

Authority: Item 7, General Issues Committee
Report 17-005 (LS17006)
CM: March 8, 2017
Wards: City Wide

Bill No. 040

CITY OF HAMILTON

BY-LAW NO. 17-040

To Amend By-law No. 86-77 and No. 01-215 to Permit Street Hockey

WHEREAS Council deems it expedient to provide for amendments to By-laws No. 86-77 (The Streets By-law) and No. 01-215 (The City of Hamilton Traffic By-law);

AND WHEREAS sections 8, 9, 10, 35 and 450 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws and make decisions necessary or desirable for municipal purposes;

NOW THEREFORE Council for the City of Hamilton enacts as follows:

1. By-law No. 86-77 is amended by adding the following subsection immediately after subsection 16(9):

16(9.1) Subsection 16(9) shall not apply to the playing of hockey in accordance with By-law 01-215 (The City of Hamilton Traffic By-law).

2. By-law No. 01-215 is further amended by deleting sections 22 and 44, and replacing section 22 with the following:

22(1) Subject to subsection 22(2), no person shall:

- (a) play or take part in any game or sport on a roadway; or
- (b) use roller skates, roller blades, inline skates, skate boards, skis, coasters, scooters, toy vehicles or similar devices on a roadway except to cross the roadway and when crossing a roadway, such person is deemed to be a pedestrian.

22(2) The temporary playing of hockey, including the use of portable hockey nets on a roadway, is permitted if:

- (a) the roadway has a speed limit of 40 km/h or less and is a local road;
- (b) play:
 - (i) occurs at a location that is safe and suitable;

- (ii) occurs during daylight hours, no earlier than 9:00 a.m. and no later than 8:00 p.m.;
 - (iii) does not occur during periods of limited visibility from fog, snow or rain; and
 - (iv) is stopped, and players and hockey nets moved, to permit safe passage of other roadway users, immediately for Authorized Emergency Vehicles and as necessary to avoid delaying other roadway users;
- (c) hockey nets:
- (i) are immediately removed from the roadway during breaks from play or upon completion of play; and
 - (ii) are no less than 25 meters distant from an intersection with another roadway or a roundabout; and
- (d) play and hockey nets do not interfere with:
- (i) access to or from the roadway from driveways and other vehicle or pedestrian approach ramps;
 - (ii) the maintenance or repair of the roadway including waste collection; and
 - (iii) the installation, maintenance or operation of traffic control devices and utilities;
- 22(3) For the purpose of this Section, “local road” means a highway having no more than two lanes of traffic in the case of a two-way street or having only one lane of traffic in the case of one-way streets, and does not include provincial highways or roads classified as parkways, arterials or collector roads in either Schedule C - Functional Road Classification of the Hamilton Urban Official Plan or in Schedule C – Functional Road Classification Hamilton Rural Official Plan, both as amended.
- 22(4) That staff refer resident disputes concerning the playing of street hockey on local roads to the City’s Mediation Service Program.

3. This By-law comes into force on the day it is passed.

PASSED this 8th day of March, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk