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Report 01-029 (FCSO1073)
CM: September 18, 2001

Bill No. 215

CITY OF HAMILTON

BY-LAW NO. 01- 215

BEING A BY-LAW TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chapter 14, Schedule C did incorporate, as of January 1 st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the following former area municipalities: The Corporation of the Town of Ancaster; The Corporation of the Town of Dundas; The Corporation of the Town of Flamborough; The Corporation of the Township of Glanbrook; The Corporation of the City of Hamilton; and, The Corporation of the City of Stoney Creek; (hereinafter referred to as the "former area municipalities");

AND WHEREAS the City of Hamilton Act, 1999 provides that the By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton deems it expedient to provide for a single by-law to regulate traffic within the limits of the City;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

PART 1

DEFINITIONS & INTERPRETATIONS

DEFINITIONS

1. (a) “Authorized Emergency Vehicle” means:
 - (i) any vehicle owned or operated by the City of Hamilton while the operator is engaged in the performance of his or her duties;
 - (ii) any vehicle owned or operated by a Police Service, a Fire Department or a Ministry of the Province;
 - (iii) any vehicle owned or operated by an ambulance service, a mortuary or a funeral home while the operator is engaged in the performance of his or her duties;
 - (iv) any vehicle owned or operated by a public utility including but not limited to vehicles owned or operated by Canada Post, a telephone company, a natural gas utility, a hydro electric power provider, and any other public utility, telegraph or telecommunications company, provided that such vehicles are each clearly identified by a crest or other marking and provided the operator is actively engaged in the provision of the services offered by the utility;
 - (v) any-armoured vehicle, while the operator is actively-engaged in the performance of their duties, and any escort vehicle providing security services for an armoured vehicle, while the operator is actively engaged in the performance of his or her duties; and,
 - (vi) any service vehicle owned or operated by the Hamilton Automobile Club or a licensed towing agency while the operator is providing a towing or other road side service;
- (b) “bicycle” includes a tricycle and unicycle but does not include a motor assisted bicycle;
- (c) “boulevard” means all parts of the highway save and except any roadway, shoulder, driveway, or sidewalk; and, for greater precision portions may be described as:
 - (i) a “central boulevard” being a median or that part of the highway lying between the roadways of a divided highway;

- (ii) an “outer boulevard” being such part of the highway lying between any sidewalk and the roadway or the shoulder where such exists;
 - (iii) an “inner boulevard” being such part of the highway lying between the property line and the sidewalk, and where there is no sidewalk it means that part of the highway lying between the property line and the roadway or the shoulder where such exists; and,
 - (iv) a “side boulevard” means such part of the highway lying between the roadway and the adjoining property line and includes the inner and outer boulevard, if any;
- (d) “bus” means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons;
 - (e) “Chief of Police” means the Chief of Police for the City of Hamilton;
 - (f) “City” means The City of Hamilton;
 - (g) “Council” means the Council of the City of Hamilton;
 - (h) “crosswalk” means:
 - (i) that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or,
 - (ii) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface;
 - (i) “driveway” means the improved land on a highway which provides vehicular access from the roadway to a laneway or parking area on adjacent land;
 - (j) “farm tractor” means a self-propelled vehicle designed and used primarily as a farm implement for drawing ploughs, mowing machines, and other implements of husbandry and not designed or used for carrying a load;
 - (k) “General Manager” means the General Manager of Transportation, Operations and Environment for the City of Hamilton and includes his designate and successor;
 - (l) “Gross Weight” or “Gross Vehicle Weight” means the combined weight of vehicle and load;

- (m) “heavy vehicle” means a vehicle having a registered gross weight in excess of 4 tonnes, but does not include a bus travelling on a designated bus route, an ambulance, a school vehicle, or vehicles operated by the City of Hamilton;
- (n) “highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, any part of which is intended for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof;
- (o) “holiday” means New Years Day, Good Friday, Easter Monday, Victoria Day, Dominion Day, the day proclaimed as a Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day, the day proclaimed as the Birthday or day fixed by proclamation of the Governor General for the celebration of the birthday of the reigning sovereign, and any day appointed by proclamation of the Governor General or Lieutenant Governor-in-Council as a public holiday or for a general feast or thanksgiving;
- (p) “horse” includes mare, gelding, mule, pony, and donkey;
- (q) “intersection” means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;
- (r) “King’s Highway” includes secondary highways and tertiary roads designated under the Public Transportation and Highway Improvement Act, R.S.O. 1990, c. P.50 as amended;
- (s) “Municipal Law Enforcement Officer” means any person so designated by a by-law of the City of Hamilton or appointed for the purpose of enforcing this By-law;
- (t) “motor vehicle” includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in this By-law and any other vehicle propelled or driven otherwise than by muscular power; but does not include a street car or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act, R.S.O. 1990, c.H8, as amended;
- (u) “pedestrian” means a person on foot, and includes a person in a wheelchair or on a motorized scooter designed for use on a sidewalk, and a child in a baby carriage or on toy vehicle;

- (v) "Police Force" and "Police Department" mean the Hamilton Police Service;
- (w) "Police Officer" means an Officer of the Hamilton Police Service and includes the Chief of Police, but does not include a Special Constable, a First Nations Constable, a Municipal Law Enforcement Officer or an Auxiliary member of a police force;
- (x) "roadway" means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively;
- (y) "School Zone" means an area through which a highway or part highway passes which is in proximity to a school and where the speed limit on said highway or part highway is designated as 40 kilometres per hour;
- (z) "Serviced Roadway" means the part of the highway which is improved, designed or ordinarily used for vehicular traffic and includes the ploughed portion of the shoulder;
- (aa) "shoulder" means that portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved to support a stopped vehicle;
- (ab) "sidewalk" includes all such parts of a highway as are set aside and improved for the exclusive use of pedestrians;
- (ac) "sign, authorized" or "authorized sign" means any sign placed or erected on a highway under the authority of this By-law for the purpose of regulating, warning or guiding traffic;
- (ad) "sign, official" or "official sign" means a sign approved by the Ministry of Transportation Ontario or a sign set out in Schedule 1 to this By-law;
- (ae) "stand" or "standing", when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;
- (af) "stop" or "stopping" when prohibited, means the halting of a vehicle, even momentarily whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a constable or other police officer or of a traffic control sign or signal;

- (ag) "through highway" means a highway or part of a highway designated as such by By-law of a municipality, and every such highway shall be marked by a stop sign or yield right-of-way sign in compliance with the regulations of the Highway Traffic Act.
- (ah) "traffic" includes pedestrians, animals which are lead, ridden or herded, vehicles, motorized snow vehicles and other conveyances, eitlier singly or together while using any portion of a highway for the purposes of travel;
- (ai) "traffic control device" means any sign, signal or other roadway, curb or sidewalk marking, or any other device ~~erected~~ or placed under the authority of this By-law for the purpose of regulating, warning or guiding traffic;
- (aj) "traffic signal" means any device operated manually, electrically or mechanically for the regulation or control of traffic;
- (ak) "traffic, one-way" or "one-way traffic" means traffic, not including pedestrians, moving upon a highway in one direction only;
- (al) "trailer" means any vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry,. a side car attached to a motorcycle, a mobile home, another motor vehicle, or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn;
- (am) "unassumed lane" and "unassumed alley" each mean-a lane or alley that has not been assumed by the City;
- (an) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric or steam railways running only upon rails, a wheelchair whether powered or not, or a powered scooter designed for use on a sidewalk;

INTERPRETATIONS

2. In this By-law:

- (a) Words imparting the singular number or the masculine gender, are deemed to include more than one person, party or thing of the same kind, and females as well as males, and the converse.
- (b) A word use in the singular tense has a corresponding meaning when used in the plural tense.

- (c) the following abbreviations and symbols stand for the words respectively shown next to them:

Ave.	-	Avenue
Blvd.	-	Boulevard
Pl.	-	Place
St.	-	Street
Sq.	-	Square
Cres.	-	Crescent
ct.	-	court
Rd.	-	Road
Dr.	-	Drive
No. or #	-	Number
Hwy.	-	Highway
Pkwy.	-	Parkway
ft. or '	-	Feet
in. or "	-	Inches
M.P.H.	-	Miles Per Hour
N.	-	North
S.	-	South
E.	-	East
W.	-	West
a.m. or am	-	ante meridian
p.m. or pm	-	post meridian
Km/H or kph	-	Kilometres per hour
m		metres
cm		centimetres
Sat.	-	Saturday
Sun.	-	Sunday
Mon.	-	Monday
Tue.	-	Tuesday
Wed.	-	Wednesday
Thu. or Thur.	-	Thursday
Fri.		Friday
Jan.	-	January
Feb.	-	February
Mar.	-	March
Apr.	-	April
May.	-	May
Jun.	-	June
Jul.		July
Aug.	-	August
Sep. or Sept.	-	September
Oct.	-	October
Nov.	-	November
Dec.	-	December

- (d) Where a distance is used in this By-law as within a specified distance of an object, structure, corner, land, or part of a highway, such distance shall be measured:
 - (i) Along the curb or edge of the roadway, from a point in such curb or edge or roadway opposite such object, structure, land, corner, or part of a highway, unless the context otherwise requires, and
 - (ii) From such object, structure, land or part of a highway in all directions.
- (e) During any period of the year when what is commonly known as Daylight Saving Time has been generally adopted in The City of Hamilton under any Act, By-law, resolution or proclamation, whether the same is effective in law or not, all references to time in this by-law shall be deemed to be references to such Daylight Saving Time.
- (f) For the purposes of this By-law, the Lincoln M. Alexander Parkway may also be referred to as the "Linc" or the "Lincoln Alexander Pkwy."

APPLICATION OF BY-LAW

- 3. Save where otherwise specifically provided, the provisions of this By-law shall apply to:
 - (a) all highways and parts of highways under the jurisdiction of the City of Hamilton;
 - (b) all public lanes or alleys that have been established by a by-law of the Council; and,
 - (c) all unassumed lanes or alleys in respect of the parking of vehicles.

ENFORCEMENT

- 4. (1) It shall be the duty of the members of the City of Hamilton Police Service, generally to control and direct traffic, give such directions and do such things as may be necessary for that purpose.
- (2) It shall be the duty of the members of the Hamilton Police Service and those duly appointed Municipal Law Enforcement Officers to enforce the provisions of this By-law.

SEVERABILITY

5. Should a court of competent jurisdiction declare a part or the whole of any provision of this By-law to be invalid or of no force or effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms and to the extent possible under the law.

SCHEDULES

6. The schedules attached to this By-law, numbered 1 to 31 both inclusive, are included in and form part of this By-law.

PART 2 -TRAFFIC REGULATIONS

SPECIFIED SPEED LIMITS

7. (1) The rates of speed for vehicles shown in Schedule 2 are hereby respectively prescribed as the speed limits for those highways and parts of highways listed in that schedule.
- (2) Schedule 2 describes the following:
 - (a) in column one thereof, the name of the highway or part highway upon which the subject speed limit is in force and effect;
 - (b) in column two thereof, the point at which the subject speed limit commences;
 - (c) in column three thereof, the point at which the subject speed limit concludes; and,
 - (d) in column four thereof, the speed limit which is in force and effect.

SPECIFIED SPEED LIMITS - SCHOOL ZONES

8. (1) A speed limit of 40 kph for motor vehicles is hereby prescribed for those highways or parts of highways which are in the limits of the School Zones listed in Schedule 3.
- (2) Schedule 3 describes the following:
 - (a) in column one thereof, the name of the highway or part highway designated as a School Zone and upon which the 40 kilometre per hour speed limit is in force and effect;

- (b) in column two thereof, the point at which the subject speed limit commences; and,
- (c) in column three thereof, the point at which the subject speed limit concludes.

YIELD SIGNS - LOCATIONS

- 9. (1) Those highways or part highways listed in Schedule 4 are hereby designated for the placement of yield signs as described in that Schedule.
- (2) Schedule 4 describes the following:
 - (a) in column 1 thereof the municipal name of the highway or part highway upon which traffic must yield right-of-way to traffic on an intersecting highway;
 - (b) in column 2 thereof the direction of travel of traffic yielding right-of-way
 - (c) in column 3 thereof, the municipal name of the highway or part highway having right-of-way.

STOP SIGNS - LOCATIONS

- IO. (1) Those highways or part highways listed in Schedule 5 are hereby designated for the placement of stop signs as described in that Schedule.
- (2) Schedule 5 describes the following:
 - (a) in column 1 thereof the municipal name of the highway or part highway upon which traffic stop and yield right-of-way to traffic on an intersecting highway;
 - (b) in column 2 thereof the direction of travel of traffic stopping and yielding right-of-way
 - (c) in column 3 thereof, the municipal name of the highway or part highway having right-of-way.

ONE-WAY TRAFFIC

- 11. (1) Those highways and parts of highways listed Schedule 6 are hereby designated for the use of one-way traffic only.

- (2) Schedule 6 describes the following:
 - (a) in column 1 thereof the municipal name of the highway upon which two way traffic is prohibited;
 - (b) in column 2 thereof, the direction in which traffic must travel;
 - (c) in column 3 thereof, the point upon the highway where the regulation commences; and,
 - (d) in column 4 thereof, the point upon the highway where the regulation concludes;
 - (e) in column 5 thereof, the periods during which the regulation is in force and effect.
- (3) Those alleys and parts of alleys listed in Schedule 7 are hereby designated for the use of one-way traffic only.
- (4) Schedule 7 describes the following:
 - (a) in column 1 thereof the description of the alley highway upon which two way traffic is prohibited;
 - (b) in column 2 thereof, the direction in which traffic must travel;
 - (c) in column 3 thereof, the point upon the alley where the regulation commences;
 - (d) in column 4 thereof, the point upon the alley where the regulation concludes; and,
 - (e) in column 5 thereof, the periods during which the regulation is in force and effect.

NO RIGHT TURNS

12. No person driving any animal or vehicle upon any highway, alleyway, driveway or laneway set out in Column 1 of Schedule 8 in the direction set out opposite thereto in Column 2, shall turn right into any highway set out opposite thereto on Column 3 during any times set out opposite thereto in Column 4, excepting buses of the Hamilton Street Railway Company and interurban buses regularly carrying passengers for hire, provided suitable signs exempting buses are erected and maintained, and excepting a motor vehicle while employed in removing snow from

the highway, and excepting also a vehicle of any police force, fire department, ambulance or emergency medical service, in any emergency.

NO RIGHT TURN ON RED LIGHT

13. No person driving any animal or vehicle while facing a red signal light upon any highway set out in Column 1 of Schedule 9 in the direction set out opposite thereto in Column 2, shall turn right into any highway set out opposite thereto in Column 3, during the times, if any, set out under Column 4 excepting a vehicle of any police force, fire department, ambulance or emergency medical service, in any emergency, subject to the provisions of the Highway Traffic Act.

NO LEFT TURNS

14. No person driving any animal or vehicle upon any highway, alleyway, driveway or laneway set out in Column 1 of Schedule 10 in the direction set out opposite thereto in Column 2, shall turn left into any highway set out opposite thereto in Column 3 during the times set out opposite thereto in Column 4, excepting buses of the Hamilton Street Railway Company and interurban buses regularly carrying passengers for hire, provided suitable signs exempting buses are erected and maintained, and excepting a motor vehicle while employed in removing snow from the highway, and excepting also a vehicle of any police force, fire department, ambulance or emergency medical service, in any emergency.

NO LEFT TURN ON RED LIGHT

15. No person driving any animal or vehicle while facing a red signal light upon any highway set out in Column 1 of Schedule 11 in the direction set out opposite thereto in Column 2, shall turn left into any highway set out opposite thereto in Column 3, during the times set out under Column 4 excepting a vehicle of any police force, fire department, ambulance or emergency medical service, in any emergency, subject to the Highway Traffic Act.

U-TURNS

16. No driver or operator of a vehicle upon a highway shall turn the vehicle so as to proceed in the opposite direction,
 - (a) Unless such movement can be made in safety and without interfering with other traffic;
 - (b) On a divided highway at any turning slot for the use of authorized emergency vehicles only and clearly marked with a suitable sign;

provided that this prohibition shall not apply to vehicle of a police service, fire department, ambulance or emergency medical service, in any emergency.

