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Date April 16, 2019 **Report No.** 2019-43
To Chair and Members
Committee of the Whole – Operations and Administration
From E. (Beth) Goodger
General Manager, Public Works

1.0 Type of Report

Consent Item
Item For Consideration

2.0 Topic **Cycling on Sidewalk - Traffic By-Law 37-83 Amendment [Financial Implication - None]**

3.0 Recommendation

THAT Traffic By-law 37-83 BE AMENDED as outlined in Appendix A of Report 2019-43 to include the following:

- (i) THAT definitions for “bicycle”, “motor-assisted bicycle”, and “power-assisted bicycle”, BE ADOPTED to better identify and regulate what is commonly referred to as “e-bikes”; and
- (ii) THAT only cyclists age 13 and under BE PERMITTED to ride a “bicycle” on the sidewalk; and
- (iii) THAT operation of “motor-assisted bicycle” and “power-assisted bicycle” BE PROHIBITED on the sidewalk or on a combined use pathway.

4.0 Purpose and Overview

To update Traffic By-law 37-83 regarding “motor-assisted bicycle” (MAB), “powered-assisted bicycle” (PAB), cycling on sidewalks/combined use

pathways, and changes in Provincial legislation. Update of By-law 37-83 is also necessary to improve clarity and consistency between Brantford's traffic by-law, Chapter 420 of the Municipal Code, as well as with the provincial Highway Traffic Act (HTA). The changes are expected to facilitate user compliance and enforcement of cycling regulations including riding on sidewalks.

5.0 Background

The advancements of motorized bicycles, electric scooters, and mopeds have increased the number and speeds of these vehicles substantially. Although each of the vehicles is technically different, they are often referred to as "e-bikes" by the public since most of them have an electric motor attached. In general, bicycles with a motor are either classified as "motor-assisted bicycle" or "power-assisted bicycle" under the Highway Traffic Act (HTA). The major differences between the two are elaborated under Section 8 of this report.

In 2018, the City had launched a safety campaign to educate the public regarding rules of the road. Through the campaign, the public consistently expressed concerns about "e-bikes" on sidewalks. A review of the City's traffic by-laws revealed regulations for bicycles and various forms of "e-bikes" are becoming obsolete and need to be updated.

Brantford Police has laid 15 charges for cycling on the sidewalk in 2018.

6.0 Corporate Policy Context

The following long term desired outcome from the Strategic Plan is addressed with the recommendation:

- Brantford will be supported by well-developed and maintained transportation and servicing infrastructure.

The Active Transportation Strategy for the 2014 Transportation Master Plan Update emphasizes the importance of safe places to walk and cycle as well as an overall goal of making active modes attractive.

In July 2018, Council adopted Vision Zero for Road Safety for the City of Brantford with an aim to make Brantford streets safer through improved education, enforcement, engineering, evaluation and engagement. The changes support Council's goal of ZERO fatalities or serious injuries on roadways that was adopted in July 2018. By-law changes support the enforcement element of Vision Zero and traffic road safety programs.

7.0 Input From Other Sources

Input for this report was received from the City's Legal Department. Brantford Police Services was also contacted in regards to current enforcement of sidewalk cycling.

The Vision Zero Road Safety Committee was notified of the coming updates for bicycle by-laws at its meeting on January 31, 2019.

8.0 Analysis

The City's regulation for cycling on the sidewalk is becoming obsolete with the update of provincial regulations and advancement of cycling technologies. Updating the City's regulations is needed to facilitate enforcement of unsafe cycling on the City's sidewalks. The primary goal of this report is to update rules for cycling on sidewalks, especially related to "power-assisted bicycle" (PAB) and "motor-assisted bicycle" (MAB) where they are often referred to as "e-bikes".

Regulations and visual differences between PAB and MAB can be very subtle and ambiguous. While only a PAB is recognized as an "e-bike", a MAB is often mischaracterized as an "e-bike" due to its similarities to a PAB. Table 1 outlines the key differences between a conventional bicycle, PAB, and MAB.

In general, the quickest way to visually identify a PAB versus a MAB is by the presence of a license plate. A MAB is required to have a license plate where a PAB does not. Other differences between PAB and MAB may include requirement of pedals on a PAB. However, presence of pedals is not a sure way to identify PAB given MAB could also have pedals. The inclusion of pedals on a MAB is not a requirement but often used to blend in as a PAB to evade licensing requirements.

