Minutes – Executive Policy Committee – June 18, 2014

Minute No. 396
Report – Standing Policy Committee on Infrastructure Renewal and Public Works – June 3, 2014

Item No. 8 Reduced Speed Limit in School Zones By-Law

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the following to Council:

1. That the following criteria for reduced-speed limits in school zones, be adopted as a policy:

    A. The street must not be a Regional Street (i.e. listed in Schedule E of the Streets By-law);

    B. The street layout must be able to accommodate the signs and sign spacing as required by the Reduced-Speed School Zones Regulation, Manitoba Regulation 136/2013;

    C. The school for which the reduced speed limit is being proposed must include Grade 6 or lower.

2. That a "Reduced Speed Limit in School Zones" By-law (draft attached as Appendix A), be enacted which:

    A. Creates specific reduced-speed school zones on the basis of the criteria referred to in Recommendation 1;

    B. Establishes a reduced speed for specified school zones of 30 km/h;

    C. Applies 07:00 to 17:30 Monday to Friday, September to June.

3. That the transfer of $300,000 from the Non-Specified Capital Account to cover additional costs associated with the installation of signs related to this by-law, be approved.

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

Minutes – Executive Policy Committee – June 18, 2014

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – June 3, 2014

DECISION MAKING HISTORY:

Moved by Deputy Mayor Swandel,

That the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On June 3, 2014, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Reduced Speed Limit in School Zones By-Law

Critical Path: Standing Policy Committee on Infrastructure Renewal and Public Works → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
L. Escobar, P. Eng., PTOE	B.W. Sacher, P.Eng.	M. Ruta	D. Joshi A/CAO

RECOMMENDATIONS

1. That Council adopt as a policy the following criteria for reduced-speed limits in school zones:
   a. The street must not be a Regional Street (i.e. listed in Schedule E of the Streets By-law);
   b. The street layout must be able to accommodate the signs and sign spacing as required by the Reduced-Speed School Zones Regulation, Manitoba Regulation 136/2013;
   c. The school for which the reduced speed limit is being proposed must include Grade 6 or lower.

2. That Council enact a "Reduced Speed Limit in School Zones" By-law (draft attached as Appendix A) which:
   a. creates specific reduced-speed school zones on the basis of the criteria referred to in Recommendation 1;
   b. establishes a reduced speed for specified school zones of 30 km/h;
   c. applies 07:00 to 17:30 Monday to Friday, September to June.

3. That the Standing Policy Committee on Infrastructure Renewal and Public Works approves the transfer of $300,000 from the Non-Specified Capital Account to cover additional costs associated with the installation of signs related to this by-law.

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

REASON FOR THE REPORT

Amendments to *The Highway Traffic Act,* which permit traffic authorities to establish reduced speed limits in school zones by by-law, came into effect on September 15, 2013. This report proposes a by-law which will implement reduced speed school zones in Winnipeg. Only Council can enact by-laws.

The Department requires Standing Policy Committee approval to transfer the required $300,000 from the Public Works Department Non-Specified Capital Account.

IMPLICATIONS OF THE RECOMMENDATIONS

The Schedule attached to the proposed By-law would establish reduced-speed school zones adjacent to 171 schools in the City of Winnipeg. These zones have been created on the basis of the criteria proposed in Recommendation 1. This includes a requirement that no reduced-speed school zone may be created where the street layout cannot accommodate the requirements of the Provincial Regulation governing the establishment of reduced-speed school zones. For example, subsection 9(1) of the Regulation requires that warning signs be posted between 100 and 250 metres before the

reduced-speed school zone begins. If it is not possible to post these warning signs as required, no zone will be created. School zones which did not meet Regulation requirements are shown in Appendix B.

The proposed By-law also would establish a speed limit of 30 km/h for reduced-speed school zones applicable between 07:00 to 17:30 Monday to Friday, September to June. This reflects direction provided by Executive Policy Committee on July 4, 2012. The provisions as set out in the proposed by-law will only apply where the required reduced-speed zone signing has been erected.

Funding in the amount of $1M for this work was approved by the Standing Policy Committee on Infrastructure and Public Works on July 17, 2012. However, as a result of the Provincial regulations introduced in September 2013, an additional $300,000 is needed to meet the regulation requirements. The most recent reconciliation of the Non-Specified Capital Account indicates that there are sufficient funds to cover this shortfall.

HISTORY

On July 4, 2012 Executive Policy Committee directed the Winnipeg Public Service to prepare a report which established a reduced speed limit in school zone policy, based on the following four guiding principles:

> Principle 1. That the school zone speed limit be set to 30 km/h and that this reduced speed limit be considered only on streets other than Regional Streets;
>
> Principle 2. That the reduced speed limit only be considered for schools that include grade 6 or lower. Children of this age range have the most difficulty gauging the danger and speed of vehicular traffic and the reduced speed limits may have the most benefit near these schools.
>
> Principle 3. That the policy on reduced speed limits in school zones be established considering elements such as road classification, school yard fencing, proximity of facilities to the road, etc. The policy would outline a process for reviewing requests, evaluation criteria for the school zone speed limit treatment and an appeal process for the public.
>
> Principle 4. That reduced speed limits in school zones be in force Monday to Friday, 07:00 – 17:30, in the months of September to June.

