

BYLAW NO. 9879

The Traffic Amendment Bylaw, 2023

The Council of the City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as *The Traffic Amendment Bylaw, 2023*.

Purpose

2. The purpose of this Bylaw is to amend *The Traffic Bylaw* to implement a shared electric kick scooter pilot program.

Bylaw No. 7200 Amended

3. *The Traffic Bylaw* is amended in the manner set forth in this Bylaw.

Section 2 Amended

4. The following clause is added after clause 2(1)(k):

“(k.1) **“crosswalk”** means:

- (i) a clearly marked pedestrian crossing; or
- (ii) if there is no clearly marked pedestrian crossing, the prolongation through the intersection of the lateral boundary lines of the adjacent or intersecting sidewalks at the end of a block;”.

New Sections 34.4 and 34.5

5. The following sections are added after section 34.3:

“E-Scooters

34.4 (1) In this section:

- (a) **“e-scooter”** means an electric kick scooter as defined in *The Limited Speed Motor Vehicle Regulations*;
 - (b) **“furniture zone”** means the portion of a street:
 - (i) between the portion of the street provided for the passage of pedestrians and the portion of the street provided for the passage and parking of vehicles; and
 - (ii) that typically contains street furniture such as streetlights or bicycle racks;
 - (c) **“motor vehicle”** does not include an e-scooter;
 - (d) **“shared-use path”** means a shared-use path as defined in *The Bicycle Bylaw, 2020*.
- (2) Provisions of this Bylaw that apply to motor vehicles and vehicles apply to e-scooters, except to the extent that they conflict with this section.
- (3) No person shall operate an e-scooter unless it is owned by a business that has received a permit from the City pursuant to section 34.5 to provide e-scooter rentals.
- (4) An e-scooter may only be operated as follows:
- (a) on a shared-use path;
 - (b) where a street has a speed limit of 50 km/h or lower and does not have a cycle track or shared-use path, on the portion of the street that is meant for the passage of motor vehicles;
 - (c) where a street has a speed limit of 50 km/h or lower and has a cycle track or shared-use path, on the portion of the street that is a cycle track or shared-use path;
 - (d) where a street has a speed limit of greater than 50 km/h, on the portion of the street that is a cycle track or shared-use path;
 - (e) in a public parking lot;
 - (f) on private property with the consent of the property owner.

- (5) For greater certainty with respect to subsection (4), an e-scooter may not be operated as follows:
- (a) on a crosswalk for the purpose of crossing a street;
 - (b) on a sidewalk, other than a sidewalk that is a shared-use path;
 - (c) in a building or parking structure owned by the City;
 - (d) in a Public Square as defined in *The Recreation Facilities and Parks Usage Bylaw, 1998*;
 - (e) on a Saskatoon Transit vehicle;
 - (f) in a skate park or spray park owned by the City.
- (6) No person operating an e-scooter shall:
- (a) fail to comply with subsections (4) or (5);
 - (b) except in the case of parking permitted by clause (7)(c), fail to comply with traffic signs;
 - (c) fail to operate with due care and attention;
 - (d) fail to yield to pedestrians;
 - (e) operate with a passenger;
 - (f) when operating on the portion of a street meant for the passage of motor vehicles, fail to travel in the direction of traffic;
 - (g) when operating on a cycle track or shared-use path, fail to travel in the direction of traffic, if any;
 - (h) carry any object, item or thing that:
 - (i) prevents the person from being able to keep both hands on the steering handlebar; or
 - (ii) obstructs the person's view;
 - (i) perform or engage in any stunt or other activity that is likely to distract, startle, endanger or interfere with pedestrians, vehicles or other street users;