The subtleties between PAB and MAB make enforcement of regulations very challenging since simple modifications could make them look like one or another. For the purposes of regulations under the municipal by-law, it is advisable to regulate PAB and MAB as uniformly as possible to minimize enforcement difficulties. The recommendations in this report pertaining to riding on the sidewalk have streamlined regulations for PAB and MAB.

Table 1: Bicycle, Power-Assisted Bicycle and Motor-Assisted Bicycle Features

	Bicycle	Power-Assisted Bicycle (PAB)	Motor-Assisted Bicycle (MAB)
Commonly Assumed Names (Correctly and Incorrectly)	Regular bicycle, conventional bicycle	E-bike, scooter, limited-speed motorcycle	E-bike, scooter, limited-speed motorcycle, bicyclette
Inclusion of a motor?	No	Yes	Yes
Applicable Regulations *	HTA, Municipal By-Laws	HTA, Municipal By-Laws, MVSA	HTA, Municipal By-Laws
Minimum Operator Age	None specified	No less than 16 years old	No less than 16 years old
Maximum Speed	None specified	32km/h	50km/h
Weight Specification	None specified	No greater than 120kg	No greater than 55kg
Operator License Required?	No	No	Yes (M class, bike requires a license plate)
Other Notes	Considered as a vehicle, includes tricycle, a unicycle and a power-assisted bicycle but does not include a motor assisted bicycle under the HTA	Considered as a bicycle under HTA	Not considered as a bicycle or a motorcycle under HTA

*HTA: Highway Traffic Act, R.S.O. 1990

*MVSA: Motor Vehicle Safety Act (Canada). 1993

8.1 Definition Update

Traffic By-law 37-83 currently only has a definition for a bicycle but does not have a definition for PAB or MAB. A distinction between bicycle, PAB, and MAB is required in order to effectively regulate cycling on the sidewalk.

Effective October 3, 2009, the Ministry of Transportation Ontario (MTO) classified PAB as bicycles, allowing them to travel anywhere conventional bicycles are permitted to travel (e.g. roads, multi-use trails etc.). Municipalities may pass by-laws specific to PAB that prohibit them from municipal roads, sidewalks, bike paths, bike trails, and bike lanes under their jurisdiction. The City's Traffic By-law 37-83 includes requirements for bicycles, but it does not have specific requirements for PAB or MAB.

As noted earlier, PAB is also known as an "e-bike". According to the Ministry of Transportation Ontario definition of an e-bike, an e-bike has wheels with a diameter of at least 350 mm (13.8 inches). Through Traffic By-law 37-83, The City of Brantford prohibits sidewalk cycling with the exception of small children's bicycles. The current definition of a bicycle in Traffic By-Law 37-83 permits a bicycle with a rim diameter no greater than 16 inches to ride on the sidewalk with the intent to accommodate children's bicycles. However, this also allows most PAB to ride on the sidewalk, as they tend to have small wheels like children's bicycles. The City's traffic by-law already prohibits sidewalk cycling but has an exception for children's bicycles based on wheel size. The prohibition is enforced by Brantford Police. The smaller wheel of e-bikes creates an unintended loophole in the current by-law that should be eliminated by introducing proper definitions for PAB and MAB.

In 2013 Council received an information report on the regulation of electric powered vehicles within the City of Brantford (Report LO2013-006). Parks staff returned back to Council in 2014 with a recommendation to regulate the use of e-bikes and scooters on trails in the City of Brantford (Report CD2014-011). The current Parks By-Law bans PAB and MAB on all bicycle paths, multi-use trails and recreational trails owned or maintained by the City. However, the 2014 by-law is limited to park facilities and does not apply for similar facilities within a road right-of-way (ROW). Since many of the City's multi-use trails are within the ROW and connected to park facilities, it is important to align City by-laws by using consistent definitions.

8.2 Sidewalk Cycling and Children

Within the current Traffic by-law, the definition of a bicycle allows for anyone riding a bicycle with a rim diameter of no greater than 16” to ride on the sidewalk. This size of bike would typically fit a child up to the age of 7. However, a wheel size does not reflect a person’s ability to ride a bicycle or their speed and safety awareness. As the current Traffic By-Law 37-83 stands, the City would expect most elementary aged children to ride on the road with traffic. This expectation does not reflect how younger children ride their bicycles.

