

POLICY

433



Title:
Road Licensing

Legal References:

Municipal Government Act
Traffic Safety Act
Public Lands Act
Master Rates Bylaw

Policy Category:

Infrastructure & Operations

Cross References:

Policy 210 – Insurance Requirements
Procedure PRO-433 – Road Licensing

Effective Date: July 6, 2010

Revision Date:

Purpose:

The purpose of the Road Licensing Policy is to administer a fair and consistent formal process to license for use any undeveloped Road Allowance right-of-ways located within the County. All road allowances within the County, as per the *Municipal Government Act*, whether presently in use as a roadway or not, is vested in the Crown in right of Alberta however, the County has the direction, control and management of all roadways within the County except provincial highways. Applications to license undeveloped road allowances for agricultural purposes can only come from adjacent landowners or those holding a beneficial interest in the road allowance.

Definitions:

- “Municipal Government Act” means an act of the legislature of the Province of Alberta, which authorizes and creates the governance of urban and rural municipalities throughout Alberta
- “County” means Rocky View County
- “Traffic Safety Act” means an act of the legislature of the Province of Alberta, which provide rules for the registration and operation of motor vehicles, as well as other matters
- “Undeveloped Road Allowance” means any land dedicated as a road right-of-way that has not been fully developed or required for vehicular traffic since a suitable alternative has been provided. The right-of-way may or may not be shown as a road on a plan of survey that has been filed or registered in a land titles office

Policy Statements:

1. Only persons who are immediately adjacent to the lands or hold a beneficial interest in the Road Allowance may apply for a license.
2. The County shall permit licensing of undeveloped road allowances for grazing or cultivation purposes only as per section 13 (o) of the *Traffic Safety Act*.
3. In accordance with the requirements of the *Traffic Safety Act* the County has the absolute right to terminate the Road License Agreement upon thirty (30) days notice in writing to the Licensee. However, should the County require the leased portion of road allowance for road construction, the Licensee shall be given 60 days termination notice. Where there is crop damage or loss related to the County's requirement for the road allowance, compensation shall be considered in accordance with the levels set out in the Master Rates Bylaw.
4. The Licensee shall sign a Road License Agreement, prepared by Rocky View, for the use of the road allowance and will pay to Rocky View, as rent, an annual license fee as set out in the Master Rates Bylaw.
5. All licenses issued will be for non-exclusive use only but may be limited to human foot traffic and farm operation vehicles.

6. All Licensees shall be advised of the minimum insurance requirements in accordance with Policy 210 on Insurance Requirements for the Use of Municipally Controlled Land and the Evaluation Criteria for Level of Insurance Requirements.