17. (1) Notwithstanding the provisions of Section 16, no driver of a vehicle moving upon a highway or part highway listed in Schedule 12 shall make a U-Turn between the limits shown in that Schedule.
- (2) Schedule 12 describes the following:
 - (a) in column 1 thereof the municipal name of the highway upon which U-turns are prohibited;
 - (b) in column 2 thereof, the direction of travel which may not be reversed;
 - (c) in column 3 thereof, the point upon the highway where the prohibition commences;
 - (d) in column 4 thereof, the point upon the highway where the prohibition concludes; and,
 - (e) in column 5 thereof, the times and days during which the prohibition is in force and effect

DESIGNATED TRAFFIC LANES

18. (1) No person shall proceed contrary to the direction of travel in a lane of a highway or part of a highway marked for the direction of travel and listed in Schedule 13.
- (2) Schedule 13 describes the following:
 - (a) in column 1 thereof the municipal name of the highway upon which the designated traffic lane is situated;
 - (b) in column 2 thereof, the limits between which the designated traffic lane is located;
 - (c) in column 3 thereof, the specific lane which has been designated;
 - (d) in column 4 thereof, the times and days when the regulation is in force and effect; and,
 - (e) in column 5 thereof, the mandatory direction or directions of travel permitted respecting the designated lane.

EMERGENCY ACCESS LANES

19. (1) The specified lanes on the highways and parts of highways listed in Schedule 14 are hereby designated as Emergency Hospital Access Lanes.
- (2) Schedule 14 describes the following:
 - (a) in column 1 thereof the highways and part highways whereupon Emergency Hospital Access Lanes shall be situated;
 - (b) in column 2 thereof **the points** upon the highway or part highway where the regulation commences and concludes;
 - (c) in column 3 thereof the lane designated as an Emergency Hospital Access Lane; and,
 - (d) in column 4 thereof the days and times when such designation is in force and effect.

VEHICLES ON SIDEWALKS

20. No person shall drive any animal or vehicle over or upon a sidewalk save at a properly constructed crossing
21. No person shall ride on a bicycle, skateboard, skis, coaster, or similar devices, over or upon a sidewalk save at a properly constructed crossing, but this provision shall not apply to baby carriages, roller skates, children's tricycles or other such conveyances appropriate to sidewalks.

GAMES OR SPORTS ON PUBLIC HIGHWAYS

22. No person shall play or take part in any game or sport upon a roadway, and no person shall ride on a roadway in or on a skateboard, roller skates, a coaster, **skis**, a toy vehicle or similar devices, except for the purpose of crossing the road, and when so crossing such person shall have the rights and be subject to the obligations of a pedestrian.

YIELD RIGHT OF WAY TO PEDESTRIANS

23. The driver of any animal or vehicle, about to enter or leave any alley, driveway, lot or building shall yield the right-of-way to any pedestrian on any sidewalk, footpath or side boulevard, approaching the alley, driveway, lot or building.

BACKING UP

24. No person shall drive any animal or vehicle backwards, except when necessary and having proper regard for the safety and convenience of other traffic.

TRAFFIC CIRCLE / ROUNDABOUT

25. No person shall drive any animal or vehicle in any but a counter-clockwise direction in any traffic circle or roundabout.

ACCESS TO AND EGRESS FROM PRIVATE DRIVE

26. No person shall,
- (a) drive a vehicle from a public highway onto a private driveway; or
 - (b) drive a vehicle from a private driveway onto a public highway, contrary to the direction of operation of the driveway clearly indicated by suitable signs.

OVERCROWDED MOTORCYCLE

27. No person operating a motorcycle on a highway shall carry more persons thereon than it is designed and properly equipped to carry.

RIDE UPON VEHICLE EXTERIOR

28. No person shall ride upon the exterior of a vehicle or any part of said vehicle not designed or intended for that purpose, provided this shall not be deemed to prohibit adult persons riding within truck bodies in such a way as not to be in danger of being dislodged from the vehicle, or to any employee reasonably engaged in the necessary discharge of a duty.

INTERRUPTING PROCESSION

29. No pedestrian or person riding or driving any animal or vehicle, shall intersect, interrupt or otherwise interfere with any funeral cortege or any other procession lawfully using the highway, except under the direction of a Police Officer.

NO TRAFFIC ON CLOSED STREETS

30. No person shall drive any animal or vehicle upon any highway or part of a highway which is temporarily closed save where local traffic is permitted by sign, and in any case upon any highway or part of a highway which is temporarily closed by the fire service or police service in the course of their respective duties.

31. Section 30 shall not apply to vehicles authorized by the General Manager travelling upon roadways that have been temporarily closed for an approved special event.

STOP BEFORE ENTERING ROADWAY

32. The driver of a vehicle about to enter or cross a highway from a private road or driveway shall stop immediately before entering the roadway of same, or the sidewalk if any.

MOTOR VEHICLES TO BE LOCKED

33. No person driving or in charge of a motor vehicle shall allow the same to stand unattended unless it is locked in such a manner as to prevent its operation by any person not authorized by the owner or person in charge.

BLOCKING OF SIGNALIZED INTERSECTIONS

34. No person shall enter a signalized intersection, except to turn left or right onto an intersecting highway, unless traffic ahead is moving in a manner that would lead him or her to believe that he or she can proceed through the intersection before the signal light turns red.

PART 3 • MOTORIZED SNOW VEHICLES

35. No person shall drive a Motorized Snow Vehicle along or across any Serviced Roadway upon any of the highways or-parts of highways indicated in Schedule 15 during any of the times specified therein.
36. No person shall drive a Motorized Snow Vehicle across any Serviced Roadway upon any of the highways or parts of highways indicated in Schedule 16 during any of the times specified therein.
37. No person shall drive a Motorized Snow Vehicle on any highway or part of any highway indicated in Schedule 17 at a greater rate of speed that is specified therein provided signs are erected in accordance with the regulations made under the Motorized Snow Vehicles Act, R.S.O. 1990, c. M.44.

PART 4 • PEDESTRIANS, BICYCLISTS, AND ANIMALS

PEDESTRIANS

38. Where there is a sidewalk on either side of the roadway, no pedestrian shall walk along the roadway.

39. Where sidewalks are not provided on a highway, a pedestrian walking along the highway shall walk on the left side thereof facing oncoming traffic and, when walking along the roadway, shall walk as close to the left edge thereof as possible.
40. A pedestrian shall not cross a roadway by other than by the shortest route, except within a crosswalk.
41. No pedestrian shall proceed over or under a railing or other such barrier permanently installed along the edge of a sidewalk.
42. Where suitably worded signs are displayed, no pedestrian shall cross or enter any highway named in Column 1 of Schedule 24, in the direction or directions set out opposite thereto in Column 2, at that side of the intersection shown opposite thereto in Column 3.
43. No person shall walk or stand together with one or more other persons in such a manner as to impede pedestrians or vehicular traffic.
44. No person shall play or take part in any game or sport upon a roadway, and, where there is a sidewalk, no person upon roller skates, roller blades, inline skates or riding in or upon any coaster, scooter, skate board, toy vehicle or similar device, shall go upon a roadway except for the purpose of crossing the road, and when so crossing such person shall have the rights and be subject to the obligations of a pedestrian.
45. (1) Notwithstanding the other provisions of Part 4 of this By-law, no pedestrian, cyclist or person riding upon, leading or driving an animal, shall travel upon or along or cross any highway or part of a highway set out in Schedule 25, save and except that this prohibition shall not apply to:
- (a) Police Officers, Fire Fighters, Ambulance Drivers/Attendants, Municipal Law Enforcement Officers, Tow Truck Operators or other emergency workers, in the performance of their duty; or-
 - (b) Employees of The City of Hamilton in the performance of their duties; or,
 - (c) Persons making use of the highway where such use is necessary because of an emergency or vehicle breakdown.
- (2) Schedule 25 describes the following:
- (a) in column 1 thereof, the name of the highway or part of a highway;

- (b) in column 2 thereof, the point at which the prohibition commences; and,
- (c) in column 3 thereof, the point at which the prohibition terminates.