Staff reviewed practices in other municipalities to compare how their by-laws are written for children riding on the sidewalk. Other municipalities such as the City of Toronto, City of Peterborough and City of London currently use age of 13 and under to permit cycling on the sidewalk. An age exception, rather than a wheel size limit, is more appropriate to encourage young children to ride in a safe, age appropriate environment especially for their journey to school. It should be noted that the age exception would only apply to conventional bicycles since Highway Traffic Act does not permit any person under the age of 16 years to operate a MAB or PAB on a highway. Furthermore, the recommendations in this report would explicitly prohibit all PAB and MAB on sidewalks or multi-use trails within the City’s road allowance. Table 2 provides a summary of the proposed cycling regulations.

Table 2: Proposed Cycling Regulations

Cycling Location	Bicycle	Power-Assisted Bicycle (PAB)	Motor-Assisted Bicycle (MAB)
On Sidewalks	Prohibited except age 13 and younger	Prohibited	Prohibited
On Multi-use Trails/Combined-use Pathways/Multi-Use Paths	Allowed	Prohibited	Prohibited
In Bicycle Lanes	Allowed	Allowed	Prohibited
On Roads	Allowed	Allowed	Allowed

Additional updates to Traffic By-Law 37-83 are expected in the near future to regulate other emerging technologies that may not be captured in the current by-law.

In summary, the recommended amendments to Traffic By-Law 37-83 will:

- Include the definitions of: “bicycle”, “motor-assisted bicycle” (MAB) and “power-assisted bicycle” (PAB) that are consistent to the HTA and City’s Municipal Code;
- Change the sidewalk cycling restriction from the current rim size restriction to an age limit of 13 years old and younger; and
- Prohibit the use of power-assisted bicycles on sidewalks, pedestrian paths and any paths shared by bicycles and pedestrians (i.e. multi-use trails, combined-use pathways)

9.0 Financial Implications

There are no financial implications resulting from the recommendation of this report.

10.0 Conclusion

Approval of the recommendations of this report will amend Traffic By-law 37-83 to prohibit “e-bikes” from sidewalks within the City of Brantford and make sidewalks safer for pedestrians. The revisions will also provide safer cycling for children by permitting children under the age of 14 to ride on Brantford’s sidewalks. The recommended changes support active transportation in the City as well as the enforcement element of road safety programs to support Vision Zero and the City’s goal of ZERO fatalities or serious injuries on roadways.



R. Loukes, P. Eng.
Director, Engineering Services



E. (Beth) Goodger
General Manager, Public Works
Commission



T. Ku, P. Eng., PTOE
Manager, Transportation Services

Attachments:

Appendix A - Traffic By-law 37-83 Amendment

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required yes no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk yes no

Is the necessary by-law or agreement being sent concurrently to Council? yes no

Appendix A:

- a) RECOMMEND THAT Section 1 of Traffic By-law 37-83 BE REPEALED;

1. **DEFINITIONS**

- (1) Boulevard - means that portion of the road allowance lying between the adjacent property line and the edge of the travelled portion of the highway or the edge of the shoulder, where such exists, furthest from the travelled portion of the highway;
- (2) Bus Stop - means a part of the highway designated as an area at which buses will stop to take on or let off passengers;
- (3) Bylaw Enforcement Officer - means a duly authorized person appointed by The Corporation of the City of Brantford for the purpose of enforcing the parking provisions of this Bylaw;
- (4) City Engineer - means the person appointed by Council as the City Engineer of The Corporation of the City of Brantford or his duly authorized representative.
- (5) Combined Use Pathway – is a path constructed separate from the roadway and within the road allowance, set out in Schedule 15 of this By-Law that is set apart by authorized signs for the use of pedestrians and persons operating bicycles.
- (6) Commercial Motor Vehicle - means any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols motor buses and tractors used for hauling purposes of the highways;
- (7) Corner - with reference to a highway intersection means the point of intersection of the prolongation of the lateral curb lines or in the absence of curbs the prolongation of the edges of the roadway;
- (8) Council - means the Municipal Council of The Corporation of the City of Brantford;
- (9) Curb - means a structure composed of concrete or other suitable material erected to define the edge of the roadway.
- (10) Crosswalk or Pedestrian Crossover, or School Crossing - means:
 - (a) that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides

