



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Corporate Assets and Strategic Planning Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	May 22, 2014
SUBJECT/REPORT NO:	Amendments with Respect to Provisions of the Traffic By-law 01-215 (PW14052) - (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	John Mater, C.E.T. Director of Corporate Assets & Strategic Planning (905) 546-2424, Extension 3982
SUBMITTED BY:	Gerry Davis, CMA General Manager Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the proposed by-law attached as Appendix "A" to Report PW14052, which amends Traffic By-law No. 01-215 and which has been prepared in a form satisfactory to the City Solicitor, be enacted.
- (b) That the item respecting the use of overpasses for displays be removed from the Public Works Committee Outstanding Business List.

EXECUTIVE SUMMARY

Council directed staff to report on regulating by by-law the use of overpasses for displays of any kind.

This report recommends amendments to Traffic By-law No. 01-215 prohibiting the display of any sign or similar device above, on or under a City bridge over a highway and allowing for the removal and storage of such signs or similar devices by the City or the police if they are displayed. The prohibition does not apply to authorized or official signs (City or Provincial signs).

In addition, when the most recent application for an updated set fine order for Traffic By-law 01-215 was submitted to the Ministry of the Attorney General, the Ministry pointed out that there was no effective offence provision for over-weight or over-size vehicles/loads on a highway without a permit. Accordingly, a housekeeping amendment to remedy this is included in the proposed by-law.

Alternatives for Consideration - Not Applicable

FINANCIAL - STAFFING - LEGAL IMPLICATIONS

Financial: None
Staffing: None
Legal: None

HISTORICAL BACKGROUND

As a result of protest banners displayed on Lincoln Alexander Parkway overpasses, which slowed traffic considerably and may have led to one or more collisions, Council directed Municipal Law Enforcement staff, in consultation with Legal Services and Public Works staff, to report on regulating by by-law the use of overpasses for displays of any kind.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

NA

RELEVANT CONSULTATION

Municipal Law Enforcement, Legal Services and Hamilton Police Services were consulted.

ANALYSIS AND RATIONAL FOR RECOMMENDATION

Traffic By-law No. 01-215 regulates traffic in the City of Hamilton including regulating signs and similar devices on highways. It prohibits certain signs and similar devices as unlawful, for example flashing signs that interfere with the safe operation of a motor vehicle or take the attention of a driver away from the operation of their vehicle.

The proposed by-law attached as Appendix "A" adds to the unlawful signs provisions which protect drivers, passengers and vehicles on highways, ensuring safety as vehicles travel under overpasses. The display of any sign or similar device, except an authorized or official sign, above, on or under a City bridge over a highway is prohibited and such signs or similar devices may be removed and stored by the City or the Police if they are displayed.

ALTERNATIVES FOR CONSIDERATION

NA

ALIGNMENT TO THE 2012 - 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" Proposed By-law to Amend Traffic By-law No. 01-215