BICYCLISTS

46. (1) For the purpose of this section, "bicycle" shall include motor assisted bicycle.
- (2) (a) No person shall ride a bicycle on a roadway unless the bicycle is in a bicycle lane or is ridden as close as practicable to the right hand curb or edge of the roadway, except while overtaking and passing another vehicle proceeding in the same direction, or while preparing for a left turn at an intersection or into a private road or driveway.
 - (b) No person shall ride or push a bicycle along a roadway abreast of another bicycle.
- (3) No person riding a bicycle on a roadway shall carry any package or article or act in such a way as to prevent that person from maintaining one hand on the handlebars at all times, including while signalling for a turn or stop and in any case, no person shall fail to maintain control of a bicycle.
- (4) No person shall park a bicycle on a roadway or sidewalk except in such a way as to cause the least possible obstruction to pedestrian and vehicular traffic.

BICYCLE LANES

47. (1) Those lanes upon highways or part highways listed in Schedule 18 are hereby designated as bicycle lanes.
- (2) For the purpose of this Section, "bicycle lane" means a portion of the roadway abutting the curb or edge of the roadway that has been set aside for the exclusive use of cyclists, and so indicated by pavement markings.
- (3) Schedule 18 describes the following:
- (a) in column one thereof, the name of the highway or part highway upon which a designated bicycle lane has been established;
 - (b) in column two thereof, the point where the bicycle lane commences and the point where the bicycle lane concludes;

- (c) in column three thereof, the lane, by compass direction, upon the subject highway that has been designated as the bicycle lane;
 - (d) in column four thereof, the periods during which the bicycle lane designation is in force and effect; and,
 - (e) in column five thereof, the direction that vehicles must travel when using the bicycle lane, by compass direction.
- (4) Those highways or parts of highways, or other land under jurisdiction of the City, listed in Schedule 19 are hereby established, laid out and designated as bicycle paths.
- (5) For the purpose of this Section “bicycle path” means land that is off the roadway that has been set aside and improved for the exclusive use of cyclists.
- (6) Schedule 19 describes the following:
- a) in Column 1 thereof, the name of the highway whereupon the bicycle path is situated or the name of the highway immediately adjacent to the bicycle path or, otherwise, a description of the lands upon which said bicycle path is situate;
 - b) in Column 2 thereof, the side of the highway, by compass direction, occupied by the bicycle path, or the direction, by compass, from the adjacent roadway where the bicycle path is established or the location of the bicycle path with relation to an existing land mark;
 - c) in Column 3 thereof, the limits to which and from which the bicycle path extends; and
 - d) in Column 4 thereof, in cases of unidirectional paths; the lawful direction of travel, by compass direction, upon the bicycle path.
- (7) Those highways or parts of highways, or other land under jurisdiction of the City, listed in Schedule 20 are hereby established, laid out and designated as combined foot and bicycle paths.
- (8) For the purpose of this Section, “combined foot bicycle path” means land that is off the roadway that has been set aside and improved for the exclusive use of pedestrians and cyclists.
- (9) Schedule 20 describes the following:

- a) in Column 1 thereof, the name of the highway whereupon the combined foot and bicycle path is situate or the name of the highway immediately adjacent to the combined foot and bicycle path or, otherwise, a description of the lands upon which said combined foot and bicycle path is situate;
- b) in Column 2 thereof, the side of the highway, by compass direction, occupied by the combined foot and bicycle path, or the direction, by compass, from the adjacent roadway where the combined foot and bicycle path is established or the location of the combined foot and bicycle path with relation to an existing land mark;
- c) in Column 3 thereof, the limits to which and from which the combined foot and bicycle path extends; and
- d) in Column 4 thereof, in cases of unidirectional paths, the lawful direction of travel, by compass direction, upon the combined foot and bicycle path.

48. (1) No person shall drive a Motor Vehicle, except for Authorized Emergency Vehicles and motor assisted bicycles, upon any bicycle lane designated in Schedule 18, or upon any bicycle path designated in Schedule 19 or combined foot and bicycle path designated in Schedule 20.

(2) Subject to subsection (3), no person shall travel upon a bicycle path or a combined foot and bicycle path, except to the right side of the centre of the path.

(3) No person shall overtake and pass another person on a bicycle path or a combined foot and bicycle path except:

- (a) when it is safe to do so;
- (b) to the left hand side of the person being overtaken and passed;
- (c) on the right side of the centre of the path but if it is not safe to do so, then on the left side of the centre of the path; and
- (d) when a cyclist is overtaking and passing another person, subsequent to the sounding of an audible signal or warning by the cyclist.

49. (1) No person, while travelling upon a designated bicycle path, or a designated combined foot and bicycle path, shall cross an intersecting public roadway or public sidewalk without stopping and yielding the right of way to vehicular or pedestrian traffic travelling upon the intersection roadway or sidewalk,

except at such intersections as are listed in Schedule 21 as being specifically exempt from this general provision.

(2) Schedule 21 describes the following:

- (a) in column one thereof, the name of the roadway occupied by the combined foot and bicycle path, or the name of the roadway immediately adjacent to the combined foot and bicycle path;
- (b) in column two thereof, the direction of travel, by compass direction, upon the combined foot and bicycle path; and,
- (c) in column three thereof, the name of the intersecting roadway over which the combined foot and bicycle path has the right of way.

50. (1) No person, while travelling upon a designated bicycle path or a designated combined foot and bicycle path, shall fail to stop and yield the right of way to vehicular or pedestrian traffic travelling upon any intersecting route of travel, other than a public roadway or sidewalk listed in Schedule 22.

(2) Schedule 22 describes the following:

- (a) in column one thereof, the name of the roadway occupied by the combined foot and bicycle path, or the name of the roadway immediately adjacent to the combined foot and bicycle path;
- (b) in column two thereof, the direction of travel, by compass direction, upon the combined foot and bicycle path which is required to stop and yield; and,
- (c) in column three thereof, a description of the intersecting route of travel.

51. (1) No person, while travelling upon a designated bicycle path listed in Schedule 19 or a designated combined foot and bicycle path listed in Schedule 20 shall fail to yield the right of way to vehicular or pedestrian traffic travelling upon any intersecting route of travel, other than a public roadway or sidewalk listed in Schedule 23.

(2) Schedule 23 describes the following:

- (a) in column one thereof, the location of the bicycle path or the combined foot and bicycle path;

- (b) in column two thereof, the direction of travel, by compass direction, upon the bicycle path or combined foot and bicycle path which is required to yield; and
- (c) in column three thereof, a description of the intersecting route of travel.

52. No pedestrian shall travel upon a designated bicycle path or within a designated bicycle lane where an adjacent sidewalk exists.

53. (1) Notwithstanding any other provisions this By-law, no person shall ride a bicycle upon, along or across any highway or part of a highway described in Schedule 26.

(2) Schedule 26 describes the following:

- (a) in column one thereof, the municipal name of the highway or part of a highway where cyclists are prohibited;
- (b) in column two thereof, the point at which the prohibition commences; and,
- (c) in column three thereof, the point at which the prohibition concludes.

ANIMALS

54. (1) Save as otherwise permitted by law, no owner or other person shall drive or permit any horse, cow, sheep, pig, or other animal to be in any highway or other public place unless under proper control of a competent person.

(2) Horseback riders and other persons in charge of animals shall obey the provisions of the Highway Traffic Act and of this By-law which govern drivers of vehicles, and shall obey the directions of any police constable directing traffic.

(3) No person shall drive any animal without due care and attention or without reasonable consideration for other persons using the highway.