of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or

- (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface.
- (11) Dedicated Bicycle Lane – means that portion of a highway, set out in Schedule 14 of this By-Law that is set apart by authorized signs for the use of persons operating bicycles.”
- (12) Driveway - means improved land on a highway which provides vehicular access from the roadway to a laneway or a parking area on adjacent land, but does not include sidewalks.
- (13) Highway or Street - means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
- (14) Holiday - includes Sunday, New Years Day, Good Friday, Easter Monday, Victoria Day, Dominion Day, the Day proclaimed as a Civic holiday by The Corporation, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, the Day proclaimed as the Birthday or day fixed by proclamation of the Governor General for the celebration of the Birthday of the reigning sovereign, and any day appointed by proclamation of the Governor General or the Lieutenant-Governor-in-Council as a public holiday or for a general fast or thanksgiving and the next following day when any such holiday falls on a Sunday;
- (15) Intersection - means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;
- (16) Loading Zone - means a space adjacent to a curb designated for the exclusive use of commercial motor vehicles during the loading and unloading of freight;
- (17) Official Time Standard - Whenever certain hours are named herein they shall mean standard time or daylight saving time whichever is in current use in this City;
- (18) One Way Street - means a street upon which vehicular traffic is limited to movement in one direction;
- (19) Park or Parking - When prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the

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- purpose of and while actually engaged in loading or unloading merchandise or passengers;
- (20) Parking Enforcement Officer - The Office established by the Council to conduct the operations of parking enforcement and operation;
- (21) Parking Meter - means a device which shall indicate thereon the length of time during which a vehicle may be parked which shall have as a part thereof a receptacle for receiving and storing coins, a slot or space in which such coins may be deposited, a timing mechanism to indicate the passage of the interval of time during which the parking is permissible and which shall also display a signal when said interval of time shall have elapsed;
- (22) Parking Meter Zone - means that part of a highway where parking is controlled and regulated by a parking meter;
- (23) Parking Space - means that portion of the surface of a highway designated and intended for the parking of vehicles;
- (24) Person - means an individual, firm, co-partnership, association or corporation;
- (25) Police Officer or Constable - means a member of the Police Force, authorized to regulate and direct traffic and enforce or carry out the provisions of this Bylaw, and shall include Bylaw Enforcement Officers appointed to enforce the provisions of this Bylaw.
- (26) Roadway - means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively;
- (27) Road Allowance - shall mean all lands defined and/or dedicated as common or public highways in The Municipal Act, R.S.O. 1980, as amended, and shall include public laneways.
- (28) Shoulder - means that part of the highway immediately adjacent to the travelled portion of the roadway and having a surface which has been improved for the use of vehicles with asphalt, concrete or gravel.
- (29) Sidewalk - means that portion of a road allowance between the curb lines or the lateral lines of a roadway and the adjacent property lines, specifically designed and constructed for use of pedestrians;

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- (30) Signs - means any sign, or roadway, curb or sidewalk marking or other device placed or erected on a highway under the authority of this Bylaw for the purpose of regulating, warning of guiding traffic;
 - (31) Stand or Standing - When prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;
 - (32) Stop or Stopping - When prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a Police Officer or traffic control signal or sign;
 - (33) Street or Highway - means a common and public highway, street, avenue, parkway, driveway, laneway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
 - (34) Traffic - includes pedestrians, animals which are ridden, led, or herded, vehicles, motorized snow vehicles and other conveyances either singly or together while using a highway for the purposes of travel.
 - (35) Traffic Control Device - means any sign, signal or other roadway, pavement, curb, or sidewalk marking, or any other device erected or placed under the authority of this Bylaw for the purpose of warning, regulating, guiding or directing traffic and the parking of vehicles.
 - (36) Traffic Control Signal - means any device operated manually, electrically or mechanically for the regulation or control of traffic.
 - (37) U-Turn - means the turning of a vehicle within a roadway so as to proceed in the opposite direction;
 - (38) Vehicle - includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, an off-road vehicle as defined in the Off-Road Vehicles Act, or the cars of electric, diesel or steam railways running only upon rail.
- b) RECOMMEND THAT Subsection 16 (4) of Traffic By-law 37-83 BE REPEALED;
- (4) No person shall ride a bicycle upon a sidewalk but may ride over an approach or sidewalk crossing. Bicycles shall be defined “as a device with a frame size in excess of seventeen inches (17 inches) or a rim diameter in excess of sixteen inches (16 inches) upon which an individual rides and shall include what is commonly known as a tricycle.

