



Province of Alberta

HIGHWAYS DEVELOPMENT
AND PROTECTION ACT

**HIGHWAYS DEVELOPMENT AND
PROTECTION REGULATION**

Alberta Regulation 326/2009

With amendments up to and including Alberta Regulation 179/2016

Office Consolidation

© Published by Alberta Queen's Printer

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(Consolidated up to 179/2016)

ALBERTA REGULATION 326/2009

Highways Development and Protection Act

HIGHWAYS DEVELOPMENT AND PROTECTION REGULATION

Table of Contents

1	Definitions
2	Other approvals unaffected
3	Classes of provincial highways
4	Permit required for development, display of equipment
5	Special requirements for prescribed freeway developments
6	Funding assistance
7	Permit required for utility lines, vegetation
8	Application for permit
9	Considerations
10	Removal of freeway access
11	Permit required for signs
12	Application for permit
13	Considerations
14	Flashing or rotating lights prohibited
15	Prohibited signs
16	Permit re physical means of access
17	Application for permit re physical means of access
18	Considerations
19	Temporary physical means of access to freeway
20	Considerations
21	Term of temporary physical means of access
22	Cancellation of temporary physical means of access
23	Permit for recommencement of commercial use
24	Changes to permits
25	Exemption power
26	Section 18 notice
27	Section 50 consent
28	Consent re section 5 highways
29	Exemption from consent requirement
30	Irrigation bridge structures
31	Leasing of unused and closed highways
32	Granting of lease
33	City transportation systems

- 34 Use of provincially funded highways
- 35 Offences
- 36 Administrative penalties
- 37 Cancellation of endorsement under City Transportation Act
- 38 Repeals
- 40 Coming into force

Definitions

1 In this Regulation,

- (a) “Act” means the *Highways Development and Protection Act*;
- (b) “designated access location” means a location on a freeway that is designated in an order under section 4(2) of the Act;
- (c) “development” means
 - (i) the placing, construction or erection of a building, structure, fixture, road (other than a physical means of access), airstrip, well, dugout, excavation or other undertaking, installation or object, whether it is on, above or below ground,
 - (ii) the enlargement, extension, replacement, renovation or repair of a development referred to in subclause (i), and
 - (iii) a change to the original purpose or use of a development referred to in subclause (i) on the parcel of land containing the development that may cause an intensification of the type or volume of vehicles that may
 - (A) enter onto the provincial highway from that parcel, or
 - (B) exit from the provincial highway onto that parcel;
- (d) “display of equipment” or “display equipment” means the display of a motor vehicle, trailer, machinery or other thing, whether for purposes of storage, wrecking, advertising or sale;
- (e) “municipality” means an urban municipality or a rural municipality;

- (f) “parcel of land” means a parcel of land within the meaning of Part 17 of the *Municipal Government Act*;
- (g) “physical means of access” means
 - (i) the roadway portion of a highway, road or street that is under the direction, control and management of a municipality and provides vehicle access to a provincial highway, and
 - (ii) any other means of access that provides vehicle access between a parcel of land and a provincial highway;
- (h) “sign” means any device that is used for conveying information and is affixed to the ground or is attached to or painted on a building, structure or fixture that is affixed to the ground;
- (i) “utility line” means
 - (i) an electric transmission line,
 - (ii) an electric distribution line,
 - (iii) a pipeline other than a pipeline to which the *Pipeline Act* applies, and
 - (iv) a drainage ditch, irrigation canal or ditch;
- (j) “vegetation” means a tree, hedge or shrub;
- (k) “well” means a well within the meaning of the *Oil and Gas Conservation Act* and a water well within the meaning of the *Water Act*.

Other approvals unaffected

2 Nothing in this Regulation shall be construed as eliminating the need to acquire any approval, consent or other authorization that is required under any federal, provincial or municipal enactment, regulation or bylaw or under any agreement.

Classes of provincial highways

3(1) The following classes of provincial highways, as shown in the Roadside Management Classification Map as amended from time to time and published on the website of the Minister’s Department, are established:

- (a) freeways;

- (b) multi-lane provincial highways that are not freeways;
- (c) major provincial highways;
- (d) minor provincial highways.

