Minute No. 283
Report – Standing Policy Committee on Infrastructure Renewal and Public Works Committee – March 4, 2008

Item No. 2 **Delegation of Authority to Director of Public Works - Setting Speed Limits under Emergency Circumstances or within Construction Zones**
File ST-1.1

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and adopted the following:

1. That the Director of Public Works or his/her delegate be delegated the authority to lower the regulatory speed limit under emergency circumstances or within a construction zone as specified in section 79(6) of the Highway Traffic Act, and that a corresponding amendment to the City Organization By-law No. 7100/97, as outlined in Appendix A of the report dated February 15, 2008, be enacted.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Infrastructure Renewal and Public Works Committee – March 4, 2008

DECISION MAKING HISTORY:

Moved by Councillor Clement,

That the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 12, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the matter to Council.

STANDING COMMITTEE DECISION:

On March 4, 2008, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in recommendation 1 of the Winnipeg Public Service.

On March 4, 2008, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in recommendations 2 and 3 of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

RE: APPLICATION FOR A REDUCED SPEED LIMIT ON BISHOP GRANDIN BOULEVARD IN CONJUNCTION WITH THE FORT GARRY TWIN BRIDGES REHABILITATION PROJECT AND RECOMMENDATION FOR DELEGATION OF AUTHORITY FOR SETTING SPEED LIMITS UNDER EMERGENCY CIRCUMSTANCES OR WITHIN CONSTRUCTION ZONES

FOR SUBMISSION TO: **STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS**

ORIGINAL REPORT SIGNED BY: **Director of Public Works**

REPORT DATE: **February 15th, 2008**

RECOMMENDATION(S):

That:

1. The Standing Policy Committee on Infrastructure Renewal and Public Works, as the City's Traffic Authority, approve a reduction in the speed limit from 80 km/h to 60 km/h on Bishop Grandin Boulevard between the east and west limits of the construction detours for the Fort Garry Twin Bridges Rehabilitation Project for the duration of the detours, which is projected to be from April 2008 to September 2008 and from April 2009 to September 2009.

2. Council delegate authority to the Director of Public Works or his/her delegate to lower the regulatory speed limit under emergency circumstances or within a construction zone as specified in section 79(6) of the Highway Traffic Act, and that a corresponding amendment to the City Organization By-law (draft attached as Appendix A) be enacted.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report Summary

Key Issues:

- The roadway detours that will be in place to enable construction of the Fort Garry Twin Bridges Rehabilitation Project have been designed to safely accommodate traffic at a 60 km/h speed limit, being 20 km/h less than the current 80 km/h posted speed limit. In order for this lower speed limit to be valid, it must be approved by the City's Traffic Authority. Since the Standing Policy Committee on Infrastructure Renewal and Public Works is the City's Traffic Authority, the first recommendation of this Report is that the Committee approve a full time reduction in the posted speed limit on Bishop Grandin Boulevard within the limits

of the construction detours from 80 km/h to 60 km/h during the project's two construction phases, April 2008 to September 2008 and April 2009 to September 2009.

- The time required to obtain approval from the Standing Policy Committee on Infrastructure Renewal and Public Works makes it impractical to seek changes to the regulatory speed limit under emergency circumstances or for the vast majority of construction projects.

- Currently, in the absence of approval of a lower speed by the Standing Policy Committee, the Public Works Department and contractors working on projects are only authorized to erect signs that impose a 60 km/hr speed limit when motorists are passing workers. This limitation results in problems when there is a requirement for a reduced speed limit to be in effect 24 hours a day, including times when workers may not be present, or when a speed limit less than 60 km/h is warranted, particularly when workers are present.

- This Report proposes that Council amend the City Organization By-law to delegate authority to the Director of Public Works or his/her delegate to establish speed limits under emergency circumstances or within a construction zone. This would provide the necessary flexibility to the Public Works Department to begin using lower regulatory speed limits as a mechanism to increase the safety of workers and the traveling public in a more timely and expedient manner.