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- c) RECOMMEND THAT Subsection 28 (1) of Traffic By-law 37-83 BE REPEALED;
- (1) For the purpose of Section “28”, a “*bicycle*” shall include a tricycle and a unicycle but does not include a motor assisted bicycle.
- d) RECOMMEND THAT Subsection 28 (4)(a) of Traffic By-law 37-83 BE REPEALED;
- (a) Where a designated bicycle lane of this By-law is marked by an authorized sign, no person shall operate a vehicle other than a bicycle in the designated bicycle lane during the periods set out in Column 4 of Schedule “14”, except:
- i. for the purpose of entering into or existing from the highway;
 - ii. for the purpose of entering onto or exiting from a curb lane used for parking;
 - iii. for the purpose of making a turn at a highway intersecting the designated line;
 - iv. for the purpose of loading or unloading merchandise or passengers where such activity is otherwise permitted;
 - v. for the purpose of a school bus actively engaged in picking up or dropping off school children;
 - vi. for the purpose of fire-fighting and other emergencies; or
 - vii. for the purpose of public works and utility maintenance.
- e) RECOMMEND THAT Subsection 29 (1) of Traffic By-law 37-83 BE REPEALED;
- (1) For the purpose of Section “29”, a “*bicycle*” shall include a tricycle and a unicycle, but does not include a motor assisted bicycle.
- f) RECOMMEND THAT Section 1 of the Traffic By-law 37-83 be REPLACED as follows:
2. **DEFINITIONS**
- (1) **Bicycle** – means a one-wheeled, two-wheeled or three-wheeled vehicle solely propelled by pedals that require muscular power for propulsion, but does not include a power-assisted bicycle or motor-assisted bicycle.
- (2) **Boulevard** - means that portion of the road allowance lying between the adjacent property line and the edge of the travelled portion of the highway

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- or the edge of the shoulder, where such exists, furthest from the travelled portion of the highway;
- (3) Bus Stop - means a part of the highway designated as an area at which buses will stop to take on or let off passengers;
 - (4) Bylaw Enforcement Officer - means a duly authorized person appointed by The Corporation of the City of Brantford for the purpose of enforcing the parking provisions of this Bylaw;
 - (5) City Engineer - means the person appointed by Council as the City Engineer of The Corporation of the City of Brantford or his duly authorized representative.
 - (6) Combined Use Pathway – is a path constructed separate from the roadway and within the road allowance, set out in Schedule 15 of this By-Law that is set apart by authorized signs for the use of pedestrians and persons operating bicycles.
 - (7) Commercial Motor Vehicle - means any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols motor buses and tractors used for hauling purposes of the highways;
 - (8) Corner - with reference to a highway intersection means the point of intersection of the prolongation of the lateral curb lines or in the absence of curbs the prolongation of the edges of the roadway;
 - (9) Council - means the Municipal Council of The Corporation of the City of Brantford;
 - (10) Curb - means a structure composed of concrete or other suitable material erected to define the edge of the roadway.
 - (11) Crosswalk or Pedestrian Crossover, or School Crossing - means:
 - (a) that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
 - (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface.
 - (12) Dedicated Bicycle Lane – means that portion of a highway, set out in Schedule 14 of this By-Law that is set apart by authorized signs for the use of persons operating bicycles.”

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- (13) Driveway - means improved land on a highway which provides vehicular access from the roadway to a laneway or a parking area on adjacent land, but does not include sidewalks.
 - (14) Highway or Street - means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
 - (15) Holiday - includes Sunday, New Years Day, Good Friday, Easter Monday, Victoria Day, Dominion Day, the Day proclaimed as a Civic holiday by The Corporation, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, the Day proclaimed as the Birthday or day fixed by proclamation of the Governor General for the celebration of the Birthday of the reigning sovereign, and any day appointed by proclamation of the Governor General or the Lieutenant-Governor-in-Council as a public holiday or for a general fast or thanksgiving and the next following day when any such holiday falls on a Sunday;
 - (16) Intersection - means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;
 - (17) Loading Zone - means a space adjacent to a curb designated for the exclusive use of commercial motor vehicles during the loading and unloading of freight;
 - (18) Motor-Assisted Bicycle – means a motor-assisted bicycle as defined by the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended from time to time.
 - (19) Official Time Standard - Whenever certain hours are named herein they shall mean standard time or daylight saving time whichever is in current use in this City;
 - (20) One Way Street - means a street upon which vehicular traffic is limited to movement in one direction;
 - (21) Park or Parking - When prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
 - (22) Parking Enforcement Officer - The Office established by the Council to conduct the operations of parking enforcement and operation;

