

Rural Municipality of Wallace No. 243

Bylaw No. 2-2024 “Road Allowance Bylaw”

A Bylaw prohibiting the breaking, cutting, filling, ploughing, draining or otherwise altering or damaging of roads, or the destruction or removal of vegetation from roads.

The Council of the Rural Municipality of Wallace No. 243 in the Province of Saskatchewan hereby enacts as follows:

1. This Bylaw shall be known as “The Road Allowance Bylaw”.
2. In this Bylaw the expression “road” means any public highway within this municipality as defined by *The Highways and Transportation Act, 1997*, other than a provincial highway as designated pursuant to such Act.
3. No person shall break, cut, fill, plough or otherwise alter or damage a road or portion thereof in the municipality except by written authority of the council.
4. No person shall destroy or remove any vegetation on a road or portion thereof in the municipality except by written authority of council.
5. No person shall place any structure, obstruction or fencing on or across a road or portion thereof in the municipality except by written authority of council.
6. No person shall allow any and all water exiting a landowner’s property by any means of drainage other than natural drainage going on, over or through municipal infrastructure regardless of present development of road allowance or must have authorization by resolution of Council.
7. The form for which approval for work done to any “road” shall be designated as Schedule “B”.
8. The administration of this Bylaw is hereby delegated to the Designated Officer.
9. If the Designated Officer finds that a person has contravened any or all of sections 3 inclusive through 6 of this Bylaw, the Designated Officer may, by written order, require the person to remedy the contravention.
 - a) The written order shall state what is to be done to remedy the contravention;
 - b) The time within which the person must comply with the direction; and
 - c) That if the person does not comply with the direction within the time specified, the municipality may do what is required to be done at the expense of the person.
10. In an emergency situation the municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with section 367 of *The Municipalities Act*.
11. The municipality may add any costs incurred in eliminating an emergency to the tax roll of any property in the municipality in respect of which the person who caused the emergency is the assessed person, in accordance with section 369 of *The Municipalities Act*.
12. Every person who contravenes any provision of this bylaw is guilty of an offence and is liable on summary conviction to:
 - a) A minimum fine of Four Thousand Dollars (\$4,000) to a maximum of Ten Thousand Dollars (\$10,000) for the first offence;
and
 - b) A minimum fine of Eight Thousand Dollars (\$8,000) to a maximum of Fifteen Thousand Dollars (\$15,000) for a subsequent offence.

13. A voluntary payment in the reduced amount of Seventy Five Percent (75%) of the minimum fine shall be accepted if received within 14 days from the date of service of the Notice of Violation contained in Schedule "A".

14. Bylaw No. 37-2007 and all amendments thereto are hereby repealed.

15. This bylaw shall come into force on the day of its final passing.

Reeve

Administrator

Read a third time and adopted this

_____ day of _____, 20_____.

SCHEDULE "A"

BYLAW VIOLATION NOTICE

Reference No. _____

RM OF WALLACE NO. 243
BYLAW VIOLATION NOTICE

Name	
Address	

This official notice is issued for alleged breach of the following bylaw:

Bylaw No. 2-2024	
Section #:	
Offence:	
Fine:	
Voluntary Payment:	

DETAILS OF ALLEGED BREACH OF VIOLATION:

Date and time of violation: _____
Location of violation: _____
Other particulars: _____

PENALTY:

Take notice that you may remit a voluntary payment to the Municipality in the amount stipulated above to avoid prosecution for this offence.

Payment may be made in person at the municipal office or by mail to the:

RM of Wallace No. 243
26 – 5th Ave North
Yorkton, SK
S3N 0Y8

If the voluntary payment indicated above is not received by [specified date], a summons requiring your appearance in provincial court will be issued.

Issued this [date] by [name of Designated Officer]

Signature of Designated Official

SCHEDULE "B"

**R.M. Of Wallace No. 243
Brush Removal from Road Allowance Request Form**

Applicant Name: _____

Contact Information

Phone Number: _____ Email Address: _____

Mailing Address: _____

Brush Removal Information – Agreement for Entry Forms from all land owners must be attached.

Legal Land Description of proposed removal: _____ Section _____ Township _____ Range W2 OR
Lot _____ Block _____ Plan _____

Work to be Completed Information

Brush Removal to be completed by:

Registered Land Owner

Contractor: Name: _____ Phone Number: _____

- Other; Please specify: _____

Distance of proposed brush to be removed: _____

Width of proposed brush to be removed: _____

-Please attach a clearly labelled map of the proposed work or complete the "Brush Removal Application- Site Plan" (Form B) of this application. Pictures of the site may be required by R.M. Council prior to approval.-

Brush Disposal

All brush must be disposed of after clearing at the applicant or land owner's expense.

Brush will be disposed of by means of: _____

Reason(s) for removal: _____

Expected date of work commencement and completion: _____

Conditions

1. Permission from the R.M. is required prior to any brush removal and any unauthorized work may result in a fine as per Bylaw No. 2-2024.
2. The R.M. requests that all buried cables or pipelines (includes all underground installations and survey monuments) be specified before work is to be completed. The R.M. will not be responsible for any and all damages to buried cables or pipelines.
3. All brush must be disposed of after clearing, if the brush is not disposed of in a form approved by the RM Council the RM maintains the right to clean up the brush and any costs for the R.M. to clean up brush will be invoiced to the land owner.
4. Upon approval, this permit will be in good standing for ninety (90) days and does not grant any future approval, nor approval for legal land locations not pertaining to this form.
5. No work is to commence prior to written approval from the RM Council. Any variance to this original application must be provided in writing and approved prior to work being done.
6. The Rural Municipality of Wallace No. 243 will not be held liable for any damage, loss or accident(s) that may be obtained during or after the brush has been removed.
7. Council reserves the right to conduct an inspection prior to work commencing and after the completion of any approved work to ensure compliance with the application and conditions set by Council.

8. Any damage to RM property (ex: road(s), culvert(s), etc.) will be repaired as directed by Council and at the landowners/applicants expense.
9. The Applicant certifies that all information provided is correct. The applicant, upon signing, agrees to all terms and conditions as provided on this form and any conditions that may arise upon approval of the application.

I, _____, of _____ have read and understood the application.

Signature of Applicant: _____

Printed Name of Applicant: _____

Signed this _____ day of _____, 20____.

Office use only

Date Received by RM Office: _____

For RM Council Meeting: _____

Brush Removal Application- Site Plan (Form B)

Site Plan for legal land location _____ Section _____ Township _____ Range W2 or

Lot _____ Block _____ Plan _____

Indicate the following on your site plan:

- Location of all existing municipal roads (indicate road type)
- Provide natural drainage
- Dugouts, lanes, shelterbelts, fencing

Additional Description:

Please provide all measurements in imperial (feet)

