

Proposed Amendments to Bylaw No. 7200, The Traffic Bylaw

ISSUE

This report is requesting approval to make various amendments to Bylaw No. 7200, The Traffic Bylaw, 1991, including to ensure taxi stands are used for their intended purpose, to ensure time restrictions are enforceable in public parking lots, to provide clarity on which holidays constitute free parking and to facilitate other housekeeping amendments.

RECOMMENDATION

That the Standing Policy Committee on Transportation recommend to City Council:

1. That the proposed amendments to Bylaw No. 7200, The Traffic Bylaw, 1991, as outlined in this report, be approved; and
2. That the City Solicitor be requested to make the necessary amendments to Bylaw No. 7200, The Traffic Bylaw, 1991.

BACKGROUND

The City of Saskatoon's (City) [Bylaw No. 7200, The Traffic Bylaw, 1991](#) (Traffic Bylaw) regulates the use of City right-of-way (ROW), including related provisions for taxi stands, parking enforcement on holidays and stopping.

Taxi stands may be established by City Council for shared use of City of Saskatoon-licensed taxis as common pick-up and drop-off locations in a pay parking zone. Taxi stands are generally installed near major shopping centres and hotels. Current Traffic Bylaw provisions for use of taxi stands are established in Schedule No. 2, stating that no driver shall stop a vehicle in any taxi stand, except for taxis licensed by the City. No provisions exist establishing time limits for how long a taxi can be parked in a taxi stand or requiring drivers to attend the vehicle. Taxis are required to pay for parking in other pay parking stalls.

The Traffic Bylaw outlines exceptions for when payment for parking is not required, including applicable hours of the day, Sunday as free parking and free parking on statutory holidays, observed by the provincial government. At its Regular Business [Meeting](#) on September 26, 2022, Council approved to amend the Traffic Bylaw to accommodate free parking on holidays held in lieu of statutory holidays which fall on a weekend.

Other necessary amendments have been identified as part of a general review of the Traffic Bylaw.

DISCUSSION/ANALYSIS

The following list includes proposed amendments to the Traffic Bylaw and accompanying rationale:

1. Add provisions for the use of taxis stands by on-duty, City-licensed taxis.
 - There have been instances of taxi stand misuse, where taxi drivers, on-duty or not, park and leave their taxis unattended. Requiring taxi drivers to remain in their vehicle unless assisting passengers with loading and unloading provides further clarity on the use of taxi stands for drivers and the taxi industry.
 - The taxi industry was consulted about this change and were in support of the proposed amendments.
2. Add clarity around parking days in which payment is not required and remove the term “civic holiday”.
 - The Traffic Bylaw includes dates for free parking in two separate sections. However, these two sections contradict each other, as recognized provincial statutory holidays of Family Day and Saskatchewan Day are mentioned in one of the sections (10(7)), but not the other (55.2) and this amendment ensures these holidays are identified in both lists.
 - i. It is recommended the term "civic holiday" be repealed as this term is ambiguous. Removing the term civic holiday and instead listing every day on which parking is free avoids confusion as well as any dispute that parking is free on additional days.
 - No changes are proposed to the September 2022 amendments pertaining to free parking on holidays held in lieu of statutory holidays which fall on a weekend.
3. Add provision for time restrictions in public parking lots.
 - The street parking limit of 72 hours does not apply to public parking lots that do not require payment or have shorter time restrictions posted. Such a provision facilitates the ability for Parking Services to enforce and address situations where vehicles are left for longer than 72 hours in public parking lots in the absence of posted time restrictions.
 - As this would impact public parking lots primarily at parks and off-leash dog parks, consultation with relevant internal departments was undertaken. Support was received for the proposed amendment from those internal departments.
4. Accessible parking areas versus zones.
 - A discrepancy exists in the Traffic Bylaw when it comes to enforcing on vehicles parked in designated on-street accessible parking stalls without an accessible placard. Where on-street signage indicates an accessible parking “zone”, vehicles that park without an accessible placard are ticketed for a loading zone violation rather than for parking in an accessible stall due to case law precedent.
 - This discrepancy can be addressed by adding “zone” to Traffic Bylaw accessible parking references.