PART 5 - LOAD RELATED RESTRICTIONS

OVERSIZED LOAD PERMITS

55. (1) For the purposes of this section,

- (a) A combination of vehicles consisting of a motor vehicle and semi-trailer shall be deemed to be one vehicle; and
 - (b) "Semi-Trailer" means any trailer that is so designed that, when operated, the forward part of its body or chassis rests upon the body or chassis of the towing vehicle.
- (2) **Subject to** the provisions of Sections 57 and 58 and notwithstanding the provisions of Section 56, any vehicle, load, object or structure in excess of the weight or dimensions prescribed by the Highway Traffic Act may be moved over or upon a highway **upon wheels**, rollers, or otherwise, in accordance with a permit in writing which has been first obtained from the General Manager of Transportation, Operations and Environment which shall specify the excess weight or dimensions to be permitted, the highways and parts of highways to be so used, and the days and times when they may be so used.
- (3) No such permit shall be issued by the General Manager of Transportation, Operations and Environment except to a person who has filed with the City Clerk a bond or irrevocable letter of credit in a form satisfactory to the General Manager and in an amount sufficient to cover the cost of repairing possible injury to the highway, as determined by the General Manager, and indemnifying the City of Hamilton from all actions, claims, damages, and losses, costs and expenses whatsoever which may result from the moving of any such vehicle, load, object or structure into, along or across a highway, and from the issue of the permit.
- (4) Every such permit shall be carried by the person in charge of any such vehicle, load, object or structure while same is on the highway, or be placed in some accessible position and produced on demand of a police officer.
- (5) No person shall move upon any highway, a load in excess of the weight or dimensions specified in the permit or at any time not authorized by such permit, nor shall any load in excess of the weight or dimensions prescribed by the Highway Traffic Act be moved upon any highway or part of a highway not authorized by the permit.
- (6) Where the application for a permit is with respect to a motor vehicle or trailer, no permit shall be issued, nor the application received, unless:
- (a) There is, with respect to the same; a provincial licence for the vehicle and a current permit setting out the maximum weight or size of the vehicle, as the case may be, pursuant to the provisions of the Highway Traffic Act;

- (b) The unit weight per inch of tire width within the meaning of the Highway Traffic Act is within the limits prescribed by the Highway Traffic Act.
- (7) (a) Upon receipt of an application, the General Manager of Transportation, Operations and Environment may issue a permit to the applicant for the moving of an overweight truck or trailer over or along specified highways or parts of highways, on specified days and within specified hours (all of which, together with the authorized overweight shall be shown on the permit) for a calendar year, or part thereof provided:
 - (i) That payment has been made to the General Manger of Finance and Corporate Services of an administrative fee of \$47.00 for a single unit truck, and an additional fee in the sum of \$234.00 for each tonne in excess of the registered gross weight of the truck, and, in the case of a tractor trailer an administrative fee of \$49.00, and an additional fee of \$140.00 for each tonne in excess of the registered gross weight of the tractor trailer.
 - (b) Where the General Manager of Transportation, Operations and Environment proposes to deny an application for an annual permit under subsection (a) herein, the application must first be considered by the Council of The City of Hamilton.
- (8) The owner, driver, operator or mover of any such vehicle, object or contrivance who has obtained the permit is nevertheless responsible for all damages that may be caused to the highway by reason of the driving, operating or moving of any such vehicle, object or contrivance, and the City may claim or call upon the bond or letter of credit without notice to the permit holder in the event of such damage.

HEAVY TRAFFIC

- 56. (1) For the purpose of this section "heavy traffic" means and includes any vehicle or trailer for which the permit fee under the Highway Traffic Act is based upon a weight of vehicle and load in excess of 4 tonnes, excepting however buses, fire fighting equipment, public utility vehicles and authorized emergency vehicles; and
- (2) No person shall drive or permit to be driven any vehicle included in the definition of heavy traffic on any highway except a highway listed in Schedule 27 hereof and except during the times shown in the said Schedule 27,

provided that this provision shall not apply to any vehicle operating under the authority of a permit issued pursuant to Section 55.

- (3) Section 56(2) shall not apply where it is necessary to deviate from one of the highways designated in Schedule 27 for the purpose of delivering or receiving goods or other such normal commercial purpose, or when proceeding to or from a garage or other premises for the housing or repair of the vehicle, or when making successive deliveries within a restricted area provided that while proceeding to the first of such deliveries the vehicle shall travel via the shortest route from the highway listed in Schedule 27 that is closest to their point of destination within the restricted area, and provided that upon the completion of such purposes the vehicle shall return, by the shortest route, to the nearest highway listed in Schedule 27.
- (4) Section 56(2) shall not apply to heavy traffic on any highway or part of highway which has been properly authorized as a temporary detour route.
- (5)
 - (a) No person shall drive any vehicle included in the definition of heavy traffic on any highway set out in Column 1 of Schedule 30 between the limits set out in Column 2 when proceeding in the direction set out in Column 3 except in the traffic lane nearest to the right hand curb.
 - (b) Clause (a) of Section 56(5) shall not apply to prohibit the driving of any vehicle in a traffic lane other than the lane nearest to the right hand curb in preparation for a left turn or when overtaking and passing another vehicle or an obstruction.
- (6) Section 56(2) shall not apply to:
 - (a) vehicles operated by or on behalf of Braun Nursery Limited, Federal Express, Normalean Farms, Oakrun Farm Bakery or United Parcel Service, or Canadian Airlines International, Purolator Courier/Kelowna Flightcraft or Emery Worldwide/First Air, or Harmac Transportation Inc. or Roy Curran Transport Limited while upon Fiddlers Green Road, Butter Road or Airport Road; and,
 - (b) vehicles operated by or on behalf of Elwood Laidman Plumbing & Heating Ltd., O'Neil's Farm Equipment, Harvey Armstrong Feeds Ltd., Glanborough Pumping, Johnston Pumping Service, Anderson Haulage, Armishaw Bobcat Services, Greenhorizons Group of Farms, John Vanderwoude Sod Farms Ltd., John Wynen Water Haulage, Warren Pearce Water Haulage, Wills Motors Limited, Bob Lillie Water Haulage, Bart Chaston Water Haulage, Robert Dawson Transport (Water Haulage), Barlow Farms, R.R. #1, York, Mattice Farms, R.R. #1 York, Misener Farms, Doug Turner Construction, Brian Griffith,

Scott Young, Gary Comley, Gord Milmine, Lyle McDougal, Bethune Farms, Shousten Sod Farms, Country Depot, Hannon, DeJong Farming, A.&J. Enterprises, Normalean Farms Ltd., Willard Wad, 2548 Binbrook Road, and A. Lindie Sod Farms, while upon Binbrook Road or Whitechurch Road between Highway No. 6 and Regional Road 56.

WEIGHT ON CERTAIN BRIDGES

57. (1) No person shall drive, on any bridge listed in Schedule 29, any vehicle having a gross weight greater than that indicated for such bridge in said Schedule, provided that suitable signs are erected and maintained.
- (2) Schedule 29 describes the following:
- (a) in column one thereof the bridge by street name and, if applicable, type of bridge;
 - (b) in column two thereof the name of the thing that the subject bridge crosses over; and,
 - (c) in column three thereof Maximum weight permitted on the subject bridge.

REDUCED LOAD PERIOD

58. Those highways or parts of highways indicated in Column 1 of Schedule 28, are hereby designated as highways to which the restrictions of Section 122 of the Highway Traffic Act, R.S.O. 1990, c. H.8 apply, commencing on the date indicated in Column 2 of the said Schedule and ending on the date indicated in Column 3 thereof in each calendar year provided that suitable signs are erected and maintained.

PART 6 - TRAFFIC CONTROL DEVICES

POLICE "NO PARKING" AND "NO STOPPING" SIGNS

59. (1) In the exercise of the power to direct traffic, a Police Officer may erect or cause to be erected "No Parking" and "No Stopping" signs in such places and for such temporary periods as may be reasonably necessary or advisable.
- (2) Subject to Section 60 no unauthorized person may erect, install, place or otherwise use a "No Parking" or a "No Stopping" sign which is, or which appears to be, a Police "No Parking" or "No Stopping" sign.

SIGNS AND TRAFFIC CONTROL DEVICES

60. (1) The General Manager may erect and maintain or cause to be erected and maintained all traffic signs and other traffic control devices as may be required or authorized by statute or by this By-law, or otherwise as may, in his or her opinion, be necessary or helpful.
- (2) Without limiting the generality of the foregoing, the General Manager is further authorized to erect or cause to be erected "No Parking" and "No Stopping" signs in such places and for such temporary periods as may be, in his opinion, reasonably necessary or advisable.
- (3) Notwithstanding Section 62(5), the General Manager is authorized to temporarily remove or cause to be removed or otherwise annul such traffic signs and other traffic control devices as may be necessary to accommodate the interests of the City.
- (4) Without limiting the generality of the foregoing, the General Manager is further authorized to remove or cause to be removed "No Parking" and "No Stopping" signs in such places and for such temporary periods as may be, in his opinion, reasonably necessary or advisable.