- The Province of Manitoba has already acted in a way similar to what is being proposed in this Report by delegating the authority to approve temporary regulatory speed limits in construction and maintenance areas on Provincial highways from the Minister of Manitoba Infrastructure and Transportation to the Provincial Director of Traffic Engineering.

- The recommended delegation of authority only relates to temporary speed limits under emergency circumstances or in construction zones. The Standing Policy Committee on Infrastructure Renewal and Public Works would continue to have the sole authority to authorize applications to The Highway Traffic Board for changes to full time speed limits.

Implications of the Recommendation(s):

General Implications

	None
	For the organization overall and/or for other departments
x	For the community and/or organizations external to the City
	Involves a multi-year contract

Comment(s): Adoption of the delegation of authority to Director of Public Works or his/her delegate to establish speed limits under emergency circumstances or within a construction zone would provide the Department with another mechanism to increase the safety of workers and the traveling public in a more timely and expedient manner.

Policy Implications

No
x Yes

Comment(s): Adoption of the delegation of authority by Council for setting speed limits under emergency circumstances or within a construction zone to the Director of Public Works is a change in policy with respect to the authority for establishing temporary speed limits.

Regulatory Implications

None
x Eliminates or reduces regulatory impact
Proposes regulatory impact

Comment(s): Adoption of the recommended delegation of authority reduces the red tape associated with implementation of reduced speed limits under emergency circumstances or within construction zones.

Environmental Implications

x No
Yes

Comment(s):

Human Resources Implications

x No
Yes

Comment(s):

Financial Implications

x Within approved current and/or capital budget
Current and/or capital budget adjustment required

Comment(s): There is no cost associated with implementing this recommendation.

Report

REASON FOR THE REPORT:

There are two reasons for this report.

1. As the Traffic Authority for the City of Winnipeg, only the Standing Policy Committee on Infrastructure Renewal and Public Works can approve the proposed reduction in the regulatory speed limit on Bishop Grandin Boulevard within the project detour limits from 80 km/h to 60 km/h for the duration of the Fort Garry Twin Bridges Rehabilitation Project.

2. Recommendation 2 requires a By-law amendment, which only Council can enact, to delegate authority to set speed limits under emergency circumstances or within a construction zone as specified in section 79(6) of The Highway Traffic Act to the Director of Public Works or his/her delegate.

HISTORY:

Clause 13(d) of the City of Winnipeg Organization By-law No. 7100/97 identifies the Standing Policy Committee on Infrastructure Renewal and Public Works as the Traffic Authority, subject to specific powers that have been delegated to the Director of Public Works. (The powers delegated to the Director of Public Works do not include the authority to set speed limits under emergency circumstances or within a construction zone.)

Subsection 79(6) of The Highway Traffic Act authorizes a Traffic Authority, “in an emergency or while work of construction, repair, or painting is being carried on” to establish temporary traffic control devices in order to control traffic in those conditions.

DISCUSSION:

Fort Garry Twin Bridges Rehabilitation Project

In a typical 12 hour weekday between 07:00 and 19:00, the Fort Garry Twin Bridges carry approximately 48,500 vehicles. The posted speed limit on Bishop Grandin Boulevard and the Fort Garry Twin Bridges is 80 km/h.

In April 2008, the westbound span of the Fort Garry Twin Bridges on Bishop Grandin Boulevard over the Red River will be closed to traffic to accommodate rehabilitation of the structure. Deterioration of the reinforced concrete bridge deck beneath the asphalt wearing surface, as well as deterioration in other components of the bridge, requires that rehabilitation be completed at this time to prevent a more extensive and costly reconstruction which would be necessary in the future if not addressed now.