(2) Any change in the classification of a highway under subsection (1) comes into force on

- (a) the effective date of the change as specified in the amendment to the Roadside Management Classification Map that is published on the website, or
- (b) if no effective date is specified as set out in clause (a), the date on which the amendment to the Roadside Management Classification Map is published on the website.

(3) In addition to being classified under subsection (1), a provincial highway may be identified on the Roadside Management Classification Map by a name or route number, or both.

Permit required for development, display of equipment

4(1) No person shall, without a permit, commence a development or display equipment or cause a development to be commenced or equipment to be displayed,

- (a) in the case of a freeway,
 - (i) within the right of way or within 300 metres beyond the limit of the freeway, or
 - (ii) within 800 metres from the centre point of the intersection of the freeway and another highway,
- (b) in the case of a multi-lane provincial highway other than a freeway,
 - (i) within the right of way or within 300 metres beyond the limit of the highway, or
 - (ii) within 800 metres from the centre point of the intersection of the highway and another highway,
- (c) in the case of a major provincial highway,
 - (i) within the right of way or within 300 metres beyond the limit of the highway, or

- (ii) within 800 metres from the centre point of the intersection of the highway and another highway,

or

- (d) in the case of a minor provincial highway,
 - (i) within the right of way or within 150 metres beyond the limit of the highway, or
 - (ii) within 400 metres from the centre point of the intersection of the highway and another highway that is not a freeway, a multi-lane provincial highway or a major provincial highway.

(2) Subsection (1) does not apply to a wire fence that is located or to be located outside the right of way of the highway.

Special requirements for prescribed freeway developments

5(1) In this section, “prescribed freeway development” means a development described in clause (a), (b) or (c) that is or is to be located within the distances from a freeway set out in section 4(1)(a):

- (a) the placing, construction or erection of a building, structure or fixture for industrial purposes, commercial purposes, institutional purposes, recreational purposes, multi-residential purposes or country residential purposes;
- (b) the enlargement, extension, replacement, renovation or repair of a development referred to in clause (a);
- (c) a change to the original purpose or use of a development referred to in clause (a) on the parcel of land containing the development that may cause an intensification of the type or volume of vehicles that may
 - (i) enter onto the freeway from that parcel, or
 - (ii) exit from the freeway onto that parcel.

(2) For the purposes of subsection (1),

- (a) a development is for multi-residential purposes if it consists of or includes 3 or more single-family residences on a parcel of land, whether or not the residences are located in one or more buildings, and
- (b) a development is for country residential purposes if it is developed for country residential purposes within the meaning of the land use bylaw of the relevant

municipality, or for purposes that the Minister considers to be similar in nature to such purposes.

(3) The Minister shall not issue a permit under section 4 in respect of a prescribed freeway development unless

- (a) the municipality in which the development is located or proposed submits to the Minister a plan that sets out a system of local roads that will provide an adequate physical means of access from the parcel of land on which the development is located to the nearest designated access locations on the freeway in both directions from the development,
- (b) the Minister approves the plan referred to in clause (a), and
- (c) the municipality in which the development is located or proposed agrees to remove, within the time and in the manner prescribed by the Minister,
 - (i) any existing roadways specified by the Minister that provide physical means of access from the parcel of land on which the development is located to the freeway, and
 - (ii) any other roadways that are located between the accesses referred to in clause (a) and provide physical means of access to the freeway.

Funding assistance

6 Where, under the *Municipal Government Act*, a municipality approves a change in land use designation, a subdivision or a development in respect of a prescribed freeway development to which section 5(3) applies, the Minister may, on application, provide funding to the municipality to assist in the cost of either or both of the following:

- (a) constructing the system of local roads referred to in section 5(3)(a);
- (b) removing roadways referred to in section 5(3)(c).

Permit required for utility lines, vegetation

7(1) In this section, “construct”, in respect of a utility line, includes

- (a) the enlargement, extension, replacement, renovation or repair of the utility line, and

- (b) any change in the original purpose or use of the utility line or the parcel of land on which it is located that may cause an intensification of the type or volume of vehicles that may enter onto the provincial highway from that parcel or exit from the provincial highway onto that parcel.

