

# PROPOSED

TT2019-0205  
ATTACHMENT 1

## BYLAW NUMBER 1H2019

### BEING A CHARTER BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 26M96, THE CALGARY TRAFFIC BYLAW AND BYLAW 41M2001, THE CALGARY PARKING BYLAW

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**WHEREAS** section 6 of the *City of Calgary Charter, 2018 Regulation*, AR 40/2018 (the “*Charter*”), modifies the *Traffic Safety Act*, R.S.A. 2000, c. T-6 (the “*TSA*”), as that Act is to be read for the purposes of being applied to the City of Calgary;

**AND WHEREAS** section 6(3) of the *Charter* adds section 13.1 to the *TSA*, which empowers Council to, despite anything to the contrary in the *TSA* or its regulations, make bylaws respecting:

- (a) the use of separate hand signals for cyclists (subsection 13.1(1)(c));
- (b) signage requirements for cyclists (subsection 13.1(1)(d));
- (c) requirements for drivers to allow adequate space for cyclists (subsection 13.1(1)(e)); and
- (d) parking adjacent to painted curbs (subsection 13.1(1)(f));

**AND WHEREAS** section 13.1(2) of the *TSA* requires a bylaw made pursuant to subsection 13.1(1) identify any provision of the *TSA* or its regulations that the bylaw is modifying;

**AND WHEREAS** section 8(3)(b) of the *Charter* modifies section 46 of the *Use of Highway and Rules of the Road Regulation*, AR 304/2002, which governs angle parking;

**AND WHEREAS** pursuant to section 11(2) of the *Charter* the modification effected by section 8(3)(b) has application on and after a day to be specified in a bylaw of the City under the *TSA*;

**AND WHEREAS** pursuant to section 9(1) of the *Charter*, Council must, before giving second reading to a proposed bylaw under the authority provided by sections 6 and 8 of the *Charter*, hold a public hearing in respect of the proposed bylaw in accordance with section 230 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 after giving notice of it in accordance with section 606 of that act.

**AND WHEREAS** this Bylaw has been advertised in accordance with section 606 and a public hearing has been held in accordance with section 230:

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

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1. Bylaw 26M96, the Calgary Traffic Bylaw, as amended, is hereby further amended as follows:

- (a) the following is added after subsection 4(6) as subsection 4(7):

“(7) Despite section 1 of the *Traffic Control Device Regulation*, AR 254/2004, the Traffic Engineer may establish and use signage and other traffic control devices in respect of cyclists where the *Manual of Uniform Traffic Control Devices for Canada* does not set out design standards for such signage.”

- (b) the following is added after section 41.1 as section 41.2:

### **“USE OF HAND SIGNALS BY CYCLISTS”**

41.2 In addition to the hand signals permitted by section 11 of the *Use of Highway and Rules of the Road Regulation*, AR 304/2002, a person operating a bicycle may indicate the person’s intention to turn to the right by extending that person’s right hand and arm horizontally.”

- (c) the following is added before section 42 as section 41.3:

### **“PASSING CYCLISTS”**

41.3 In addition to the rules governing overtaking and passing set out in Division 5 of the *Use of Highway and Rules of the Road Regulation*, AR 304/2002, a person driving a motor vehicle that is overtaking a person operating a bicycle must leave at least:

- (a) 1 metre between the motor vehicle and the bicycle if the motor vehicle is travelling at a speed of 60 kilometres per hour or less;
- (b) 1.5 metres between the motor vehicle and the bicycle if the motor vehicle is travelling at a speed of greater than 60 kilometres per hour.”
- (d) in Schedule “A”, under the headings indicated, after:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after	EARLY PAYMENT AMOUNT 2 (if paid 10 to 30 days after the	SPECIFIED PENALTY

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		the date of the offence)	date of the offence)	
"41.1(3)	Fail to yield right of way at multi-use crossing			\$500.00"

the following is added:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after the date of the offence)	EARLY PAYMENT AMOUNT 2 (if paid 10 to 30 days after the date of the offence)	SPECIFIED PENALTY
"41.3	Leaving less than the prescribed distance when passing a person operating a bicycle			\$203.00"

2. Bylaw 41M2002, the Calgary Parking Bylaw, as amended, is hereby further amended as follows:

- (a) section 5 is deleted and replaced with the following:

### **"ANGLE PARKING"**

5. (1) Pursuant to section 11(2) of the *City of Calgary Charter, 2018 Regulation*, AR 40/2018 (the "*Charter*"), section 8(3)(b) of the *Charter* has application on and after March 18, 2019.
- (2) When:
- (a) a sign indicates that angle parking is permitted or required, and
- (b) parking guidelines are visible on the roadway,
- a person may only park a vehicle with the vehicle's sides between and parallel to any 2 of the guidelines and

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- (c) a wheel of the vehicle not more than 500 millimetres from the curb or edge of the roadway, and
- (d) the vehicle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the vehicle is parked.

(3) When:

- (a) a sign indicates that angle parking is permitted or required, and
- (b) no parking guidelines are visible on the roadway,

a person may only park a vehicle with the vehicle's sides at an angle of between 30 and 60 degrees to the curb or edge of the roadway and:

- (c) a wheel of the vehicle not more than 500 millimetres from the curb or edge of the roadway, and
- (d) the vehicle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the vehicle is parked.

### **PARKING ADJACENT TO PAINTED LINES ON A ROADWAY**

5.1 Despite sections 45 and 46 of the *Use of Highway and Rules of the Road Regulation*, AR 304/2002, where a traffic control device indicates that parking is permitted adjacent to a painted line on a roadway, that line is deemed to be the curb for the purposes of sections 4 and 5 of this Bylaw."

- (b) in Schedule "A", under the headings indicated, the following is deleted:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after the date of the offence)	EARLY PAYMENT AMOUNT 2 (if paid 10 to 30 days after the date of the offence)	PROVINCIAL SPECIFIED PENALTY
"5(1) and (2)	Improper Parking where Angle Parking is Indicated	\$40.00	\$50.00	\$68.00"

and replaced with:

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SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after the date of the offence)	EARLY PAYMENT AMOUNT 2 (if paid 10 to 30 days after the date of the offence)	PROVINCIAL SPECIFIED PENALTY
"5(2) and (3)	Improper Parking where Angle Parking is Indicated	\$40.00	\$50.00	\$68.00"

3. (1) This Bylaw comes into force upon being published on The City of Calgary's website in accordance with section 10 of the *City of Calgary Charter, 2018 Regulation*, AR 40/2018.
- (2) Despite subsection (1), subsections 1(c) and (d) come into force on September 1, 2019.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_