

PROPOSED

TT2019-0205
ATTACHMENT 2

BYLAW NUMBER 8M2019

BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND BYLAW 26M96,
THE CALGARY TRAFFIC BYLAW,
BYLAW 20M88, THE STREET BYLAW,
BYLAW 52M87, THE STEPHEN AVENUE MALL BYLAW
BYLAW 26M85, THE MALL BETWEEN SECOND STREET S.E.
AND FIRST STREET S.E. ON EIGHTH AVENUE BYLAW
BYLAW 17M84, THE BARCLAY MALL BYLAW
BYLAW 38M2012, THE MUNICIPAL COMPLEX BYLAW
BYLAW 4M81, THE CALGARY TRANSIT BYLAW

WHEREAS Council has considered TT2019-0205 and deems it necessary to make various amendments to Bylaw 26M96, the Calgary Traffic Bylaw, and related bylaws;

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) subsection 2(1)(c) is deleted and replaced with the following:

“(c) *“bicycle”* means a bicycle or power bicycle, as those terms are defined in the *Use of Highway and Rules of the Road Regulation*, AR 304/2002;”
 - (b) the following is added after subsection 2(1)(ak.1) as subsection 2(1)(ak.2):

“(ak.2) *“scooter”* means a vehicle consisting of a footboard mounted on two wheels and a long steering handle, propelled by resting one foot on the footboard and pushing the other against the ground;”
 - (c) the following is added after subsection 2(1)(al) as subsection 2(1)(al.1):

“(al.1) *“skateboard”* means a board with wheels that is ridden in a standing or crouching position and propelled by foot;”
 - (d) subsection 2(1)(am) is deleted and replaced with the following:

“(am) *“sidewalk”* means that part of a highway especially adapted to use of or ordinarily used by pedestrians, and includes that part of the highway between the curb line (or edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved, but does not include a pathway designated by the Director, Parks pursuant to Bylaw 11M2019, the Parks and Pathways Bylaw;”

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- (e) subsection 36.2(3) is deleted and replaced with the following:
- “(3) A person must not operate, stop or park any vehicle other than:
- (a) a bicycle;
 - (b) a skateboard;
 - (c) a scooter;
 - (d) in-line skates and roller skates; or
 - (e) a vehicle of a type or class approved by the Traffic Engineer;
- in an exclusive bicycle lane unless specifically permitted by this Bylaw.”
- (f) the following is added after subsection 36.2(4) as subsection 36.2(4.1):
- “(4.1) A person operating a motor vehicle on a roadway must yield the right of way to a person riding or using a bicycle, skateboard, scooter, inline skates or roller skates within an exclusive bicycle lane.”
- (g) the following is added after subsection 36.2(7) as subsections 36.2(8) and (9):
- (8) A person operating or riding a vehicle set out in subsection 3(b),(c), (d) or (e) in an exclusive bike lane:
- (a) has all the rights and is subject to all the duties that a person operating a bicycle has under this Bylaw; and
 - (b) must obey the directions of any traffic control device which governs the operation of a bicycle.
- (9) A person operating or riding a vehicle set out in subsection (3)(b), (c) or (d) in an exclusive bike lane between ½ hour after sunset and ½ hour before sunrise must ensure that:
- (a) the vehicle or device is equipped with; or
 - (b) the person is wearing;
- either a clear or red light or lights which is activated and visible from both the front and rear of the person.”
- (h) subsection 41(8) is deleted and replaced with the following:
- “(8) A person riding a bicycle that is about to enter onto a roadway or sidewalk from a pathway must, unless the intersection is otherwise marked, yield to any vehicle or pedestrian on the roadway, sidewalk or pathway.”