(2) No person shall, without a permit,

- (a) place vegetation or cause vegetation to be placed, or
- (b) construct a utility line or cause a utility line to be constructed

within a permit area described in subsection (3).

(3) The permit areas for the purposes of subsection (2) are as follows:

- (a) in the case of a freeway,
 - (i) within the right of way, and
 - (ii) within 115 metres from the centre line of the roadway or 30 metres beyond the limit of the freeway, whichever is greater;
- (b) in the case of a multi-lane provincial highway other than a freeway,
 - (i) within the right of way, and
 - (ii) within 60 metres from the centre line of the roadway or 30 metres beyond the limit of the highway, whichever is greater;
- (c) in the case of a major provincial highway,
 - (i) within the right of way, and
 - (ii) within 60 metres from the centre line of the roadway or 30 metres beyond the limit of the highway, whichever is greater;
- (d) in the case of a minor provincial highway,
 - (i) within the right of way, and
 - (ii) within 50 metres from the centre line of the roadway or 30 metres beyond the limit of the highway, whichever is greater.

Application for permit

8(1) In this section and section 9, “proposal” means the proposed development, display of equipment, placement of vegetation or construction of a utility line to which an application for a permit relates.

(2) An application for a permit that is required under section 4 or 7 must be made to the Minister and must be in a form acceptable to and contain the information required by the Minister.

(3) Without restricting the generality of subsection (2), the Minister may require an applicant for a permit to provide any or all of the following information, as applicable:

- (a) any maps, plans, designs and specifications relating to the proposal;
- (b) the location, use and dimensions of the development, display of equipment, vegetation or utility line that is the subject of the proposal;
- (c) the type of vegetation that is the subject of the proposal;
- (d) the location and design of the existing physical means of access, if any, to the provincial highway affected by the proposal, and the volume and type of vehicle traffic using the physical means of access;
- (e) the location and design of any new physical means of access to the provincial highway affected by the proposal that will be required, and the expected volume and type of vehicle traffic that will be using the new physical means of access;
- (f) the anticipated type and intensity of vehicle traffic that may be generated during the carrying out of the proposal, and the plan to accommodate the anticipated traffic;
- (g) an engineering study pertaining to the topography, soil condition, highway geometrics, traffic and related information relevant to the proposal;
- (h) the location, direction, nature and intensity of any light that will be emitted from the proposal;
- (i) if the applicant has made an application for approval of the proposal to the appropriate municipality, a copy of that application and the decision of the municipality, if the decision is available;

- (j) if the applicant has not made an application referred to in clause (i), an indication as to when the application will be made, or why an application will not be made;
- (k) if the proposed development, display of equipment or utility line is temporary in nature,
 - (i) the proposed dates for the commencement and the termination of the development, display of equipment or utility line, and
 - (ii) the proposed site restoration plan;
- (l) any other information the Minister considers to be relevant.

Considerations

9 In determining whether to issue a permit under section 4 or 7, the Minister may consider any or all of the following, as applicable:

- (a) the classification of the provincial highway affected by the proposal;
- (b) the posted speed limit, sightlines, highway geometrics, current and projected traffic volumes of the provincial highway affected by the proposal and the type of vehicles using the provincial highway;
- (c) the type or volume of vehicle traffic to and from the provincial highway affected by the proposal that will be generated by the proposal, and the potential impact of such traffic on the functional integrity and safety of the provincial highway;
- (d) whether the location, dimension, site characteristics and physical means of access implications of the proposal are consistent with the planned future use of the provincial highway;
- (e) whether the design and characteristics of the proposal could create a visual obstruction or distraction to the motoring public;
- (f) any other matters that the Minister considers to be relevant for the assessment of the application.

Removal of freeway access

10(1) In this section, “interchange” means a bridge structure that forms part of a freeway and is used to separate intersecting traffic vertically and to provide a physical means of access to the freeway from high speed directional merge ramps.

(2) All interchanges shall be constructed within 800 metres of the location designated in an order under section 4(2) of the Act.