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- (23) Parking Meter - means a device which shall indicate thereon the length of time during which a vehicle may be parked which shall have as a part thereof a receptacle for receiving and storing coins, a slot or space in which such coins may be deposited, a timing mechanism to indicate the passage of the interval of time during which the parking is permissible and which shall also display a signal when said interval of time shall have elapsed;
- (24) Parking Meter Zone - means that part of a highway where parking is controlled and regulated by a parking meter;
- (25) Parking Space - means that portion of the surface of a highway designated and intended for the parking of vehicles;
- (26) Person - means an individual, firm, co-partnership, association or corporation;
- (27) Police Officer or Constable - means a member of the Police Force, authorized to regulate and direct traffic and enforce or carry out the provisions of this Bylaw, and shall include Bylaw Enforcement Officers appointed to enforce the provisions of this Bylaw.
- (28) Power-Assisted Bicycle – means a power-assisted bicycle as defined by the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended from time to time, and is commonly referred to as an electric bicycle or e-bike.
- (29) Roadway - means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively;
- (30) Road Allowance - shall mean all lands defined and/or dedicated as common or public highways in The Municipal Act, R.S.O. 1980, as amended, and shall include public laneways.
- (31) Shoulder - means that part of the highway immediately adjacent to the travelled portion of the roadway and having a surface which has been improved for the use of vehicles with asphalt, concrete or gravel.
- (32) Sidewalk - means that portion of a road allowance between the curb lines or the lateral lines of a roadway and the adjacent property lines, specifically designed and constructed for use of pedestrians;
- (33) Signs - means any sign, or roadway, curb or sidewalk marking or other device placed or erected on a highway under the authority of this Bylaw for the purpose of regulating, warning of guiding traffic;

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- (34) Stand or Standing - When prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;
 - (35) Stop or Stopping - When prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a Police Officer or traffic control signal or sign;
 - (36) Street or Highway - means a common and public highway, street, avenue, parkway, driveway, laneway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
 - (37) Traffic - includes pedestrians, animals which are ridden, led, or herded, vehicles, motorized snow vehicles and other conveyances either singly or together while using a highway for the purposes of travel.
 - (38) Traffic Control Device - means any sign, signal or other roadway, pavement, curb, or sidewalk marking, or any other device erected or placed under the authority of this Bylaw for the purpose of warning, regulating, guiding or directing traffic and the parking of vehicles.
 - (39) Traffic Control Signal - means any device operated manually, electrically or mechanically for the regulation or control of traffic.
 - (40) U-Turn - means the turning of a vehicle within a roadway so as to proceed in the opposite direction;
 - (41) Vehicle - includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, an off-road vehicle as defined in the Off-Road Vehicles Act, or the cars of electric, diesel or steam railways running only upon rail.
- g) RECOMMEND THAT Subsection 16 (4) of Traffic By-law 37-83 BE AMENDED to provide the following:
- (4) No person aged 14 and over shall operate a bicycle upon a sidewalk but may ride over an approach or sidewalk crossing.
 - a. No person shall operate any power-assisted bicycle (e-bike) or motor-assisted bicycle on any combined-use pathway or sidewalk owned or maintained by the City.

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- b. Subject to subsection 16(4), every person bicycling on a sidewalk shall dismount to cross highway intersections, unless otherwise indicated, and shall yield to pedestrians using the sidewalk.
- h) RECOMMEND THAT Subsection 28 (1) of Traffic By-law 37-83 BE AMENDED to provide the following;
- (1) For the purpose of Section “28”, a “*bicycle*” shall include a tricycle and a unicycle but does not include a power-assisted bicycle or motor assisted bicycle.
- i) RECOMMEND THAT Subsection 28 (4)(a) of Traffic By-law 37-83 BE AMENDED to provide the following:
- (4) (a) Where a designated bicycle lane of this By-law is marked by an authorized sign, no person shall operate a vehicle other than a bicycle or power-assisted bicycle in the designated bicycle lane during the periods set out in Column 4 of Schedule “14”, except:
 - i. for the purpose of entering into or existing from the highway;
 - ii. for the purpose of entering onto or exiting from a curb lane used for parking;
 - iii. for the purpose of making a turn at a highway intersecting the designated line;
 - iv. for the purpose of loading or unloading merchandise or passengers where such activity is otherwise permitted;
 - v. for the purpose of a school bus actively engaged in picking up or dropping off school children;
 - vi. for the purpose of fire-fighting and other emergencies; or
 - vii. for the purpose of public works and utility maintenance.
- j) RECOMMEND THAT Subsection 29 (1) of Traffic By-law 37-83 BE AMENDED to provide the following;
- (1) For the purpose of Section “29”, a “*bicycle*” shall include a tricycle and a unicycle, but does not include a power-assisted bicycle or motor-assisted bicycle.