OFFICIAL SIGNS

61. (1) Where under the Highway Traffic Act or this By-law an official sign is required to be erected and no official sign for the purpose has been designated under the Highway Traffic Act or the regulations made thereunder, each such, sign shall correspond with one of the illustrations in Schedule 1, notwithstanding that a sign illustrated is identical with an official sign that has been designated.
- (2) Every sign illustrated in Schedule 1 may be varied by supplementary information as may be necessary or appropriate to indicate the conditions under which the sign applies including the following and any combination thereof:
- (a) time or times of the day;
 - (b) day or days of the week;
 - (c) month or months of the year;
 - (d) use by specific types or classes of vehicles;

- (e) number of hours or minutes;
- (f) directional symbols;
- (g) length or weight of vehicle or vehicle combination; and,
- (h) any other information that serves to indicate conditions under which the sign applies.

UNLAWFUL SIGNS

62. (1) No person, unless so authorized by this By-law, shall place, maintain or display upon or in view of any highway any sign, marking or device which is or which resembles an official sign or traffic control device, to such a degree that it may be mistaken for an official sign or traffic control device, or which is so located as to interfere with the effectiveness of an official sign or traffic control device.
- (2) No person shall place, maintain or display upon or in view of any highway any sign, advertising device or apparatus which in any way emits:
- (a) Intermittent or non-intermittent light;
 - (b) An intensity of light;
 - (c) A beam of light; or,
 - (d) which displays any manner of animated message;
- on, along, towards or across any highway, which interferes or is designed or placed to so interfere with the safe operation of a motor vehicle, or to take the attention of a driver away from the operation of the vehicle.
- (3) Every sign, advertising device, or other device referred to in Section 62(2) shall be removed within 7 days of a request, or such earlier period as may be specified for removal, by the General Manager of Transportation, Operations and Environment or a member of the Police Force.
- (4) For the purpose of Sections 62(2) and 62(3) a “sign, advertising device, or other device or apparatus” includes a signalling device that indicates the location of the sign, advertising device, marking or other device or apparatus to a driver or operator of a motor vehicle on the Highway.
- (5) No person shall without lawful authority move from its proper position or otherwise, interfere with any traffic sign or other traffic control device.

PAINTED PAVEMENT MARKINGS

63. No person shall drive any vehicle over any painted markings that have been freshly applied, nor shall any person drive over, through or around any marker, traffic cone, sign or other device, if any, so placed as to warn of freshly applied painted markings.

COMPLY WITH SIGNS AND DEVICES

64. Save as may be otherwise more specifically provided in this By-law or the Highway Traffic Act, R.S.O. 1990 c. H.8, it shall be an **offence** against the provisions of this By-law for any person to fail to comply with the directions of any official traffic sign or traffic control device regulating traffic on a highway.

PART 8 • OFFENCES AND PENALTIES

OFFENCES PUNISHABLE BY THE HIGHWAY TRAFFIC ACT

65. Any person who contravenes any of the provisions of this By-law for which a penalty is provided by the Highway Traffic Act, R.S.O. 1990 c. H.8, is subject to the penalties provided therefore in the Highway Traffic Act.

OFFENCES PUNISHABLE BY THE MOTORIZED SNOW VEHICLES ACT

66. Any person who contravenes any of the provisions of this By-law for which a penalty is provided by the Motorized Snow Vehicles Act, R.S.O. 1990; c. M.44, is subject to the penalties provided therefore in the Motorized Snow Vehicles Act.

OFFENCE AND PENALTIES

67. Any person who violates any provision of this By-law to which sections 66 and 67 do not apply, is guilty of an offence and is liable to such penalties as are provided for by the Provincial Offences Act, R.S.O. 1990, c.P.8, as amended.

PART 10 • REPEALS AND ENACTMENT

68. (1) By-law 82-23 of the Corporation of the Town of Ancaster, passed and enacted on the 8th day of March, 1982; By-law 89-60 of the Corporation of the Town of Ancaster, passed and enacted on the 24th day of April, 1989; By-law 79-101 of the Corporation of the Town of -Ancaster, passed and enacted on the 10th day of October, 1979; By-law 542-97 of the Corporation of the Township of Glanbrook, passed and enacted on the 17th day of February 1997; By-law 486-93 of the Corporation of the Township of Glanbrook, passed and enacted on the 16th day of August, 1993; By-law

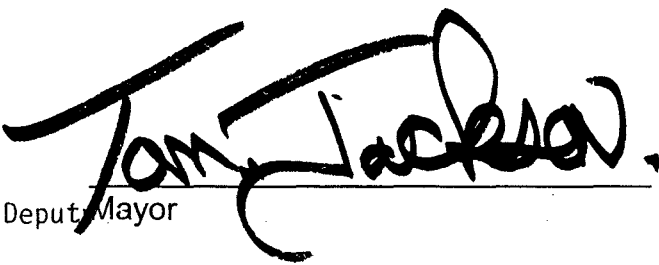
239-82 of the Corporation of the Township of Glanbrook, passed and enacted on the 1st day of March, 1982; By-law 346-87 of the Corporation of the Township of Glanbrook, passed and enacted on the 17th day of August, 1987; By-law 233-81 of the Corporation of the Township of Glanbrook, passed and enacted on the 16th day of November, 1981; and By-law 134-77 of the Corporation of the Township of Glanbrook, passed and enacted on the 14th day of November, 1977; each as amended and including all amendments thereto, are hereby repealed.

- (2) Every Reference to the aforesaid By-laws and every reference to By-law **R89-038** of the Regional Municipality of Hamilton-Wentworth, passed and enacted on the 21st day of March, 1989; By-law 76-46 of the Corporation of the Town of Ancaster, passed and enacted on the 28th day of June, 1976; By-law 3366-82 of the Corporation of the Town of Dundas, passed and enacted on the 18th day of October, 1982; By-law 90-31 -T of the Corporation of the Town of Flamborough, passed and enacted on the 18th day of April, 1990; By-law 515-95 of the Corporation of the Township of Glanbrook, passed and enacted on the 16th Day of January, 1995; By-law 89-72, of the Corporation of the City of Hamilton, passed and enacted on the 28th day of February, 1989; and By-law 4818-98 of the Corporation of the City of Stoney Creek, passed and enacted on the 22nd day of September, 1998; where said reference refers to a matter other than parking or stopping and where said reference antedates the passing of this By-law shall be deemed to be a reference to this By-law

ENACTMENT

69. The short title of this By-law shall be "The City of Hamilton Traffic By-law"
70. This By-law shall come into force and effect upon the date of the issue of an order by the Regional Senior Justice establishing set fines for this by-law.

PASSED and enacted this 1 8th day of September, 2001.


Deputy Mayor


City Clerk

City of Hamilton

BY-LAW NO. 02-017

To Amend:

By-law 01-215, as amended
By-law No. 01-218, as amended
and, By-law No. 01-216

**Being By-laws to regulate Traffic, On-Street Parking
and Municipal Parking Facilities, respectively**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act, as amended, confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS Section 207(56) of the Municipal Act, as amended, confers upon the councils of all municipalities the authority to acquire, establish, lay out and improve land, buildings and structures where vehicles may be parked, and for erecting buildings or structures for, or in connection with, the parking of vehicles;

AND WHEREAS Section 207(56) of the Municipal Act, as amended, further provides for the regulation, supervision and governing of the parking of vehicles on land so acquired, established, laid out and improved;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215, to regulate traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218, to regulate on-street parking;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-216, respecting the construction, maintenance, operation, management and regulation of Municipal Parking Facilities;

AND WHEREAS it is necessary to amend By-law No. 01-215, as amended, By-law No. 01-218, as amended, and By-law No. 01-216, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

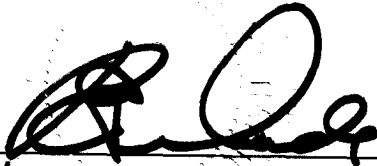
1. By-law No. 01-215, as amended, is hereby further amended by striking out the number "31" in Section 6 thereof and substituting in its place the number "32".
2. By-law No. 01-215, as amended, is hereby further amended by striking out the chapter number "P.8" in section 67 thereof and substituting in its place the chapter number "P.33".
3. By-law No. 01-215, as amended, is hereby further amended by renumbering Sections 59 through 70, both inclusive, as numbers 60 through 71, respectively.
4. By-law No. 01-215, as amended, is hereby further amended by adding thereto, immediately subsequent to Section 58 thereof, the following Section, namely:

"BUS STOPS

59. Those highways or parts of highways indicated in Column 1 of Schedule 32, on the side of said highways set out opposite thereto in Column 2 thereof and at such locations as are set out opposite thereto in Column 3 thereof, are hereby designated as Hamilton Street Railway Bus Stops."
5. By-law No. 01-215, as amended, is hereby further amended by adding thereto, Schedule 32 thereof, in the form as set out in Appendix "A" to this By-law, attached hereto.
6. By-law No. 01-218, as amended, is hereby further amended by striking out the word "other" in Section 30(2) thereof.
7. By-law No. 01-218, as amended, is hereby further amended by striking out the chapter number "P.8" from Subsections (1) and (2) of Section 30 thereof and substituting in its place the chapter number "P.33".
8. By-law No. 01-216 is hereby amended by striking out the chapter number "P.8" from Subsection (1) and (2) of Section 18 thereof and substituting in its place the chapter number "P.33"
9. Subject to the amendments made in this By-law, in all other respects, By-laws No. 01-215, No. 01-218 and No. 01-216, each as amended, and each including all Schedules thereto, if any, are hereby confirmed unchanged.

10. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 23rd day of January, 2002.



Mayor



City Clerk

Bill No. 181

CITY OF HAMILTON

BY-LAW NO. 02-181

**To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (One Way Streets) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"John Northerly Strachan Burlington"

2. Schedule 9 (No Right Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"King William Easterly John Anytime"

and by adding to Section "G" thereof the following item, namely:

"James Street Northerly Barton Anytime"

3. Schedule 11 (No Left Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by deleting from Section "E" the following item, namely:

"King William 79-39 Eastbound John Anytime"

And by deleting from Section "G" the following items, namely:

"James Street	Southbound	Wilson	Anytime
James Street	Southbound	Main	Anytime
King Street (South Leg)	Westbound	James	Anytime"

4. Schedule 13 (Designated Traffic Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" the following item, namely:

"John	30 m south of Burlington and Burlington	West	Anytime	Northerly to Westerly
John	30 m north of Burlington and Burlington	West	Anytime	Southerly to Easterly and Southerly to Westerly

And by adding to Section "G" the following item, namely:

"John	30 m north of King (north branch)	West	Anytime	Southerly to Westerly"
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And by deleting from Section "G" the following item, namely:

"John	100 ft. south of Barton and Barton	East	Anytime	Northerly to Easterly"
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5. Schedule 27 (Truck Routes) of By-law No. 01-215, as amended, is hereby further amended by deleting from Section "E" the following item, namely:

"John Street	Main Street to Barton Street	Anytime
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And by adding to Section "E" the following item, namely:

"John Street	Main Street to King Street (south leg)	Anytime"
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6. By-law No. 01-215, as amended, is hereby further amended by adding to Section 56 thereof the following subsection, namely:

"(6) No person shall drive any vehicle included in the definition of heavy traffic on any highway set out in Column 1 of Schedule 33, between the limits set out in Column 2 thereof, except in the lane or lanes and in the direction set


out in Column 3 thereof and only during the times and days set out in Column 4 thereof.

7. By-law No. 01-215, as amended, is hereby further amended by deleting therefrom Section 6 in its entirety and by substituting in its place the following Section, namely:
- “6. The Schedules attached to this By-law, numbered 1 to 33, both inclusive, are included in and form a part of this By-law.”
8. By-law No. 01-215, as amended, is hereby further amended by adding thereto “Schedule 33”, which Schedule shall describe the following:
- (a) in Column one thereof, the name of the highway or part highway upon which heavy traffic is normally prohibited;
 - (b) in Column two thereof, the limits upon said highway wherein said prohibition is in force and effect;
 - (c) in Column three thereof, the lane or lanes and direction of traffic where heavy traffic is permitted to travel notwithstanding the prohibition; and,
 - (d) in Column four thereof, the times and days when heavy traffic is permitted to travel upon the lane or lanes set out in Column three.
9. By-law No. 01-215, as amended, is hereby further amended by adding to Schedule 33 thereof the following item, namely:
- | | | | |
|-----------|--------------------|--------------------|----------|
| “John St. | King St. (south | east curb lane and | Anytime” |
| | leg) to Barton St. | 2nd from east curb | |
| | | lane - Northbound | |
10. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
11. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 26th day of June, 2002



MAYOR



CLERK

Schedule 33 (Heavy Vehicle Lanes)

Section A (Ancaster)

Highway	Location	Lane(s) and Direction	Times
	Start Section A		
	No entries		
	End Section A		

Schedule 33 (Heavy Vehicle Lanes)

Section B (Dundas)

Highway	Location	Lane(s) and Direction	Times
	Start Section B		
	No entries		
	End Section B		

Schedule 33 (Heavy Vehicle Lanes)

Section C (Flamborough)

Highway	Location	Lane(s) and Direction	Times
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Start Section C

No entries

End Section C

Schedule 33 (Heavy Vehicle Lanes)

Section D (Glanbrook)

Highway	Location	Lane(s) and Direction	Times
	Start Section D		
	No entries		
	End Section D		

Schedule 33 (Heavy Vehicle Lanes)

Section E (Hamilton)

Highway	Location	Lane(s) and Direction	Times
Start Section E			
John St. 02-181	King St. (south leg) to Barton St.	east curb lane and 2 nd from east curb lane - Northbound	Anytime
End Section E			

Schedule 33 (Heavy Vehicle Lanes)

Section F (Stoney Creek)

Highway	Location	Lane(s) and Direction	Times
Start Section F			
No entries			
End Section F			

Bill No. 140

CITY OF HAMILTON

BY-LAW NO. 03- 140
To Amend By-law No. 01-215, as amended,
Being a By-law To Regulate Traffic

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, confers upon the councils of all single tier municipalities the power to pass by-laws respecting highways, including parking and traffic on highways;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic on highways under its jurisdiction;

AND WHEREAS it is necessary to amend By-law No. 01-215, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 11 (No Left Turn on Red) of By-law No. 01-215, as amended, is hereby further amended adding to Section "G" thereof the following items, namely:

"Birch Ave.	Southbound	Wilson St.	Anytime
King St. (South Leg)	Westbound	James St.	Anytime
James St.	Southbound	Main St.	Anytime
James St.	Southbound	Wilson St.	Anytime
John St.	Northbound	King St.	Anytime
Main St.	Eastbound	King St.	Anytime
Main St.	Eastbound	Locke St.	Anytime
Queen St.	Southbound	Main St.	Anytime
Sherman Ave.	Northbound	Cannon St.	Anytime

2. Wilson St. Eastbound Sherman Ave. Anytime"
Schedule 12 (No "U" Turns) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "G" thereof the following items, namely:

"Burlington	Westerly	Kenilworth	Anytime
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Cootes	Easterly and Westerly	East	Anytime
Cootes	Easterly and Westerly	Olympic	Anytime
Cootes	Easterly and Westerly	Thorpe	Anytime
Dundurn	Southerly	Median opening opposite northerly driveway from Super Carnival	Anytime
Golf Links	Westerly	Neville Drive/ Cloverleaf Drive	Anytime
Main	Westerly	Emerson	4:00 pm - 6:00 pm Monday to Friday
Ottawa	Northerly	McAnulty	Anytime
Ottawa	Northerly	Beach Rd. (northerly connection)	Anytime
Queenston	Easterly	170 feet east of Pottruff	Anytime
York	Easterly	Locke	Anytime
York	Westerly	Locke	Anytime
York	Easterly	Dundurn	Anytime
York	Westerly	Dundurn	Anytime
York	Easterly	Oxford	7:00 am - 9:00 am Monday to Friday”

3. Section 56 of By-law 01-215, as amended, is hereby further amended by deleting Subsection (1) therefrom, in its entirety, and inserting in its place the following Subsection, namely:

“(1) For the purpose of this section “heavy traffic” means and includes any vehicle or trailer for which a permit fee under the Highway Traffic Act is based upon a weight of vehicle and load in excess of 4500 kilograms,

excepting however buses, fire fighting equipment, public utility vehicles and authorized emergency vehicles; and”

4. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, as amended, including all Schedules thereto, is hereby confirmed unchanged.

5. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 28th of May, 2003



MAYOR

CLERK

Bill No. 153

CITY OF HAMILTON

BY-LAW NO. 04-153

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 9 of By-law 01-215, as amended, is hereby further amended by deleting Subsection (2)(c) therefrom, in its entirety, and inserting in its place the following Subsection, namely:

“(c) in column 3 thereof, the municipal name of the intersecting highway.”