(3) Where an interchange is constructed on a freeway at a designated access location, the Minister shall, prior to opening the interchange to traffic, remove any roadway that provides a physical means of access to the freeway and is located within 4 kilometres from the centre point of the interchange.

Permit required for signs

11(1) No person shall, without a permit under this section, place a sign or cause a sign to be placed, or enlarge, extend, replace, renovate or repair a sign,

- (a) in the case of a freeway,
 - (i) within the right of way or within 300 metres beyond the limit of the freeway, or
 - (ii) within 800 metres from the centre point of the intersection of the freeway and another highway,
- (b) in the case of a multi-lane provincial highway other than a freeway,
 - (i) within the right of way or within 300 metres beyond the limit of the highway, or
 - (ii) within 800 metres from the centre point of the intersection of the highway and another highway,
- (c) in the case of a major provincial highway,
 - (i) within the right of way or within 300 metres beyond the limit of the highway, or
 - (ii) within 800 metres from the centre point of the intersection of the highway and another highway,

or

- (d) in the case of a minor provincial highway, within the right of way of the highway.

- (2)** Subsection (1) does not apply to a sign if
- (a) the purpose of the sign is to identify a business activity that is located on the parcel of land on which the sign is located,
 - (b) a permit has been issued under this Regulation in respect of the business activity to which the sign relates, and
 - (c) the sign is located
 - (i) not closer to the highway than the building that is on the parcel and in which the primary business activity is being or will be carried on, and
 - (ii) not farther than 30 metres from either side of the building referred to in subclause (i).

Application for permit

12(1) An application for a permit required under section 11 must be made to the Minister and must be in a form acceptable to and contain the information required by the Minister.

(2) Section 8(3)(a), (b), (d), (e), (f), (h), (i), (j), (k) and (l) apply, with necessary modifications, to an application under subsection (1).

(3) In addition to the requirements of subsections (1) and (2), the Minister may require an applicant for a permit under section 11 to provide any or all of the following information:

- (a) the information that will be displayed on the sign, including words, graphics, pictures and symbols;
- (b) the materials that will be used to make the sign;
- (c) the colour of the sign;
- (d) the nature of the paint materials that will be used on the sign;
- (e) the nature of any illumination that will be used on the sign;
- (f) the size of the sign;
- (g) the materials, dimension and nature of the sign superstructure;
- (h) a dimensional plan showing the location of the sign.

Considerations

13 Section 9(a), (b), (d), (e) and (f) apply, with necessary modifications, for the purposes of the Minister's decision as to whether to issue a permit under section 11.

Flashing or rotating lights prohibited

14(1) No person shall display or permit to be displayed a flashing or rotating light within the distances prescribed in section 4.

(2) Subsection (1) does not prohibit the use of flashing or rotating lights on a vehicle in accordance with any enactment of Alberta.

Prohibited signs

15 Notwithstanding anything in this Regulation, the Minister shall not issue a permit under section 11 in respect of a sign that

- (a) displays an intermittent flashing, rotating or moving light,
- (b) is flood-lighted in such a manner as to cause a visual distraction for the motoring public,
- (c) has any moving or rotating part,
- (d) bears a legend giving a command to stop, stop ahead, look or exercise caution, or gives a similar command, or
- (e) bears a legend that in any way imitates a standard or commonly used highway traffic sign.

Permit re physical means of access

16 No person shall enlarge, extend or replace a physical means of access referred to in section 22(2)(c) or 23(2)(c) of the Act without a permit.

Application for permit re physical means of access

17(1) An application for a permit required under section 22(2)(a) of the Act or section 16 of this Regulation must be made to the Minister and must be in a form acceptable to and contain the information required by the Minister.

(2) Section 8(3)(a) and (d) to (l) apply, with necessary modifications, to an application referred to in subsection (1).

Considerations

18 In determining whether to issue a permit required under section 22(2)(a) of the Act or section 16 of this Regulation,

- (a) section 9 applies, with necessary modifications, and
- (b) in the case of a proposal for the construction or maintenance of a physical means of access that enters or leaves a freeway, the Minister may consider whether the physical means of access
 - (i) is at a designated access location, or
 - (ii) was in existence prior to the designation of the highway as a freeway under section 4 of the Act and has not subsequently been removed by the Minister pursuant to a former Act or section 20 of the Act.