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- (i) subsection 41.1(1) is deleted and replaced with the following:
 - “41.1 (1) The Traffic Engineer may designate cross walks upon which a person may ride or operate a bicycle, skateboard, scooter, inline skates or roller skates to cross the roadway.”
- (j) subsections 41.1(3) and (4) are deleted and replaced with the following:
 - “(3) A person operating a motor vehicle on a roadway must yield the right of way to:
 - (i) a pedestrian; and
 - (ii) a person riding or using a bicycle, skateboard, scooter, inline skates or roller skates;who is crossing the roadway within a multi-use crossing.
 - (4) When crossing a roadway within a multi-use crossing:
 - (i) a pedestrian; and
 - (ii) a person riding or using a bicycle, skateboard, scooter, inline skates or roller skates;has the same rights and obligations as a pedestrian using a crosswalk.”
- (k) subsection 42(6) is deleted and replaced with the following:
 - “(6) Notwithstanding the provisions of subsection (1), a person may use in-line skates, roller skates, a scooter, or a skateboard on a sidewalk.
 - (6.1) Despite subsection (6), a person must not use in-line skates, roller skates, a scooter, or a skateboard on a sidewalk if the Traffic Engineer has posted a traffic control device indicating that skateboarding, scooters, in-line skates or roller skates are not allowed on the sidewalk of the block in which the traffic control device is posted.
 - (6.2) A person using in in-line skates, roller skates, a scooter, or a skateboard on a sidewalk must not use the in-line skates, roller skates, a scooter, or a skateboard in a manner that interferes with a pedestrian using the sidewalk.”
- (l) in section 44(2), the words “on roller skates,” are deleted.
- (m) section 44(3) is deleted and replaced with the following:

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- “(3) Subject to subsection 36.2(3), a person must not operate or use a skateboard, scooter, inline skates or roller skates on a roadway, except:
- (a) while crossing such roadway on a crosswalk or multi-use crossing; or
 - (b) while crossing an intersection between exclusive bike lanes.”
- (n) 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
“36.2(3)	Stopping, Parking or Operating in a bicycle lane	\$40.00	\$50.00	\$75.00”

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
“36.2(4.1)	Fail to yield right of way			\$500.00
36.2(9)	Operate at night without lights			\$100.00”

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(o) 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)	SPECIFIED PENALTY
“41(8)”	Bicycle rider failing to stop before entering roadway or sidewalk from pathway			\$100.00”

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)	SPECIFIED PENALTY
“41(8)”	Bicycle rider failing to yield before entering roadway, sidewalk or pathway			\$100.00”

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(p) 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 a 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
“42(6.1)	Use skates, scooter or skateboard on sidewalk where prohibited			\$75.00
42(6.2)	Use skates, scooter or skateboard on sidewalk in a manner that interferes with a pedestrian			\$150.00”

2. Bylaw 20M88, the Street Bylaw, as amended, is hereby further amended by adding the following after subsection 17(5) as subsection 17(6):

“(6) Notwithstanding subsection (4), parking a bicycle on a Sidewalk adjacent to a bicycle rack installed by the City shall be allowed under this Bylaw.”

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3. Bylaw 52M87, the Stephen Avenue Mall Bylaw, as amended, is hereby further amended by deleting subsections 6(2), (2.1), (2.2) and (2.3) and replacing them with the following:
 - “(2) Notwithstanding any other provisions of this Bylaw the following activities are prohibited on the Mall: the operation of skateboards, the operation of scooters, roller skating or in-line skating, the riding of bicycles, the throwing of projectiles of any nature or kind, and the feeding of birds on the Mall.
 - (2.1) Despite subsection (2), the Traffic Engineer may designate those portions of the Mall where the riding of bicycles, the operation of skateboards or scooters and the use of roller skates and in-line skates are permitted.
 - (2.2) Where the Traffic Engineer has designated portions of the Mall where the riding or operation of bicycles, skateboards, scooters, in-line skates or roller skates are permitted:
 - (a) the Traffic Engineer may impose restrictions in respect of the times of day when the riding or operating of bicycles, skateboards, scooters, inline skates or roller skates and in-line skates are permitted; and
 - (b) a person operating a skateboard, scooter, in-line skates or roller skates:
 - (i) has the same rights and obligations as a person operating a bicycle has under this Bylaw; and
 - (ii) must obey the directions of any traffic control device that governs the operation of a bicycle.
 - (2.3) Where the Traffic Engineer has designated portions of the Mall where the riding or operation of bicycles, skateboards, scooters, in-line skates or roller skates are permitted, a person must not ride or operate a bicycle, skateboard, scooter, in-line skates or roller skates in a manner that interferes with a pedestrian.”
4. Bylaw 26M85, the Mall Between Second Street S.E. and First Street S.E. on Eighth Avenue Bylaw, as amended, is further amended as follows:
 - (a) subsections 8(8), (9), (10), (11) and (12) are deleted and replaced with the following:
 - “(8) A person must not:
 - (a) use a skateboard or a scooter: or
 - (b) rollerskate or in-line skate;on the Mall.
 - (9) A person must not ride a bicycle on the Mall.

