



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Transportation Operations and Maintenance Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	July 8, 2020
SUBJECT/REPORT NO:	Community Safety Zones (PW20045) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Mike Field (905) 546-2424 Ext. 4576 David Ferguson (905) 546-2424 Ext. 2433 Ryan Krantz (905) 546-2424 Ext. 5663
SUBMITTED BY:	Edward Soldo Director, Transportation Operations & Maintenance Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the amendment of City of Hamilton By-law 01-215, being a by-law to Regulate Traffic (“City of Hamilton Traffic By-law”), to add the designation for community safety zones, attached to Report PW20045 as Appendix “A”, and which has been prepared in a form satisfactory to the City Solicitor be approved;
- (b) That the Community Safety Zone Selection Guideline, attached to Report PW20045 as Appendix “B”, be received; and
- (c) That the Mayor submit a letter to the Ministry of Transportation Ontario, on behalf of City Council, seeking legislative and regulatory amendments to allow municipalities to administer Automated Speed Enforcement and Red-Light Camera Enforcement programs through the Administrative Monetary Penalty system.

EXECUTIVE SUMMARY

On January 13, 2020, Council directed staff to initiate a one-year automated speed enforcement (ASE) pilot program to be used in designated school zones and community safety zones utilizing two mobile automated speed enforcement units, to assess the

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

technology and impacts on the City and Provincial Offences Court system through the Automated Speed Enforcement Report (PW20002).

Prior to the implementation of the enforcement camera, ASE signage is displayed at the location for a period of 90 days and it is removed after the enforcement period. The two mobile automated speed enforcement units would be rotated through 12 locations over the course of pilot program. The impacts of the pilot program on community safety and the Provincial Offences Court system will be monitored and a report with these findings will be presented to Public Works Committee in Q3 of 2021.

According to provincial legislation, a location must be identified as either a school zone or a community safety zone in order to deploy and operate ASE equipment. The City of Hamilton Traffic by-law does not include a designation for community safety zones, nor is there a process or guideline in place to select them.

Community safety zones help to change driver behaviour, including reducing speed and distracted driving, and improving safety on certain sections of road where public safety is of special concern. Fines for speeding and careless driving are doubled and fines for other Highway Traffic Act offences are also higher in these zones.

Proposed amendments to the City of Hamilton Traffic By-law which includes the addition of a designation for community safety zones is attached to Report PW20045 as Appendix "A". This amendment is required to permit the deployment and operation of ASE equipment in locations in addition to school zones.

An implementation guideline entitled 'Community Safety Zone Selection Guideline', has been developed to select and rank candidate locations, which is attached to Report PW20045 as Appendix "B".

To assist with implementation of the ASE pilot project, Transportation Operations & Maintenance have evaluated seventy-five (75) candidate locations, using the selection guideline, and identified twelve (12) locations as well as ASE deployment schedules which will be used, as attached to Report PW20045 as Appendix "C". The twelve (12) locations have been included in the amendment of City of Hamilton By-law 01-215 (Appendix "A") as they are required to be formally designated as community safety zones for ASE implementation.

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Not applicable; funding for community safety zones and ASE was previously approved on January 13, 2020 via Automated Speed Enforcement Report PW20002.

Staffing: N/A

Legal: Amendment to Traffic By-law 01-215.

HISTORICAL BACKGROUND

On September 1, 1998, the *Highway Traffic Act*, R.S.O. 1990, c. H.8 (HTA) was amended to permit municipalities to establish community safety zones on public roads under their jurisdiction. The City of Hamilton is one of the few larger municipalities that does not have designated community safety zones.

Under Section 214.1(1) of the HTA, delegated authority was given to the Council of municipalities to designate, by by-law, a part of a highway under its jurisdiction as a community safety zone if, in the Council's opinion, public safety is of special concern on that part of the highway.

On May 30, 2017, the Province of Ontario passed Bill 65, the Safer School Zones Act, which amended the HTA to facilitate the municipal adoption of ASE technology on roads with speed limits under 80 km/h in designated school zones and community safety zones.

In February 2019, Council approved the Hamilton Strategic Road Safety Program and Vision Zero Action Plan 2019-2025 through Report PW19015, which identified the use of ASE technology.

In January 2020, Council authorized the use of ASE for a one-year limited use pilot in designated school zones and community safety zones utilizing two mobile automated speed enforcement units.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The recommended community safety zones align with the community vision established in the following Council approved policies:

Hamilton Transportation Master Plan

Applicable Section	Description
2.3 Strategic Plan Direction	Objective 3 Enhance the liveability of neighbourhoods and rural areas.
Policy Theme: Emerging Technology	Identify opportunities for and run pilot projects to assess the applicability and/or feasibility of implementing new technological opportunities.
Policy Theme: Road Safety	Apply speed reduction techniques through the implementation of CLB streets as well as through other opportunities.

