

Memo



Date: August 18, 2010
File: Bylaw 10071
To: City Manager
From: City Clerk
Subject: Amendment to Bylaw 10071 - Bylaw Enforcement on Highways 97 and 33

Recommendation:

THAT Bylaw No. 10071, being Amendment No. 12 to Traffic Bylaw No. 8120 be amended at third reading as outlined in the report of the City Clerk, dated August 18, 2010.

Purpose: To allow the City to enforce certain provisions of the Traffic Bylaw on those portions of the provincial arterial highways (Highways 33 and 97) that are within the City boundaries.

Background:

In September 2008, Council considered an amendment to the Traffic Bylaw that would allow the City to enforce certain provisions of the Bylaw along Highways 33 and 97, as provincial arterial highways are currently exempt from the Traffic Bylaw. The City has the option of applying for Ministerial approval to have a City bylaw apply to these highways. After extensive consultation with the local Ministry of Transportation office, City staff recommended that Council request the Minister to approve the application of the Traffic Bylaw to Highways 33 and 97.

The amending bylaw was sent to Ministry staff in Victoria in September 2008, and after further discussions between Ministry and City staff, the Ministry agreed to sign off on the bylaw if the City made two changes. The Ministry did not want those provisions of the traffic Bylaw pertaining to Horse Drawn Sightseeing Vehicle Permits (section 5.2) or in line skates and roller skates (section 9.1.7) to apply, as these devices are not permitted on arterial highways. City staff is proposing the bylaw be amended as requested, in order that the other provisions identified in Schedule "M" may be enforced along Highways 33 and 97.

Internal Circulation:

Legal/Statutory Authority:
Motor Vehicle Act

Legal/Statutory Procedural Requirements:
Ministerial approval is required prior to adoption.

Financial/Budgetary Considerations:
None

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Personnel Implications:

None

External Agency/Public Comments:

Ministry staff in Victoria has indicated approval will be granted if the bylaw is amended to remove Horse Drawn Carriage and in-line skates/roller skates sections.

Considerations not applicable to this report:

Existing Policy:

Community & Media Relations Comments:

Alternate Recommendation:

Submitted by:


Stephen Fleming, City Clerk

Approved for inclusion:


JOT