On September 15, 2013, amendments to *The Highway Traffic Act,* which permit traffic authorities to establish reduced speed limits in school zones by by-law, came into effect. They were accompanied by the Reduced-Speed School Zones Regulation, Manitoba Regulation 136/2013. If a person drives at a speed in excess of the maximum speed established by the by-law, he or she commits an offence under *The Highway Traffic Act*.

The Reduced-Speed School Zone By-law proposed in this report is consistent with the direction given by Executive Policy Committee. However, the criteria proposed by this Report and the school zones created by the proposed by-law do not use school yard fencing or proximity of facilities to the road in determining whether a reduced-speed school zone should be established. Instead, reduced-speed school zones have been established on any street that abuts a private or public school which includes Grade 6 or lower, is not a regional street and can meet the requirements for signage and otherwise set out in the Regulation.

A separate process for appealing a decision regarding the establishment of a reduced-speed school zone has not been created as the mechanism for adding or changing details of a zone can only be done through a by-law amendment.

Public Works Department
Non-Specified Capital Account - 18970000NS
as of May 13, 2014

	Transfers In	Transfers Out	Balance
Balance at January 1, 2014			$1,560,571
March 20, 2014 - 2012 Tuxedo Yards Redevelopment for additional CN cost approved by the Director of Public Works on January 30, 2014		$8,209	$1,552,362
May 6, 2014 - 2011 Developer Payback Capital project for Agreement 22/2007 approved by SPC-IRPW on May 6, 2014		$985,000	$567,362
May 6, 2014 - 2011 Developer Payback Capital project for Agreement AG 14/88, AG 1/95 & AG 36/04 approved by SPC-IRPW on May 6, 2014		$265,200	$302,162
Funds Available - May 13, 2014			**$302,162**
May 2014 - To be transferred out to the 2012 Traffic Engineering Improvements Program for School Zone Speed Limits (Subject of this report)		$300,000	$2,162

FINANCIAL IMPACT

Financial Impact Statement **Date:** May 14, 2014

Project Name: **First Year of Program** **2014**

Reduced Speed Limit in School Zones By-Law

	2014	2015	2016	2017	2018
Capital					
Capital Expenditures Required	$ 300,000	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	300,000	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Cash to Capital	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Funding Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	14,286	-	-	-	-
Net Cost/(Benefit)	$ (14,286)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(14,286)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Funds for the required $300,000 are available in the Public Works Non-Specified Capital Account, project # 18970000NS - PW Non-Specified Capital, and will be transferred to Public Works project #1831000112 - Traffic Engineering Improvements. Recoveries represent the Department Transportation Administration and Corporate Interest overhead charges.

"Original Signed by D. Stewart, CA"
D. Stewart, CA
Manager of Finance & Administration

CONSULTATION

In preparing this report there was consultation with:
Legal Services

SUBMITTED BY

Department:	Public Works
Division:	Transportation
Prepared by:	Luis Escobar, P.Eng. PTOE
	Colleen Flather M.Sc., P.Eng.
Date:	May 23, 2014
File No.	G-18

Attachment:

Appendix A – DRAFT - Reduced Speed Limit in School Areas Bylaw

School Zones That Did Not Meet Provincial Regulations.pdf



Appendix B - School Zones that did not me

School Zone By-Law Schedule.pdf



School Zone ByLaw Schedule.pdf

Appendix A

THE CITY OF WINNIPEG

BY-LAW NO.

A By-law of THE CITY OF WINNIPEG to establish the maximum rate of speed in school zones at 30 kilometres per hour.

WHEREAS section 98.1 of *The Highway Traffic Act*, C.C.S.M., c. H60 provides for the creation of reduced-speed school zones by by-law;

AND WHEREAS clause 3(2)(b) of The Reduced-Speed School Zones Regulation, Manitoba Regulation 136/2013 provides that the by-law must establish the hours of the day at which and days on which the reduced maximum permitted speed is in effect and, if applicable, establish and state the months it is in effect;

AND WHEREAS subsection 98.1(3) of *The Highway Traffic Act* makes it an offence for a person to drive a vehicle at a speed greater than the maximum permitted speed established by the by-law;

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

DRAFT

Short Title

1. This By-law may be referred to as the **"Reduced-Speed School Zones By-law"**.

Definitions

2. in this By-law

"reduced-speed school zone" means any school zone identified in the attached Schedule.

Reduced speed in school zones

3. No person shall drive a vehicle at a rate of speed greater than 30 kilometres per hour in any reduced-speed school zone within the City of Winnipeg.

Limitations on reduced speed limits

4. The reduced speed limits in section 3 apply during the months of September to June inclusive, between the hours of 07:00 and 17:30, Monday to Friday.

Signage

5. The Chief Administrative Officer shall ensure that reduced-speed school zones are identified by traffic control devices that comply with the Reduced-Speed School Zones Regulation, Manitoba Regulation 136/2013.

DONE AND PASSED, this day of , 2014.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Public Works

Approved as to form:

_____
For Acting Director of Legal Services/City Solicitor

DRAFT