Hamilton Council Strategic Plan 2016-2025

Applicable Section	Description
Our Mission	To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

Hamilton Strategic Road Safety Program and Vision Zero Action Plan 2019-2025

Applicable Section	Description
Vision	To have the safest traffic record in Canada
Mission	To improve the quality of life of the citizens of Hamilton through a reduction in property damage and injury resulting from traffic collisions
Primary Emphasis Areas	Aggressive Driving, Intersections, and Vulnerable Users

RELEVANT CONSULTATION

The following key stakeholders have been consulted with respect to the development and content of this report:

- Provincial Automated Speed Enforcement Steering Committee;
- Hamilton Strategic Road Safety Committee;
- Road Safety Committee of Ontario (ROSCO);
- Ontario Ministry of Transportation;
- Ontario Traffic Council;
- Legal Services;
- City Clerks; and
- Corporate Services.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Community safety zones are typically designated on roadways directly abutting or in proximity to schools, day-care centres, retirement residences, or road sections that public safety is of special concern. Within designated community safety zones traffic laws remain the same, however traffic offenses are subject to the doubling of fines, and like red light camera offences, demerit points are not affected.

The intent of community safety zones is to provide road users with visual awareness that they should be diligent in their attentiveness to roadway safety when traveling in or through designated areas. The doubling of traffic offence fines assists in reinforcing the importance of safety and to modify driver behaviour.

In accordance with Subsections 214.1 (4) and (5) of the HTA, community safety zone designations do not take effect until municipal by-laws are in place and the required signage is posted. Community safety zone signs are posted at the limits of the zone with "Begins" and "Ends" tabs defining the legal limits of the zone to meet the requirements of the Ontario Traffic Manual, Book 5. The rules of the road don't change within the zone, only the penalties for violations are increased. City of Hamilton by-law 01-215 being a By-law to Regulate Traffic ("City of Hamilton Traffic By-law"), must be amended to permit the designation of community safety zones. The proposed amendment is attached to Report PW20045 as Appendix "A".

Based on Provincial guidelines for the implementation of ASE, Transportation Operations & Maintenance have developed a guideline for community safety zone selection. The guideline, attached to Report PW20045 as Appendix "B" to this report, is intended to provide a consistent, repeatable, transparent and defined method for designating community safety zones and responding to requests from Council and the public.

Scored ranking criteria takes roadway characteristics into account such as daily traffic volume, vehicle operating speed, pedestrian volumes, collision history, and the presence (or lack of) multi-modal amenities to determine areas that would benefit from being designated as a community safety zone. The ranking of locations that meet the guideline will ensure that roadways with a greater number of vulnerable road users and higher exposures to roadway safety risk factors will receive priority designation.

Roadway safety risk factor exposure in existing designated school zones vary from location to location. School zones can also be designated as community safety zones as well (dual designation) and would then benefit from the doubling of traffic offence fines. The guideline identifies that designated school zones that score a minimum of 25 points also be designated as community safety zones.

ASE is not permitted for use on roadways with reduced speed limits controlled by flashing beacons. Since these roadways are usually higher classified type roadways, Transportation Operations & Maintenance recommends that these locations still be permitted to be designated as community safety zones and that enforcement be undertaken by Hamilton Police Services.

Transportation Operations & Maintenance evaluated seventy-five (75) community safety zone candidate locations in order to select zones which will be included as part of the ASE pilot project. A list of ASE community safety zone locations which is comprised of twelve (12) locations (mapped locations attached to Report PW20045 as Appendix "D") and ASE implementation dates and the ranking list of the seventy-five (75) candidate locations has been attached to this report as Appendix 'C'. Further evaluation of additional candidate locations has been paused because traffic volume counting is suspended during COVID-19 conditions.

Depending upon the status of schools opening in September of 2020, due to COVID-19, the proposed ASE deployment locations may be revised in a scenario in which schools do not re-open. Should this occur, the next highest ranked candidate location, that does not include a school zone, will be used.

In consultation with the Ontario Traffic Council and Hamilton Legal Services, it is recommended that the City of Hamilton write to the Minister of Transportation to thank her for considering an AMPS regime to ASE and Red-Light Camera Programs in 2022. The pressure on our overburdened POA courts was already a problem pre-Covid-19 and the backlogs over the next year will cause some serious challenges with contested provincial offences fines, which now include ASE. In moving these programs to AMPS, it will permit the municipality to potentially increase the number of operating locations as a result of reduced costs and be able to have a primary focus on roadway safety without increased pressure to a stressed court system.

ALTERNATIVES FOR CONSIDERATION

Council has already approved and directed Transportation Operations & Maintenance to implement Automated Speed Enforcement in designated school zones and community safety zones on January 13, 2020 via Automated Speed Enforcement Report (PW20002).

While Council may choose to identify alternate candidates for community safety zones for use with the ASE pilot program, it is recommended that the guideline be utilized in order to focus on the highest priority locations and to provide a consistent, repeatable, transparent and defined method for designating community safety zones.

The ASE pilot program is limited in the number of locations that can be assessed due to the use of two cameras and the notification requirements. Upon completion of the pilot program, dependent on the results of the ASE initiative, the program may be expanded, and the number of community safety zones within the ASE initiative may be increased.

Additional community safety zones may be designated outside of the ASE initiative that would be enforced subject to the availability of resources from the Hamilton Police Services. Staff can work with Councillors to review potential locations and their suitability for community safety zone implementation and report back at a future date.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PW20045 – Amending By-law to City of Hamilton By-law 01 215,
being a By-law to Regulate Traffic, to designate
Community Safety Zones

Appendix “B” to Report PW20045 – Community Safety Zone Selection Guideline

Appendix “C” to Report PW20045 – ASE Deployment Schedule and Ranking

Appendix “D” to Report PW20045 – CSZ/ASE Locations