



THE RURAL MUNICIPALITY OF VICTORIA BEACH

BY-LAW NO. 1587

A By-Law of the Rural Municipality of Victoria Beach to regulate and control private crossings and roadways.

WHEREAS Subsection 232(1) of The Municipal Act provides, in part, as follows:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (e) private works on, over, along or under municipal roads;
- (o) the enforcement of by-laws;

AND WHEREAS Subsection 236(1) of The Municipal Act provides, in part, as follows:

236(1) Without limiting the generality of clause 232(1)(o) (enforcement of by-laws), a by-law passed under that clause may include provisions

- (a) remedying contraventions of by-laws, including
 - (i) creating offences,
 - (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the by-law,

AND WHEREAS the Council of the Rural Municipality of Victoria Beach deems it necessary to pass a by-law to regulate and control private crossings and roadways;

NOW THEREFORE the Council of the Rural Municipality of Victoria Beach, in council duly assembled, enacts as follows:

- (1) No person shall install or construct any private crossing or private roadway within the limits of the Municipality unless a licence or permit for such purpose is first issued by the Municipality to such person;
- (2) Any person applying for a licence or permit to install a private roadway or private crossing shall comply with the requirements of the Municipality as to location, construction, materials, workmanship and other matters in connection with the installation, construction or maintenance thereof;
- (3) The cost of all work done by the Municipality in the construction, reconstruction, maintenance, removal or alteration of a private roadway or crossing or other approach to private property shall be paid by the owner of the land fronting thereon upon or before the completion of the work;

- (4) Any person guilty of a breach of any of the provisions of this By-law shall be liable to a fine not exceeding Five Hundred Dollars (\$500.00) and to payment of all applicable costs incurred by the Municipality to restore municipal land to its original condition;
- (5) Any applicable fines, costs and charges remaining outstanding after the expiration of thirty (30) days may be added to the owner's property tax account to be collected in the same manner as a tax may be collected under The Municipal Act;
- (6) By-Law 1399 be and is hereby repealed.

DONE AND PASSED in Council assembled, in the City of Winnipeg, in the Province of Manitoba, this 17th day of September, A.D. 2019.

Penny McMorris – Reeve

Raymond Moreau – CAO

Read a first time this 8th day of August A.D. 2019.

Read a second time this 17th day of September A. D. 2019.

Read a third time this 17th day of September A.D. 2019.