Temporary physical means of access to freeway

19(1) The Minister may grant to a person a temporary physical means of access to a freeway designated under section 4 of the Act.

(2) An application for a temporary physical means of access must be made to the Minister and must be in a form acceptable to and contain the information required by the Minister.

(3) Without restricting the generality of subsection (2), section 8(3)(a) and (d) to (l) apply in respect of an application for a temporary physical means of access.

Considerations

20 In determining whether or not to grant a temporary physical means of access under section 19,

- (a) section 9 applies, with necessary modifications, and
- (b) the Minister may consider the duration of the proposed temporary physical means of access and the time of the year when the temporary physical means of access is proposed to be operational.

Term of temporary physical means of access

21 A temporary physical means of access may be granted for an initial term not exceeding 60 days and may be extended for one additional period not exceeding 30 days.

Cancellation of temporary physical means of access

22 The Minister may cancel a temporary physical means of access for any reason that the Minister considers appropriate.

Permit for recommencement of commercial use

23 In a case where section 16 of the Act applies, the application for the permit for the commercial purposes must be made and dealt with in accordance with sections 8 and 9 of this Regulation.

Changes to permits

24 The Minister may, on application or on the Minister's own initiative, add to, delete or change the terms and conditions of a permit under this Regulation.

Exemption power

25(1) The Minister may, subject to any terms and conditions the Minister considers appropriate, exempt a development, display of equipment, utility line, type of vegetation or sign from the requirement of a permit under this Regulation.

(2) Subsection (1) does not apply to a permit referred to in section 16 that is in respect of a physical means of access to a freeway designated under section 4 of the Act.

(3) An exemption referred to in subsection (1) may be granted

- (a) in respect of a particular location or more than one location,
- (b) in respect of a particular highway or a class or classes of highways, and
- (c) in respect of a particular development, equipment, utility line, type of vegetation or sign or a class of development, equipment, utility line, vegetation or sign.

(4) A person to whom an exemption is granted shall comply with all terms and conditions imposed by the Minister.

Section 18 notice

26(1) The Minister is not required to give a notice under section 18(1) of the Act where the thing that is the subject of section 18(1) is located in the right of way of the controlled highway.

(2) In a case where subsection (1) applies, the Minister may carry out whatever work the Minister considers to be necessary and may recover the cost of carrying out that work from the owner in an action in debt.

Section 50 consent

27(1) A person who wishes to obtain the Minister's consent with respect to an activity referred to in section 50 of the Act must apply to the Minister.

(2) The application for consent must be in a form acceptable to and contain the information required by the Minister.

(3) Section 8(3)(a), (b) and (f) to (l) apply, with necessary modifications, to the application.

(4) Section 9(b), (e) and (f) apply, with necessary modifications, for the purposes of the Minister's decision as to whether to give the consent.

(5) The Minister may give consent subject to any terms and conditions that the Minister considers appropriate.

(6) A person to whom consent is given shall comply with all terms and conditions imposed under subsection (5).

Consent re section 5 highways

28(1) No person shall, without the prior consent of the Minister,

- (a) on a highway or road that is under the direction, control and management of the Minister by reason of section 5 of the Act,
 - (i) commence a development or display equipment or cause a development to be commenced or equipment to be displayed,
 - (ii) place vegetation or cause vegetation to be placed,
 - (iii) construct a utility line or cause a utility line to be constructed within the meaning of section 7(1), or
 - (iv) place a sign or cause a sign to be placed, or enlarge, extend, replace, renovate or repair such a sign,

or

- (b) construct or maintain a physical means of access to a highway or road referred to in clause (a).

(2) An application for consent must be in a form acceptable to and contain the information required by the Minister.

(3) Sections 8(3) and 12(3) apply, with necessary modifications, to the application.

(4) Sections 9 and 20(b) apply, with necessary modifications, for the purposes of the Minister's decision as to whether to give consent.

