

VARIOUS ROADS TRAFFIC BYLAW UPDATES

EXECUTIVE SUMMARY

This report proposes updates to five parts of the Calgary Traffic Bylaw 26M96. The sections are related to parades and special roadway events, the use of school bus flashing lights, and bicycles.

ADMINISTRATION RECOMMENDATION(S)

The SPC on Transportation and Transit recommends that Council:

1. Give three readings to the proposed bylaw to amend the Calgary Traffic Bylaw 26M96 (Attachment 1).

RECOMMENDATION OF THE SPC ON TRANSPORTATION AND TRANSIT, DATED 2015 MAY 20:

That Council give three readings to proposed Bylaw **23M2015**.

PREVIOUS COUNCIL DIRECTION / POLICY

At its 2014 July 21 combined meeting, Council adopted Report TT2014-0467, which included the following:

1. "Direct administration to review Schedule L of the Calgary Traffic Bylaw 26M96".

Administration is proposing another four updates in this report proactively, without direct instruction from Council.

BACKGROUND

The Calgary Traffic Bylaw 26M96 requires amendments from time to time to ensure that it stays up to date.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Five parts of the Calgary Traffic Bylaw are updated by the amendment proposed in this report, they are as follows:

Schedule "L": Roads Where Buses May Use Flashing Lights

Schedule "L" of the bylaw is a list of streets where a school bus can use its red and yellow flashing light system when loading and unloading passengers. The list is made up of rural-style streets without a curb and gutter.

As the City develops, and annexes new land, this Schedule can quickly become out of date, the current list does not accurately reflect the City streetscape today. Rather than maintaining a list of streets that would require frequent amendments to stay up to date, the proposed amendment deletes Schedule "L" and applies the actual criteria for a location where red and yellow flashing light systems can be used directly into the bylaw.

This change will create a consistent rule for the school boards and school bus operators while eliminating the need to continually update a list of streets in the future.

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Section 40 & 40.1: Parades and Special Roadway Events

One purpose of this amendment is to bring the bylaw in-line with the process for approving parades and special roadway events that has developed over a number of years. Section 40 of the bylaw addresses these applications and states that the Mayor and the Chief of Police 'issue' permits for these events. Existing practice is for the Roads Traffic Division to 'issue' a permit for events after an application process to the Interdepartmental Events Team and circulation of stakeholders, which includes representation from the Police. All internal stakeholders must be satisfied before an event is approved.

Section 40(8) of the bylaw outlines that an applicant may appeal, directly to Council, any refusal or condition placed on a permit by the Mayor or Chief of Police and that Council may confirm or vary the decision. This section would be removed from the bylaw as the language is inconsistent with the current process. A parade or special roadway event permit application goes through a structured process involving numerous internal and external stakeholders. Disagreements with permit decisions are rare and a mechanism exists to address them.

The current fine for interfering with a parade or special roadway event is \$200, as per section 40.1(1). The fine is not high enough to act as a deterrent and does not adequately reflect the seriousness and impact to the event operator, spectators and City operations. At the recommendation of The City's Law Department, the amendment would increase this fine to \$3,000. The fine for holding a parade or special roadway event without a permit would increase from \$100 to \$3,000 and the fine for failing to comply with a Peace Officer's directions would increase from \$500 to \$1,500. The City requires an event organizer to adhere to all permit conditions so that a parade or special roadway event can be safely managed, a new fine of \$1,000 would be created for an operator failing to comply with permit conditions.

Other house-keeping updates are required in Section 40 to ensure that there is consistency with the amendments outlined above.

With these amendments in place, City process for approving parades and special roadway events will be aligned with The Calgary Traffic Bylaw and the possibility of problems, such as court challenges, associated with these permits will be minimized.

Section 36.2: Exclusive Bike Lane

As the bylaw is written, the Traffic Engineer can only designate an exclusive bicycle lane on a laned roadway, which is defined as "a roadway divided into two or more marked lanes for vehicles proceeding in the same direction". This is an error in the bylaw and is not what happens in practice. The Traffic Engineer should be able to designate any portion of a roadway as an exclusive bike lane, and not be limited to a lane of a laned roadway. The amendment will correct this language.

Bike Lanes and On-Street Parking

There is currently a gap in the bylaw where vehicles are only able to cross a bike lane to access off-street parking lots, adjacent driveways, or intersecting streets. Technically, this means that a driver may not cross a bike lane to access on-street parking spaces. An amendment to the

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Calgary Traffic Bylaw is proposed to allow vehicles to cross a bike lane when accessing on-street parking.

Cyclists Entering the Road from a Pathway

There is no provincial or municipal rule that regulates the action of a cyclist when they are leaving a pathway and accessing a roadway. Gaps in legislation like this create an unsafe situation for all road users. An amendment to The Calgary Traffic Bylaw is proposed to specify that a person riding a bicycle that is about to enter onto a roadway or sidewalk from a pathway must, unless the intersection is marked with a yield sign, stop the bicycle before entering the roadway or sidewalk.

Stakeholder Engagement, Research and Communication

Numerous internal and external stakeholders were engaged while writing this report. They include the Calgary Board of Education, the Calgary Catholic School District in regard to the Schedule "L" changes and the Office of the Mayor, the Office of the Chief of Police and Recreation regarding parades and special roadway event permits. The Law Department provided input throughout the development of the report.

Strategic Alignment

Amendments to The Calgary Traffic Bylaw keep it up to date and support goals outlined in the Calgary Transportation Plan such as the promotion of safety for transportation system users, well managed transportation infrastructure, developing a strong sense of place within communities and ensuring the efficient movement of goods.

Social, Environmental, Economic (External)

The recommended bylaw amendments in this report support the good management of events that benefit the citizens of Calgary, such as parades and special events. They promote safety for school bus passengers, operators and other road users.

There is economic benefit to The City and goods movement industry by creating consistency and sustainability for goods movement planning and permits. Well managed parades and special roadway events also provide an economic benefit to the city as a whole.

Financial Capacity

Current and Future Operating Budget:

There are no impacts to the Roads operating budget arising from this report.

Current and Future Capital Budget:

There are no impacts to the Roads capital budget arising from this report.

Risk Assessment

As City processes evolve, bylaws can become outdated and a risk develops of acting outside of our authorities. A physically changing city can lead to outdated reference material in bylaws and the removal of reference schedules can improve the longevity and clarity of the bylaws over time.

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REASON(S) FOR RECOMMENDATION(S):

The proposed amendment to The Calgary Traffic Bylaw 26M96 in this report will contribute to keeping the bylaw up to date and ensuring that City processes are in line with legislation.

ATTACHMENT(S)

1. **Proposed Bylaw 23M2015**
2. Excerpts from the Calgary Traffic Bylaw 26M96 Showing Proposed Changes.