



Replacement of the Roads and Transportation Bylaw

Electoral Division: All

File: N/A

Date:	July 9, 2024		
Presenter:	Jay Loro, Traffic Supervisor		
Department:	Enforcement Services		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

REPORT SUMMARY

Rocky View County (the County)'s *Roads and Transportation Bylaw C-5775-2003* (the 2003 bylaw) regulates the use of highways and public places within the urban and rural service areas of the County. The 2003 bylaw was adopted over 20 years ago, and the County has grown considerably since then, welcoming more subdivision and business development. Administration has developed *Roads and Transportation Bylaw C-8427-2023* (the proposed bylaw) for Council's consideration to replace the 2003 bylaw.

The proposed bylaw reflects best practices, current legislation, and County needs based on reoccurring issues. Administration has also conducted a thorough internal review and external legal review to develop the proposed bylaw. Highlights of the proposed bylaw's changes include:

- Removal of redundant sections covered by provincial legislation or other County bylaws;
- Addition of new sections that address reoccurring issues (e.g. commercial parking, refuse containers);
 - Note Section 23 added to reflect changes to commercial parking rules in DC120, which were approved by Council on June 11, 2024;
- Updating language to reflect industry best practices, legislation, and County standards;
- Strengthening of definitions to increase clarity; and
- Updating the minimum specified penalties.

ADMINISTRATION'S RECOMMENDATION

THAT Bylaw C-8427-2023 be given first reading.

THAT Bylaw C-8427-2023 be given second reading.

THAT Bylaw C-8427-2023 be considered for third reading.

THAT Bylaw C-8427-2023 be given third and final reading.

BACKGROUND

The *Municipal Government Act* provides that a Council may pass bylaws with respect to the safety, health, and welfare of people, and the protection of people and property, as well as people, activities, and things in, on, or near a public place, or a place that is open to the public. Sections 13 and 14 of the *Traffic Safety Act* allow Council to make bylaws to regulate and control vehicle and pedestrian traffic. The

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proposed bylaw is intended to regulate the use of highways and public places within the urban and rural service areas of the County. and to regulate traffic, pedestrians, and parking.

Changes have been made to the Peace Officer Program, the *Special Events Bylaw*, and the *Road Use Agreement Bylaw* requiring language and redundancy updates in the proposed bylaw. For example, the term “Enforcement Officer”, not found in the 2003 bylaw, is used throughout the proposed bylaw. Another example is the addition of the definition of a “commercial vehicle” to the proposed bylaw to ensure gross vehicle weight standardization with the *Road Use Agreement Bylaw*.

ANALYSIS

Table 1 below outlines the more significant changes between the proposed bylaw and the 2003 bylaw. Also included is a rationale for each proposed change. Any amendments not noted in the table were made for administrative purposes to clean up grammar, update language, increase clarity, or remove redundancies.

Table 1: Proposed Changes and Rationale

Proposed Change	Rationale
Removal of section 6 from 2003 bylaw – “No pedestrian shall cross (a) a roadway on a bridge; (b) a roadway within one hundred meters in any direction on the approach to a bridge; other than at an intersection or a posted crosswalk.”	Not needed in the history of the 2003 bylaw.
Removal of “Parades and Processions” header and applicable sections (10-10.9) from 2003 bylaw.	Redundant - Needed guidance is now in the <i>Special Events Bylaw</i> or <i>Traffic Safety Act</i> .
Added “panhandling” in section 12, definitions, and Schedule ‘B’ in proposed bylaw.	Included to address an increase in this type of complaint.
Added section 17 in proposed bylaw – “No operator or owner of a vehicle shall stop or park or permit the stopping or parking of a vehicle in such a manner that the vehicle is in front of or within 1 metre of the side of any refuse container or storage area located in any alley.”	Included to address an increase in this type of complaint, particularly in hamlets.
Added section 23 in proposed bylaw – “No person shall park a heavy vehicle (bus, commercial vehicle, farm equipment, farm vehicle, implement of husbandry) of any design or capacity on any highway or municipal land: (1) within a hamlet; (2) within any area of the County designated as a residential district except when such vehicle is actively engaged in a bona fide delivery, transport, or similar activities; or (3) within any area designated in Direct Control District 120 (DC 120), or as amended from time to time, outlined in the County <i>Land Use Bylaw</i> .”	Included to reflect changes to commercial parking rules in DC120, brought forward by a Council Notice of Motion, and to standardize these changes to all County residential districts where complaints about commercial parking have increased.

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Proposed Change	Rationale
Added section 44 in proposed bylaw – “No person shall cause or allow oil or any chemical or any liquid to be deposited or disposed of on a highway without obtaining permission to do so from the County.”	Included to address an increase in this type of complaint.
Added section 46 in proposed bylaw – “No person shall use any implement of husbandry or machine to cultivate or harrow or in a way disturb or damage the side slope or back slope portion of a highway without permission to do so from the County.”	Included to address an increase in this type of complaint.
Added section 66 in proposed bylaw – “No person shall block or hinder traffic on any County administered highway for any commercial film production without obtaining a permit to film first.”	Added to ensure reader knows a permit is required – this is currently regulated by the <i>Special Events Bylaw</i> .
Added section 67 in proposed bylaw – “No person shall urinate or defecate on a highway or land owned or controlled by the County.”	Included to address an increase in this type of complaint.
Added section 87 in proposed bylaw – “No person shall obstruct, hinder, or impede any Enforcement Officer, Designated Officer, or County employee, contractor, or agent in the exercise of any of their powers or duties under this bylaw.”	Reflects industry best practice.
Updated sections 75-94 in proposed bylaw.	Amendments based on advice from legal counsel to ensure enforceability of proposed bylaw reflects industry best practices.
Addition of many new definitions to Schedule ‘A’ of proposed bylaw (e.g. alley, commercial vehicle, disabled parking zone, hamlet, off highway vehicle, utility furniture, etc.)	Definitions were added or amended to: <ul style="list-style-type: none"> • Increase clarity for existing terms; • Standardize terms across County bylaws; and/or • Reflect current needs.
Specified Penalties in Schedule ‘B’ range from \$250-\$500 in proposed bylaw (ranged from \$50 to \$500 in 2003 bylaw)	Updated to reflect costs of modern prosecution and industry standards.

COMMUNICATIONS / ENGAGEMENT

If the proposed bylaw is approved by Council, it will be made available to the public on the County’s website. No additional communication would be undertaken following approval of the proposed bylaw. As per current practice, when complaints are received, education over enforcement would be preferred to obtain voluntary compliance.

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IMPLICATIONS

Financial

No financial implications have been identified at this time.

Other Implications

The modernization of the *Roads and Transportation Bylaw* will give Administration improved ability to respond to current complaints.

STRATEGIC ALIGNMENT

This report is a requirement of section 191(1) of the *Municipal Government Act* which requires bylaws to be adopted, amended, and repealed by Council.

ALTERNATE DIRECTION

No alternate options have been identified for Council's consideration.

ATTACHMENTS

Attachment A: Proposed *Roads and Transportation Bylaw C-8427-2023*

Attachment B: *Roads and Transportation Bylaw C-5775-2003*