

BYLAW NO. 1323-05

**A BYLAW OF THE TOWN OF VULCAN, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROHIBITING THE USE OF "ENGINE RETARDER BRAKES" WITHIN THE LIMIT OF THE TOWN OF VULCAN**

**WHEREAS**, the Council of the Town of Vulcan (hereinafter referred to as "the TOWN.") wishes to prohibit the use of Engine Retarder Brakes within the Town's limit;

**WHEREAS**, the Council of the Town of Vulcan has determined it is in the best interests of the Town to pass such a bylaw.

**NOW THEREFORE**, the Council of the Town of Vulcan, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. THAT, this bylaw shall be cited as the "Bylaw Prohibiting Use Of Engine Retarder Brakes".
2. THAT, in this bylaw, unless the context otherwise requires:
  - a) **Council** means the Council of the Town of Vulcan.
  - b) **Municipality** means the corporation of the Town of Vulcan, and where the context so requires, means the land included in the boundaries of the Town.
  - c) **Municipal Government Act** shall mean the Municipal Government Act, Statutes of Alberta, 1994, c.M-26.1 and amendments thereto.
3. THAT, No Person shall apply or engage engine retarder brakes on any truck or other vehicle in any part of the Town of Vulcan.
4. THAT, A person contravening a provision of this Bylaw and any other person liable or responsible for such contravention shall upon Summary Conviction before a Court of competent jurisdiction be liable to a fine not exceeding Twenty Five Hundred Dollars (\$2,500.00) exclusive of cost, or, in event of non-payment of the fine and cost, to imprisonment for a period not exceeding Sixty (60) days unless such fine and costs including the cost of committal are sooner paid.
5. THAT, this bylaw rescinds all previous Bylaws that pertain to this action.
6. THAT, this bylaw shall come into force and effect upon the date of final reading hereof.

READ for a FIRST time this 10<sup>th</sup> day of January A.D., 2005.

READ for a SECOND time this 10<sup>th</sup> day of January A.D., 2005.

READ for a THIRD time this 10<sup>th</sup> day of January A.D., 2005.

  
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David Mitchell, Mayor

  
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Alcide Cloutier, Chief Administrative Officer