(5) The Minister may give consent subject to any terms and conditions the Minister considers appropriate.

(6) A person to whom consent is given shall comply with all terms and conditions imposed under subsection (5).

Exemption from consent requirement

29 Section 25(1) and (3) apply, with necessary modifications, in respect of the requirement for consent under sections 27 and 28.

Irrigation bridge structures

30(1) In this section,

(a) "bridge structure" means

- (i) a structure having a hydraulic capacity equal to or greater than that of a 1500 mm diameter corrugated metal pipe, or
- (ii) a corrugated metal pipe with a diameter of at least 1500 mm

and includes head slope protection and backfill of abutments, in the case of a structure, and slope protection and backfill, in the case of a corrugated metal pipe;

(b) "culvert" means a structure of lesser capacity than a bridge structure;

(c) "irrigation canal" means an artificial channel or ditch constructed for the purpose of

- (i) carrying water for irrigation or domestic use, or
- (ii) draining land that otherwise would not be drained by natural means;

(d) "irrigation district" means an irrigation district within the meaning of the *Irrigation Districts Act*.

(2) In determining under section 46 of the Act who is to have responsibility for

- (a) the construction of a bridge structure that is made necessary by

- (i) the construction of a new highway, or
 - (ii) the construction of a new irrigation canal that intersects a highway,
- or
- (b) bridge structure work related to
 - (i) the widening, raising or realignment of a highway of which the bridge forms part, or
 - (ii) the deepening, widening or realignment of an irrigation canal that intersects a highway,

the Minister shall give consideration to any factors the Minister considers are relevant, including, without limitation, which highway authority or irrigation district is initiating or undertaking the construction, widening, raising, deepening or realignment, as the case may be.

(3) After completion of the construction or work referred to in subsection (2), the highway authority having direction, control and management of the relevant highway is responsible for the ongoing maintenance and reconstruction of the bridge structure.

(4) Where a bridge structure is being constructed, rehabilitated, replaced, reconstructed or maintained by or under the direction of a person other than the relevant highway authority, that person shall comply with all reasonable requirements of the highway authority in respect of standards and specifications for the bridge structure.

(5) Subsections (2) to (4) apply with all necessary modifications in respect of construction of and work on a culvert that forms part of a highway.

(6) Subsections (2), (3) and (5) are subject to any agreement that provides otherwise.

(7) If there is a dispute between a highway authority and any other person responsible for the construction, rehabilitation, replacement, reconstruction or maintenance of a bridge structure or culvert in respect of any matter under this section, the highway authority or person may refer the dispute to the Minister, whose decision is final.

Leasing of unused and closed highways

31(1) In this section and section 32, “unused or closed highway” means a highway or a portion of a highway referred to in section

61(b) of the Act that is under the direction, control and management of the Minister.

(2) The Minister may lease an unused or closed highway for agricultural purposes to an owner or occupier of land adjacent to the highway.

Granting of lease

32(1) A person who wishes to obtain a lease under section 31 shall submit an application to the Minister in a form acceptable to and containing the information required by the Minister.

(2) If the Minister considers that the unused or closed highway is appropriate for leasing, the Minister may require the applicant to publish in a form and manner specified by the Minister a notice that

- (a) describes the location of the unused or closed highway and the proposed agricultural use, and
- (b) contains any other information specified by the Minister.

(3) The Minister may grant the lease if the Minister considers that it is appropriate to do so, considering the comments and recommendations, if any, that were received in respect of the notice.

(4) The term of a lease is one year and the Minister may renew the lease for additional one-year periods.

(5) The Minister may grant a lease subject to any terms and conditions the Minister considers appropriate.

City transportation systems

33(1) In this section, “project” means the studies, analysis, planning, design, construction, physical elements or apparatus that form part of or contribute to the development of a transportation facility for a transportation system under section 32 of the Act.