- (j) fail to signal by hand and arm prior to turning as follows:
 - (i) when making a left-hand turn, by extending the left arm horizontally;
 - (ii) when making a right-hand turn, by extending the left arm bent vertically upward;
 - (k) hold onto another vehicle that is in motion;
 - (l) operate in a position other than standing on the platform of the e-scooter; or
 - (m) fail to comply with any provision of *The Limited Speed Motor Vehicle Regulations*.
- (7) An e-scooter may only be parked as follows:
- (a) notwithstanding any other provision of this Bylaw, in an area approved by the City for the parking of e-scooters, as designated by signs, markings or other means;
 - (b) in an area where a motor vehicle may be parked, other than in:
 - (i) an area that is subject to signage that limits parking to a specified amount of time;
 - (ii) a bus stop or taxicab stand;
 - (iii) a parking structure owned by the City;
 - (iv) an area marked for persons with disabilities; or
 - (v) a loading zone;
 - (c) within 10 metres of an intersection where:
 - (i) the e-scooter is parked as close as possible to the curb on the portion of the street meant for the passage of motor vehicles;
 - (ii) the portion of the street on which the e-scooter is parked is immediately adjacent to an area that is subject to signage that limits parking to a specified amount of time; and

- (iii) in accordance with subclause (8)(c)(vi), the e-scooter is parked at least 1 metre away from a crosswalk;
 - (d) in a park as defined in *The Recreation Facilities and Parks Usage Bylaw, 1998* if the e-scooter is:
 - (i) not parked on, or within 1 metre of, a pathway; and
 - (ii) not parked on an area meant for the planting of flowers or shrubs;
 - (e) in a furniture zone;
 - (f) on private property with the consent of the owner.
- (8) No person shall park an e-scooter:
- (a) contrary to subsection (7);
 - (b) in such a way that it:
 - (i) impedes the movement of motor vehicles or pedestrians;
 - (ii) may cause damage or pose a hazard to pedestrians or property;
 - (iii) is not standing self-supported and upright with both wheels in contact with the ground; or
 - (iv) is in contact with, or may cause damage to, a tree;
 - (c) within 1 metre of anything requiring pedestrian or vehicular access, including the following:
 - (i) benches;
 - (ii) bus shelters;
 - (iii) parking pay stations;
 - (iv) pedestrian push buttons;
 - (v) wheelchair, bicycle or curb ramps;

- (vi) crosswalks; or
- (d) on a Saskatoon Transit vehicle.
- (9) Unless the General Manager has provided written permission to do otherwise, the owner of an e-scooter must remove or relocate any e-scooter that has been parked in any location for more than 48 hours.
- (10) The City may do any of the following:
 - (a) relocate, remove or store e-scooters for any purpose considered necessary, including for the purpose of carrying out street maintenance or purposes related to safety;
 - (b) at the expense and risk of the owner, relocate, remove or store any e-scooter that:
 - (i) is parked in contravention of this Bylaw; or
 - (ii) contravenes the terms or conditions of a permit issued pursuant to section 34.5;
 - (c) impose temporary restrictions on the areas where e-scooters may park or operate for any purpose, such as in emergency circumstances, and require the owner of e-scooters to remove some or all e-scooters from, and cease operating in, specified areas for the duration of the temporary restriction.

Permits to Provide E-Scooter Rentals

- 34.5
- (1) No person shall provide e-scooter rentals without a permit issued pursuant to this section.
 - (2) As a pilot program, the City will issue up to two permits for the years 2023 and 2024.
 - (3) Permits will be awarded to the highest scoring applicants who submit applications that meet the requirements of the City's Request for Applications No. 23-0096.
 - (4) The conditions that must be met to obtain a permit are fully set out in Request for Applications No. 23-0096, and include:
 - (a) payment of required fees;

- (b) obtainment of a general business licence from the City; and
 - (c) submission of required documentation such as proof of adequate insurance and a plan respecting the establishment of designated e-scooter parking areas.
- (5) The City may attach to a permit any of the terms and conditions outlined in Request for Applications No. 23-0096, as may be modified or expanded upon to reflect or incorporate the contents of applications received.
- (6) The City may suspend, revoke or amend a permit issued pursuant to this section:
 - (a) as permitted by and in accordance with the permit; or
 - (b) where a permit holder:
 - (i) fails to comply with any provision of this Bylaw;
 - (ii) fails to comply with a term or condition of their permit; or
 - (iii) gave false or misleading information in an application for a permit.
- (7) A permit issued pursuant to this section remains at all times the sole property of the City and does not confer any property rights.
- (8) There is no right of appeal in respect to the City's decision to deny, revoke, suspend or amend a permit issued pursuant to this section.
- (9) Fees to obtain a permit, as well as other fees associated with maintaining a permit, are set out in Schedule No. 19.
- (10) No person shall:
 - (a) fail to comply with any term or condition of a permit issued pursuant to this section;
 - (b) sell, assign, transfer, lease or otherwise dispose of or give up control of a permit issued pursuant to this section; or
 - (c) fail to surrender a permit to the City immediately upon the request of the City.”.