5. Stopping within proximity to Transit stops.
 - Further detail is needed for enforcing vehicles that have parked or stopped within a designated Transit stop. While clarity exists for Transit stops where two signs exist, such as a front stop and back stop sign, enforcement parameters are unclear for stops that contain only a front stop sign, as the ending of the Transit stop zone is ambiguous.
 - In consultations with Transit, a 22-metre space between the front stop and the first parked car is suitable for Transit bus access. Therefore, a 22-metre space between a Transit front stop sign and the first parked vehicle, subject to other stopping and parking provisions, is recommended.
 - Back stop signs will continue to be installed by Transit on an as-needed basis.
 - An example of Transit stop signs can be found in Appendix 1. For the sake of clarity within the Traffic Bylaw, it is recommended that images of Transit stop signs be added as a Schedule.
6. Provision for parking detached trailers.
 - The Traffic Bylaw currently states a person shall not park or leave parked at any time, a trailer which is detached (21(4)). Separate rules apply in the case of the trailer being a recreational vehicle (21(3)). However, the Bylaw does not specify how a trailer must be attached to a vehicle. For the sake of traffic safety, further detail in the Bylaw should be provided to further ensure trailers are securely attached to a parked vehicle via a hitch or coupler.
7. Double parking.
 - Currently section 16 of the Traffic Bylaw prohibits double parking on a street. This provision should be expanded to include public parking lots, to ensure double parking in public lots is enforced in a manner consistent with enforcement on the street.
8. Section 3 of Schedule No. 10 – Procedure for Notice of Violation Offences.
 - Currently section 3 of Schedule No. 10 details the procedure for paying for notices of violation offences. However, these details do not recognize the option for online payment of notices of violation, specifically for parking. Operationally, online payments of notices of violation for parking have been and will continue to be an option for violators.
 - Furthermore, section 3 of Schedule No. 10 details that Notices of Violations may be a pre-printed form or a form generated electronically through hand-held meter reading devices. Generalizing this language and removing “hand-held meter reading devices” is recommended as this is not the formal name of the devices.

9. Subsection 58(2) – Misuse of parking permits.
 - As parking permits have been rented out by users, including a provision prohibiting such sharing of permits is recommended.
 - Parking permit selling, gifting, and creating, using, displaying, selling or gifting counterfeit permits is already prohibited as per subsection 58(2).
10. Repeal subsection 25(3) – impounding and disposal of vehicles parked in fire lanes or accessible parking stalls in shopping centre parking lots.
 - This section currently outlines provisions covered under Bylaw No. 8640, The Impounding Bylaw, 2007. Removing the section would eliminate redundancies as well as inconsistencies between these bylaws.
11. Definition for grade separation structure.
 - As per Schedule No. 2, no driver shall stop a vehicle (d) on a bridge or grade separation structure. Adding a definition for grade separation structure will reduce ambiguity.

The City Solicitor's Office additionally recommends the following amendments:

1. Update the maximum penalties to mirror the maximum penalties permitted by the current *Cities Act*.
 - The Traffic Bylaw currently sets a general maximum penalty of \$2,000 and \$5,000 for individuals and corporations, respectively. These amounts mirror the maximum penalties that section 92 of the now-repealed *Urban Municipalities Act, 1984* authorized urban municipalities to establish in their bylaws. The current *Cities Act* authorizes cities to establish maximum penalties of \$10,000 and \$25,000, and also permits additional daily fines for continuing offences.
 - It is recommended the general maximum penalties in the Traffic Bylaw be amended to mirror the maximum penalties currently authorized to be established by *The Cities Act*, with a daily maximum fine of \$2,500 for continuing offences for both individuals and corporations.
 - For clarity, these amounts identify the maximum penalties the court may order an individual or corporation to pay. The proposed amendment would enable the court to order higher fines at the discretion of the court.
2. Repeal section 32.1, which states that clause 4(e) of *The School Bus Operating Regulations, 1987* does not apply to the driver of a school bus when approaching a controlled railway crossing.
 - Section 32.1 is unnecessary. The current clause 4(e) of *The School Bus Operating Regulations, 1987* only applies to uncontrolled railway crossings, so it is unnecessary to state that clause 4(e) does not apply when approaching controlled railway crossings.

FINANCIAL IMPLICATIONS

There are no financial implications.

OTHER IMPLICATIONS

Other relevant bylaws impacted by the proposed amendment to the holiday list include [Bylaw No. 7862, Residential Parking Program Bylaw, 1999](#). Alignment with the Traffic Bylaw holiday list will be tabled at a Standing Policy Committee on Transportation meeting at the next Residential Parking Program Bylaw amendment in 2024.

NEXT STEPS

Should City Council approve of the proposed amendments, the City Solicitor will prepare an amendment to the Traffic Bylaw.

APPENDICES

1. Transit Stop Signs

REPORT APPROVAL

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