2. Section 10 of By-law 01-215, as amended, is hereby further amended by deleting Subsection (2)(c) therefrom, in its entirety, and inserting in its place the following Subsection, namely:

“(c) in column 3 thereof, the municipal name of the intersecting highway.”

3. Schedule 4 (Yield Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section “A” thereof, the following items, namely:

“Blasdell	Northbound	Braithwaite
Braithwaite	Eastbound & Westbound	Donnelly

Braithwaite	Northbound & Southbound	Liam
Braithwaite	Eastbound & Westbound	Panabaker
Braithwaite	Eastbound & Westbound	Somerville
Bridgeport	Eastbound	Kitty Murray
Donnelly	Southbound	Braithwaite
Hamilton	Northbound	Wilson
Kitty Murray	Northbound & Southbound	Stonehenge
Kitty Murray	Northbound & Southbound	Suffolk
Kitty Murray	Northbound & Southbound	Thoroughbred
Liam	Westbound	Braithwaite
Meadowbrook	Southbound	Wilson
Meadowlands	Southbound	Stonehenge
Moore	Northbound & Southbound	Morwick (west intersection)
Morwick	Eastbound & Westbound	Moore (west intersection)
Morwick	Eastbound & Westbound	Stevenson
Morwick	Eastbound & Westbound	Valmont
Panabaker	Northbound	Braithwaite
Somerville	Southbound	Braithwaite
Stevenson	Southbound	Morwick
Stonehenge	Eastbound & Westbound	Kitty Murray
Stonehenge	Eastbound	Meadowlands
Stonehenge	Eastbound & Westbound	Thoroughbred
Suffolk	Westbound	Kitty Murray

Thoroughbred	Westbound	Kitty Murray
Thoroughbred	Southbound	Stonehenge
Valmont	Northbound & Southbound	Morwick
Wilson	Eastbound & Westbound	Meadowbrook"

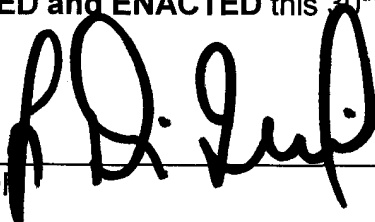
and by adding to Section "F" thereof the following items, namely:

"Blenheim Drive	Northbound & Southbound	Federal Street
Chester Road	Northbound & Southbound	Federal Street
Federal Street	Eastbound & Westbound	Blenheim Drive
Federal Street	Eastbound & Westbound	Chester Road
Federal Street	Eastbound & Westbound	Norwich Road
Federal Street	Eastbound & Westbound	Warwick Street
Margaret Avenue	Northbound & Southbound	Royce Avenue
Norwich Road	Northbound & Southbound	Federal Street
Royce Avenue	Eastbound & Westbound	Margaret Avenue
Warwick Road	Northbound & Southbound	Federal Street"

4. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, **is** hereby confirmed unchanged.
5. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 30th day of June, 2004.

MAYOR



CLERK



Authority: Item 4, Public Works, Infrastructure and Environment Committee
Report 05-011 (PW05085)
CM: June 29, 2005

Bill No. 172

**CITY OF HAMILTON
BY-LAW NO. 05-172
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the Highway Traffic Act;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 1 of By-law 01-215, as amended, is hereby further amended by deleting subsection (y) in its entirety, and by substituting in its place the following subsection, namely:

“(y) “School Zone” means an area through which a highway or part highway passes, which is in proximity to a school where the speed limit on said highway or part highway is reduced;”

2. By-law 01-215, as amended, is hereby further amended by deleting Section 8 therefrom, in its entirety, and by substituting in its place the following Section, namely:

“SCHOOLZONES – REDUCED SPEED LIMITS

8. (1) A reduced speed limit for motor vehicles is hereby prescribed for those highways or parts of highways which are listed in Schedule 3.
- (2) Schedule 3 describes the following:

**Amending Traffic By-law
School Zones Speed Limits**

- (a) in column one thereof, the name of the highway or part highway designated as a School Zone and upon which the reduced speed limit is in force and effect;
- (b) in column two thereof, the limits between which the reduced speed limit is in force and effect;
- (c) in column three thereof, the reduced speed limit in km/h which is in force and effect;
- (d) In column four thereof, the times and days in which the reduced speed limit is in force and effect."

3. Schedule 3 (Flashing School Zones – Reduced Speed Limit) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

"Governor's	from 18m west of Old Governor's 40 (East Leg) to 79m east of Old Governor's Road (West Leg)	40	8:25 a.m. to 9:25 a.m." 3:10 p.m. to 4:10 p.m."
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and by adding to Section "D" thereof the following item, namely:

"Highway No. 56	from 361m north of Cemetery to 115m south of Guyatt	50	8:00 a.m. to 9:00 a.m." 2:35 p.m. to 3:35 p.m."
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and by adding to Section "E" thereof the following item, namely:

"Charlton	from 50m west of Aurora to 107m east of Catharine	40	8:20 a.m. to 4:00p.m."
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and by adding to Section "F" thereof the following item, namely:

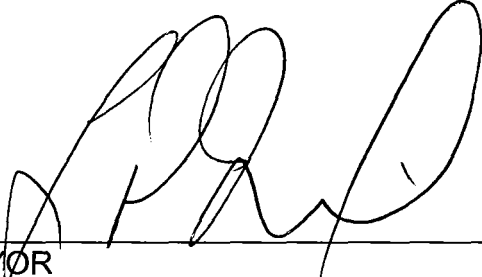
"Barton	from 35m west of Hilton to 63m east of Green	40	8:20 a.m. to 9:20 a.m." 2:55 p.m. to 3:55 p.m."
Dewitt	from 45m north of Highway No. 8 to 50m south of Cresthaven	40	8:00 a.m. to 9:00 a.m." 10:40 a.m. to 12:30 p.m." 2:05 p.m. to 3:05 p.m."
Dewitt	from 33m north of Cresthaven to 59m north of Dupont	40	8:10 a.m. to 9:10 a.m." 11:20 a.m. to 1:15 p.m." 2:45 p.m. to 3:45 p.m."

**Amending Traffic By-law
School Zones Speed Limits**


4. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

5. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 29th day of June, 2005.



MAYOR



CLERK

Authority: Item 5, Public Works Committee
Report 08-004 (PW08021)
CM: February 27, 2008

Bill No. 064

CITY OF HAMILTON

BY-LAW NO. 08-064

**To Amend By-law No. 01-215
To Permit the Use of City Sidewalks by Segway Personal Transporters**

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 7 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS Council desires to amend By-law No. 01-215 to permit limited use of Segway personal transporters on City sidewalks;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. City of Hamilton By-law No. 01-215 as amended, is hereby further amended by repealing and replacing Section 21 with the following section:

“21.(1)No person shall ride on a bicycle, skateboard, skis, coaster, or similar devices, over or upon a sidewalk save at a properly constructed crossing, but this provision shall not apply to baby carriages, roller skates, children's tricycles, or other such conveyances appropriate to sidewalks, or to authorized users of Segway Personal Transporters who operate the Segway in compliance with Ontario Regulation 488/06.

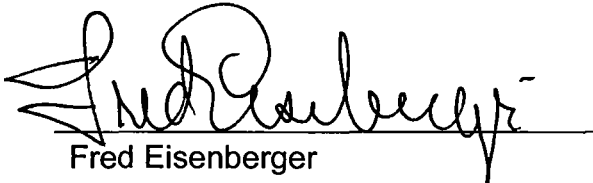
(2) For the purposes of subsection 21(1) authorized users are a member of the Hamilton Police Service, or a person who is 14 years old or older whose mobility is limited by one or more disabilities, conditions or functional impairments.

(3) For the purposes of subsection 21(1) a Segway Personal Transporter is a device manufactured by Segway Inc. and called a Segway Personal Transporter or a Segway Human Transporter, which device has not been modified after its manufacture other than by the addition of a basket, bag,

bell, horn or lamp or other accessory customarily attached to a bicycle,
and which addition does not increase the speed capability of the device.”

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 26th day of March, 2008


Fred Eisenberger
Mayor


Kevin C. Christenson
City Clerk