The first phase of construction is scheduled to take place from approximately mid April 2008 until September 2008. During this time westbound traffic will be limited to a single lane and redirected via a detour roadway onto the existing eastbound bridge. Two lanes of traffic will continue to operate in the eastbound direction in narrowed lanes on the eastbound bridge. Because of limitations in terms of the area available for the detours and clearances to overhead hydro-electric lines, the detours have been designed for an anticipated posted speed limit of 60 km/h. Because of the limited width of the eastbound bridge, the three lanes (two eastbound, one westbound) will be narrower than the standard lane width. The two-way operation on the eastbound bridge in conjunction with the narrower than normal lanes, justifies a reduction from 80 km/h to a 60 km/h speed limit on the bridge for the duration of the detours.

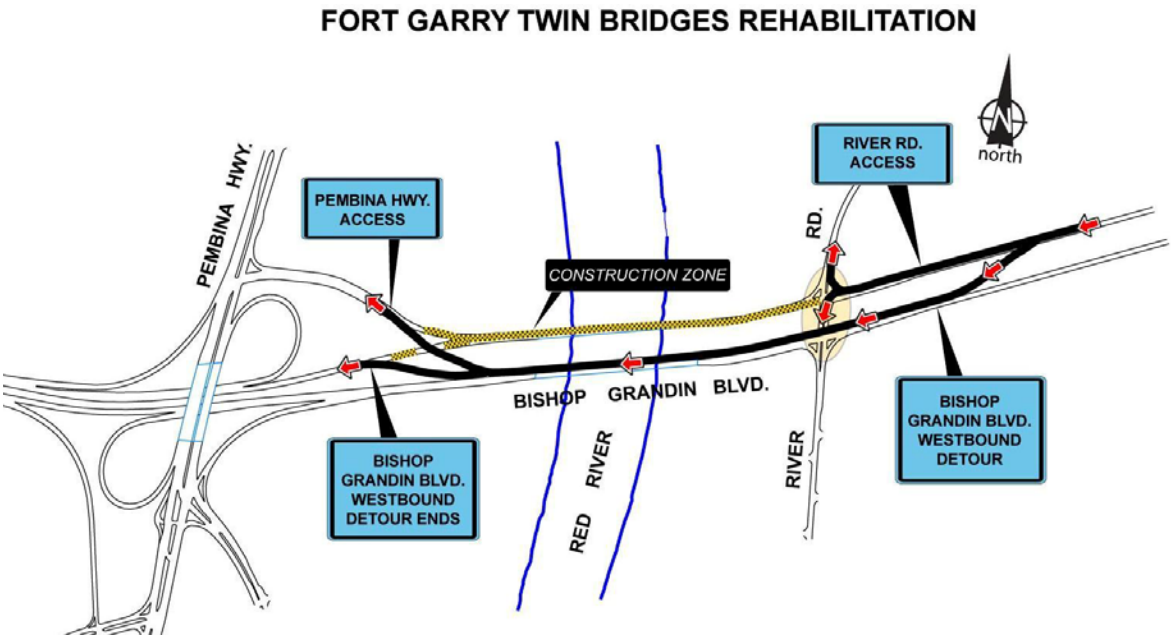

Figure 1: Fort Garry Twin Bridges 2008 Westbound Detours

From the fall of 2008 until the spring of 2009, both eastbound and westbound structures will be open to traffic. A re-instatement of the 80 km/h speed limit is appropriate during this time period.

The eastbound bridge will be closed in April of 2009 to allow similar rehabilitation work to be undertaken on the eastbound structure. During this time, two-way traffic will be accommodated on the westbound bridge. The detours for this construction are also designed for a posted speed limit of 60 km/h for reasons of space and clearances to hydro-electric lines. Given two-way traffic, narrow lanes and presence of a temporary sidewalk on the westbound bridge, a reduction in the speed limit from 80 km/h to 60 km/h on the westbound bridge for the duration of the detours is warranted.

In accordance with section 79(6) of The Highway Traffic Act and the City Organization By-law No. 7100/97, this Report recommends that the Standing Policy Committee on Infrastructure Renewal and Public Works approve a reduction to the speed limit on Bishop Grandin Boulevard between the east and west limits of the Fort Garry Twin Bridges Rehabilitation Project from 80 km/h to 60 km/h during both phases of the construction project, April 2008 to September 2008 and April 2009 to September 2009.