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- (10) Notwithstanding subsections (8) and (9), the Traffic Engineer may designate those portions of the Mall where the riding of bicycles, the operation of skateboards or scooters and the use of roller skates and in-line skates are permitted.
- (11) Where the Traffic Engineer has designated portions of the Mall where the riding of bicycles, the operation of skateboards or scooters and the operation of roller skates and in-line skates are permitted:
 - (a) the Traffic Engineer may impose restrictions in respect of the times of day when the riding or operating of bicycles, skateboards, scooters, inline skates or roller skates and in-line skates are permitted; and
 - (b) a person operating a skateboard, scooter, in-line skates or roller skates:
 - (i) has the same rights and obligations as a person operating a bicycle has under this Bylaw; and
 - (ii) must obey the directions of any traffic control device that governs the operation of a bicycle.
- (12) Where the Traffic Engineer has designated portions of the Mall where the riding or operation of bicycles, skateboards, scooters, in-line skates or roller skates are permitted, a person must not ride or operate a bicycle, skateboard, scooter, in-line skates or roller skates in a manner that interferes with a pedestrian.”
- (b) subsection 9(2) is deleted and replaced with the following:
 - “(2) The specified fine for a contravention of subsections 8(8) or 8(9) is \$75.00.”
- 5. Bylaw 17M84, The Barclay Mall Bylaw, as amended is hereby further amended as follows:
 - (a) subsections 8(8) and (9) are deleted and replaced with the following:
 - “(8) A person must not:
 - (a) use a skateboard or a scooter; or
 - (b) roller skate or in-line skate;on the Mall.
 - (9) A person must not ride a bicycle on the Mall.

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- (10) Notwithstanding subsections (8) and (9), the Traffic Engineer may designate those portions of the Mall where the riding of bicycles, the operation of skateboards or scooters and the use of roller skates and in-line skates are permitted.
- (11) Where the Traffic Engineer has designated portions of the Mall where the riding of bicycles, the operation of skateboards or scooters and the operation of roller skates and in-line skates are permitted:
 - (a) the Traffic Engineer may impose restrictions in respect of the times of day when the riding or operating of bicycles, skateboards, scooters, inline skates or roller skates and in-line skates are permitted; and
 - (b) a person must not ride or operate a bicycle, skateboard, scooter, in-line skates or roller skates in a manner that interferes with a pedestrian;
 - (c) a person operating a skateboard, scooter, in-line skates or roller skates:
 - (i) has the same rights and obligations as a person operating a bicycle has under this Bylaw; and
 - (ii) must obey the directions of any traffic control device that governs the operation of a bicycle.”
- (b) the following is added after subsection 9(2) as subsection 9(3):
 - (3) Despite subsection (1):
 - (a) the fine for a contravention of subsections 8(8) or 8(9) is \$75.00; and
 - (b) the fine for a contravention of subsection 8(11)(b) is \$150.00.”
- 6. Bylaw 38M2012, the Municipal Complex Bylaw, as amended, is hereby further amended by deleting subsection 4(3) and replacing it with the following:
 - “(3) Despite subsection (1)(g), the *Traffic Engineer* may designate portions of sidewalks with the boundaries of the *Complex* where *non-motorized vehicles* may be ridden.”
- 7. Bylaw 4M81, the Calgary Transit Bylaw, as amended, is hereby further amended as follows:
 - (a) after subsection 14(14.1), the following is added as subsection 14(14.2):

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“(14.2) Despite subsection (14), the Director, Calgary Transit, may designate areas on transit property on which any vehicle or device listed in subsections (14)(a) to (h) may be used or operated.”

(b) subsection 14.1(1)(a) is deleted and replaced with the following:

“(a) “bicycle” means a vehicle consisting of two wheels propelled by human power or electric power and includes a folding bicycle but does not including motor powered bicycles other than an electric bicycle, mopeds, recumbent bicycles, tandem bicycles or bicycles with training wheels; and”

8. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____