Schedule No. 10 Amended

6. Section 1 of Schedule No. 10 is amended by adding the following after “34 Semi-trailer backed to curb \$50 \$30”:
- | | | | |
|-------------|---|------|------|
| “34.4(3) | Operate an e-scooter that is not owned by a business with a permit to provide e-scooter rentals | \$50 | \$30 |
| 34.4(6) | Improper operation of an e-scooter | \$50 | \$30 |
| 34.4(8) | Improper parking of an e-scooter | \$50 | \$30 |
| 34.4(9) | Park an e-scooter for longer than 48 hours | \$50 | \$30 |
| 34.4(10)(c) | Failure to comply with temporary e-scooter parking or operating restrictions”. | \$50 | \$30 |

Schedule No. 19 Added

7. The schedule marked as Schedule “A” to this Bylaw is added after Schedule No. 18 as Schedule No. 19.

Coming into Force

8. This Bylaw comes into force on the day of its final passing.

Read a first time this _____ day of _____, 2023.

Read a second time this _____ day of _____, 2023.

Read a third time and passed this _____ day of _____, 2023.

Mayor

City Clerk

Schedule “A” to Bylaw No. 9879

Schedule No. 19 Fees for E-Scooter Permits

1. In this Schedule, “**operating season**” means the period of time in a year that e-scooters are permitted to operate within the City, as identified in the permit.
2. The following fees must be paid annually in respect to e-scooter permits:
 - (a) E-Scooter Program Fee: \$4,000.00;
 - (b) Engagement and Communications Fee: \$18,000.00;
 - (c) Fee for designated e-scooter parking areas in furniture zones or other off-street areas: \$100 per area;
 - (d) Fees for designated e-scooter parking areas on streets:
 - (i) \$14.40 per day for the first 30 paid parking days;
 - (ii) \$12.96 per day after the first 30 paid parking days; and
 - (iii) an administrative fee of \$52.50 per application to designate an area or areas as an e-scooter parking area;
 - (e) Deposit: \$10,000.00.
3. The fee identified in clause 2(a) is based on e-scooters being able to operate within the City between April 15 and October 31 and may be prorated in the event the operating season is shorter.
4. In the event there is more than one permittee:
 - (a) the fees identified in clauses 2(a) and (b) are to be shared between permittees, with each permittee’s share calculated in relation to their respective number of e-scooters (for example, if permittee X has 100 e-scooters and permittee Y has 200 scooters, permittee X would be responsible for paying 1/3 of the fees and permittee Y would be responsible for paying 2/3 of the fees); and
 - (b) the fees identified in clauses 2(c) and (d) are to be shared equally between permittees, with each permittee responsible for paying 50 percent of the fees.

5. (1) The fees identified in clauses 2(a), (b) and (e) are due:
 - (a) in the year 2023, prior to permit issuance; and
 - (b) in the year 2024, prior to April 1, 2024.
- (2) The fees identified in clauses 2(c) and (d) must be paid prior to any designated e-scooter parking area being established.
6. The City may deduct money from the deposit for any reason permitted by the permit.
7. In the event the deposit amount falls below \$5,000.00, the City may require a permittee to top up the deposit amount, up to a maximum amount of \$10,000.00.
8. Unused deposit amounts will be returned to permit holders, subject to any potential remaining draws on the deposit:
 - (a) within 30 days after the end of the operating season; or
 - (b) in the event the permittee ceases operations and returns their permit to the City prior to its expiration, within 30 days after the permit is returned.