Delegation of Authority for Speed Limits under Emergency Circumstances and within Construction Zones

Currently, the Manual of Temporary Traffic Control in Work Areas on City Streets, which has been adopted by Council through the Streets By-law No. 1481/77, authorizes the Public Works Department and Construction Agencies to use 'Maximum 60 km/h When Passing Workers' signs to reduce the regulatory speed limit in a construction zone. However, this is a limited power which is not always sufficient. For example, in many situations, such as the Fort Garry Twin Bridges Rehabilitation Project, construction creates circumstances that make it less safe or impractical to drive at the existing 80 km/h posted speed limit throughout the full 24 hour day. A reduced speed limit is necessary in these construction zones, irrespective of whether workers are present or not. Or, to provide another example, in an emergency situation, such as a structural problem on a bridge or overpass, it may not be possible for traffic to be safely carried at the existing posted speed limit. In such a situation, a reduced speed limit on a 24 hour a day basis is required in order to maintain safe traffic movement.

Currently, reducing the speed limit in an emergency or during construction would require that the Public Works Department prepare a report to the Standing Policy Committee on Infrastructure Renewal and Public Works for approval of the specific speed reduction at the specific location (as is in fact being done in this Report for the Fort Garry Twin Bridges Rehabilitation Project). This process to change the regulatory speed limit is completely impractical under emergency circumstances, and is often not realistic for many construction projects.

For this reason, this Report recommends that Council delegate the authority to establish speed limits under emergency circumstances or within a construction zone to the Director of Public Works or his/her designate. This would expedite the decision making process by enabling a senior member of the Public Service to establish speed limits under emergency circumstances or within construction zones. Such authority would be essential in an emergency and would also provide the opportunity to apply a reduced speed limit to applicable short term construction projects, thereby creating another mechanism to enhance the safety of workers and the traveling public in an expedient manner. By eliminating the need for approval from the Standing Policy Committee, this delegation would also cut "internal red tape" as identified by the Red Tape Commission.

It is significant that the Province of Manitoba has already recognized the benefits of delegating this authority to a member of the Provincial Civil Service. The Minister of

Manitoba Infrastructure and Transportation has delegated to the Provincial Director of Traffic Engineering the same power for provincial highways that this Report recommends should be delegated to the Director of Public Works for City streets.

It should be noted that this recommendation would have no impact on full time speed limits on City streets; the Standing Policy Committee on Infrastructure Renewal and Public Works would continue to have the sole authority within the City of Winnipeg to authorize applications to The Highway Traffic Board for changes to full time speed limits.

Financial Impact Statement Date: February 14, 2008

Project Name:

APPLICATION FOR A REDUCED SPEED LIMIT ON BISHOP GRANDIN BOULEVARD IN CONJUNCTION WITH THE FORT GARRY TWIN BRIDGES REHABILITATION PROJECT AND RECOMMENDATION FOR DELEGATION OF AUTHORITY FOR SETTING SPEED LIMITS UNDER EMERGENCY CIRCUMSTANCES

COMMENTS:

There is no financial impact as the cost of signage is already included in the capital budget.

"Original Signed by Darcy Stewart, CA"

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Legal Services
Winnipeg Police Service

External Consultation With:

N/A

THIS REPORT SUBMITTED BY:

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Division	Transportation Engineering
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THE CITY OF WINNIPEG

BY-LAW NO.

A By-law of THE CITY OF WINNIPEG to amend the City Organization By-law.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. Clause 13(d) of the City Organization By-law No. 7100/97 is amended by adding the following at the end of the clause:

and further subject to the delegation of powers to the Director of Public Works or his or her delegate as set out in Clause ___ of the Report of the Standing Policy Committee on Infrastructure Renewal and Public Works dated _____, adopted by Council at its meeting of _____.

DONE AND PASSED, in Council assembled, this day of , 2008.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Public Works

Certified as to form:

_____
City Solicitor/Manager of
Legal Services