

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

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:

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

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.”

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(d) in Schedule “A”, under the headings indicated, after:

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
“41.1(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.

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- (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
- (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.”

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(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:

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"

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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 _____