CITY OF HAMILTON

BY-LAW NO. 17-040

To Amend By-law No. 86-77 and No. 01-215 to Permit Street Hockey

WHEREAS Council deems it expedient to provide for amendments to By-laws No. 86-77 (The Streets By-law) and No. 01-215 (The City of Hamilton Traffic By-law);

AND WHEREAS sections 8, 9, 10, 35 and 450 of the Municipal Act, 2001 authorize the City of Hamilton to pass by-laws and make decisions necessary or desirable for municipal purposes;

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

1. By-law No. 86-77 is amended by adding the following subsection immediately after subsection 16(9):

   16(9.1) Subsection 16(9) shall not apply to the playing of hockey in accordance with By-law 01-215 (The City of Hamilton Traffic By-law).

2. By-law No. 01-215 is further amended by deleting sections 22 and 44, and replacing section 22 with the following:

   22(1) Subject to subsection 22(2), no person shall:

   (a) play or take part in any game or sport on a roadway; or

   (b) use roller skates, roller blades, inline skates, skate boards, skis, coasters, scooters, toy vehicles or similar devices on a roadway except to cross the roadway and when crossing a roadway, such person is deemed to be a pedestrian.

   22(2) The temporary playing of hockey, including the use of portable hockey nets on a roadway, is permitted if:

   (a) the roadway has a speed limit of 40 km/h or less and is a local road;

   (b) play:

      (i) occurs at a location that is safe and suitable;
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(ii) occurs during daylight hours, no earlier than 9:00 a.m. and no later than 8:00 p.m.;

(iii) does not occur during periods of limited visibility from fog, snow or rain; and

(iv) is stopped, and players and hockey nets moved, to permit safe passage of other roadway users, immediately for Authorized Emergency Vehicles and as necessary to avoid delaying other roadway users;

(c) hockey nets:

(i) are immediately removed from the roadway during breaks from play or upon completion of play; and

(ii) are no less than 25 meters distant from an intersection with another roadway or a roundabout; and

(d) play and hockey nets do not interfere with:

(i) access to or from the roadway from driveways and other vehicle or pedestrian approach ramps;

(ii) the maintenance or repair of the roadway including waste collection; and

(iii) the installation, maintenance or operation of traffic control devices and utilities;

22(3) For the purpose of this Section, “local road” means a highway having no more than two lanes of traffic in the case of a two-way street or having only one lane of traffic in the case of one-way streets, and does not include provincial highways or roads classified as parkways, arterials or collector roads in either Schedule C - Functional Road Classification of the Hamilton Urban Official Plan or in Schedule C – Functional Road Classification Hamilton Rural Official Plan, both as amended.

22(4) That staff refer resident disputes concerning the playing of street hockey on local roads to the City’s Mediation Service Program.

3. This By-law comes into force on the day it is passed.

PASSED this 8th day of March, 2017.

F. Eisenberger  R. Caterini
Mayor        City Clerk