

A Bylaw of the Rural Municipality of Browning No. 34 Prescribing the Distance Buildings and Other Objects must be from Municipal Roads

Whereas it is deemed advisable to prescribe the minimum distance buildings and other objects may be located from municipal roads due to possible traffic hazards caused by buildings and other objects located too close to municipal roads;

Whereas the Rural Municipality has the power under Section 8 of *The Municipalities Act*, to prescribe minimum distances buildings and other objects may be located from municipal roads;

The Council of the Rural Municipality of Browning No. 34 therefore enacts as follows:

1. No person shall situate any buildings, plant, bush, trees or shrubs, place any stones, earth or gravel piles, portable structures, machinery or other objects on private property within a distance of 50 metres from the centre line of any public road in the municipality which road is under the direction, management and control of the municipality or within 90 metres from the intersection of the centre lines of any municipal roads.
2. No person shall situate any oil well site (oil well centre) or a borrow pit (dugout) within 75 metres from the centre line of any public road in the municipality which road is under the direction, management and control of the municipality; and no plant, bush, trees, buildings, machinery, oil well equipment, tanks or other objects shall be situated within 50 metres of the centre line of any road; and that no oil well site, buildings, plant, bush, trees, machinery, oil well equipment, tanks or other objects shall be within 90 metres from the intersection of the centre lines of any municipal roads; and that all dirt pushed when developing a lease shall be placed on the side of the lease furthest from the roadway.
3. This bylaw shall not apply to any buildings or other objects situated prior to the passing of this bylaw. This bylaw does not apply with respect to any bush, trees or shrubs that:
 - a) were planted more than 5 years prior to the passing of this bylaw.
 - b) are used as a shelter belt; and
 - c) are situated more than 25 metres but less than 60 metres from the centre line of the road allowance at a location other than an intersection.
4. Provided that where a building has been situated or where a tree or shrub or bush has been planted, or stones, earth or gravel piles, oil wells, portable structures or any machinery or other object has been placed on private property contrary to this bylaw, this municipal council may be order direct the owner of the property to remove the building, tree, shrub, bush, stones, earth, gravel piles, oil wells, portable structures, any machinery or other object. In default of it being removed the council in addition to any other remedies may remove the object and add the expenses and costs to the owner of the land's taxes assessed against the land.

5. Bylaw No. 2009-2 is hereby repealed.

INTRODUCED AND READ A FIRST TIME THIS 3RD DAY OF NOVEMBER, 2010.

READ A SECOND TIME THIS 3RD DAY OF NOVEMBER, 2010.

**READ A THIRD AND FINAL TIME ON THE UNANIMOUS CONSENT OF THE COUNCIL
PRESENT THIS 3RD DAY OF NOVEMBER, 2010.**

(Seal)



Reeve

A handwritten signature in black ink, written over a horizontal line.

Administrator

A handwritten signature in blue ink, written over a horizontal line.

Certified a true copy of Bylaw No. 2010-1
passed by resolution of the Council present
at their regular meeting on November 3, 2010.

Administrator

A handwritten signature in blue ink, written over a horizontal line.