(2) In setting terms of reference governing the preparation of a transportation study report for the purposes of section 32 of the Act, the Minister may address the following matters:

- (a) project criteria;
- (b) procedures governing the submissions and approval of transportation system bylaws under section 33(4) of the Act and applications for funding in respect of the transportation study report;

- (c) accounting statements;
- (d) tendering;
- (e) notification to the Minister of the intent to undertake a project;
- (f) participation by the Minister's representative in projects;
- (g) the form and contents of transportation system bylaws;
- (h) submission to the Minister of information relating to a project at any time during implementation of a project;
- (i) any other matter the Minister considers appropriate.

(3) Before planning a transportation facility forming part of a city transportation system, the city shall notify the Minister of its intention to do so.

(4) On being notified under subsection (3), the Minister shall inform the city as to whether the Minister wishes to participate in the planning of the project.

Use of provincially funded highways

34(1) Where the Minister provides financial assistance in respect of the construction or maintenance of a controlled street that provides continuity or continuance of a provincial highway within the boundaries of a city, the city shall not, without the consent of the Minister, prohibit or restrict the use of that controlled street or any portion of it by any vehicle that may be lawfully operated on that provincial highway.

(2) Subsection (1) does not apply in respect of vehicles transporting dangerous goods as defined in the *Dangerous Goods Transportation and Handling Act* where the city provides an alternative route through or around the city that is satisfactory to the Minister.

(3) Nothing in this section affects a city's authority under any enactment to close a road under its direction, control and management.

Offences

35(1) A person who contravenes any of the following sections of this Regulation is guilty of an offence and is liable to a fine of not more than \$500 for each day on which the offence occurs or continues:

- (a) section 4(1),
- (b) section 7(2),
- (c) section 14(1),
- (d) section 16,
- (e) section 25(4),
- (f) section 27(1) or (6),
- (g) section 28(1)(a)(i), (ii), (iii), (1)(b) or (6), or
- (h) section 30(4).

(2) A person who contravenes section 11(1) or section 28(1)(a)(iv) is guilty of an offence and is liable to a fine of not more than \$25 for each day on which the offence occurs or continues.

Administrative penalties

36(1) The Minister may give a notice of administrative penalty under section 55 of the Act

- (a) in respect of the following provisions of the Act:
 - (i) the contravention of section 19(1), except where the notice relates to a sign;
 - (ii) the contravention of an order under section 40(1) or 41(1);
 - (iii) the contravention of section 45(4), 50, 51(1), 52(1) or 53(1);
- (b) in respect of the contravention of the following sections of this Regulation:
 - (i) section 4(1),
 - (ii) section 7(2),
 - (iii) section 14(1),
 - (iv) section 16,
 - (v) section 25(4),
 - (vi) section 27(1),
 - (vii) section 27(6),

- (viii) section 28(1)(a)(i), (ii) or (iii),
- (ix) section 28(1)(b),
- (x) section 28(6),
- (xi) section 30(4).

(2) A notice of administrative penalty must contain the following information:

- (a) the name of the person on whom the notice of administrative penalty is served;
- (b) the provision of the Act or this Regulation that is alleged to have been contravened;
- (c) a brief description of the nature of the contravention;
- (d) the date on which the notice of administrative penalty was issued;
- (e) the total amount of the administrative penalty that must be paid and an indication of whether the administrative penalty is a fixed amount or accumulates for each day or part of a day on which the contravention occurs;
- (f) the date by which the administrative penalty must be paid;
- (g) a statement of the right to appeal the notice of administrative penalty to the Alberta Transportation Safety Board under section 58 of the Act, and particulars as to how the appeal is to be taken and the time within which it must be taken.

Cancellation of endorsement under City Transportation Act

37 Notwithstanding the repeal of the *City Transportation Act*, section 13 of that Act continues to apply where a city bylaw abandons a transportation protection area that was designated before the repeal of that Act.

Repeals

38 The following regulations are repealed:

- (a) the *Highway Development Control Regulation* (AR 242/90);
- (b) the *Leasing of Closed Highways Regulation* (AR 36/86);
- (c) the *City Transportation Regulation* (AR 301/80);

- (d) the *Irrigation Districts Bridge Structures and Culverts Regulation* (AR 245/90).

39 Repealed AR 179/2016 s2.

Coming into force

40 This Regulation comes into force on the date on which the *Highways Development and Protection Act* is fully proclaimed in force.



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