

THE CORPORATION OF THE CITY OF SARNIA
People Serving People

CITY SOLICITOR/CLERK'S DEPARTMENT

OPEN SESSION REPORT

TO: Mayor Bradley and Members of Sarnia City Council

FROM: Brian W. Knott
City Solicitor/Clerk

DATE: April 8, 2010

SUBJECT: Use of E-Bikes on City Sidewalks and Trail System

The attached draft report on the use of e-bikes on City sidewalks and the City trail system has been provided to Council for its information at this time. In accordance with the City's notice policy, the proposed restrictions on e-bikes will be subject to public comment for a 30 day period; any comments are to be directed to Ian Smith, Director of Community Services (ismith@sarnia.ca)

Upon completion of the consultation, the report together with any revisions and necessary by-laws will be brought back to Council for its consideration.



Brian W. Knott
City Solicitor/Clerk

Attachment(s): Draft Report and By-Law

THE CORPORATION OF THE CITY OF SARNIA
People Serving People

**ENGINEERING DEPARTMENT
&
COMMUNITY SERVICES DEPARTMENT**

OPEN SESSION REPORT

TO: Mayor Bradley and Members of Sarnia City Council

FROM: David A. Fielding, P.Eng., City Engineer
Ian Smith, Director of Community Services

DATE: March 27, 2010

SUBJECT: E-Bikes on City Sidewalks and the City's Trail system

RECOMMENDATIONS

It is recommended:

1. That Sarnia City Council approves the amendment to By-law #100 of 1996 – “Traffic and Parking Bylaw” to prevent the use of E-bikes on sidewalks.
2. Council not permit the use of E-bikes on any of Sarnia's trail system including the Howard Watson Nature Trail, the Bluewater Trail and the Sarnia Waterfront including Centennial Park.

BACKGROUND

In October 2009, Mayor Bradley received a request to ban the use of E-bikes on City sidewalks.

Mr. Gordon Catterson, Chairman of the Howard Watson Nature Trail in an email on November 12, 2009 asked the City to review the issue of E-bikes and add E-bikes to the list of restricted vehicles not permitted to use any of the trails within the City.

COMMENTS

Pedestrians use sidewalks to travel safely along busy city streets. During the summer months sidewalks are more congested with pedestrians. When cyclists, in-line skaters and scooters are also involved, conflicts arise that could be prevented.

The City's “Traffic and Parking Bylaw” Bylaw #100 of 1996 allows cyclists with a tire size of 51cm or 20 inches or less to ride on the sidewalk. The intent of this bylaw is to allow young children to cycle on the sidewalk while they learn to ride. The bylaw is based on wheel size

because it is difficult for Police to enforce age-based bylaws, as most children do not carry identification. This is a municipal bylaw and rules vary in communities across Ontario.

There are many hazards involved when cycling on the sidewalks. If a cyclist hits a pedestrian, the injuries can be severe. Seniors are especially vulnerable and can fall merely by being startled. Anyone with a visual or hearing impairment is at increased risk.

The Ontario Ministry of Transportation (MTO) conducted an E-bike pilot project beginning in October 2006 and ending October 2009. During the evaluation of the E-bike pilot, the MTO consulted road safety groups, environmental and cycling experts, as well as key stakeholders representing E-bike riders, cyclists, retailers, manufacturers and law enforcement. As a result of the pilot project and safety review, the MTO concluded that, effective October 3, 2009, electric bikes (both those resembling conventional bicycles and those resembling motor scooters) are permanently allowed on roads and highways where conventional bicycles are currently permitted. E-bike operators are subject to specific rules and requirements imposed by the MTO to ensure safe operation.

The MTO states that municipal by-laws prohibiting bicycles from highways under their jurisdiction also apply to E-bikes. The outcome of the pilot project does not prevent municipalities from passing by-laws specific to E-bikes, that prohibit them from municipal roads, sidewalks, bike paths, bike trails, and bike lanes under their jurisdiction. Currently, the City of Cambridge, Kitchener and Waterloo have prohibited E-bikes from using sidewalks.

The Transportation Engineering staff and Sarnia Police are anticipating an increase in the number of E-bikes being ridden on City sidewalks. As such, staff is proposing that By-law 100 of 1996 be amended to specifically identify that E-bikes are not permitted on municipal sidewalks and suggest a fine of \$85 be imposed for such an offence. An amending By-law to By-law 100 of 1996 is attached with this report for Council consideration.

City of Sarnia trails were constructed and designated as multi-use recreational trails to accommodate walking, rollerblading, cycling and running. The City's trails are intended for pedestrians and non-motorized vehicular movement. They are not designed to accommodate motorized vehicular movement.

The current use of the City's trails is consistent with the approved Traffic and Parking By-law and the prevented use of ebikes on trails will maintain this consistency with the bylaw.

CONSULTATION


This report has been discussed with Sarnia Police and Mr. Darren. They are in agreement with the restriction of E-bikes on sidewalks portion of the report.

The trail portion of this report had consultation with the City of Peterborough, Guelph and London as well as the Town of Newmarket. Comments of support for the use restriction of E-bikes were also received from the Bluewater Trails Committee and the Howard Watson Nature Trail Committee.

FINANCIAL IMPLICATIONS

There is a small cost as signs will be installed at a few points on the trail system informing residents of the use restriction of E-bikes usage on the trail system. This will be a one time cost and covered within the Community Services Budget. Installation shall be done by City staff.

Reviewed by:



David A. Fielding, P.Eng.
City Engineer

Reviewed by



Ian Smith
Director of Community Services

Approved by



Lloyd Fennell
City Manager

Report prepared by:

Muhammad Ali Khan, M.A.Sc, P.Eng., Transportation Engineer and
Ian Smith, Director of Community Services

**BY-LAW NUMBER OF 2010
OF THE CITY OF SARNIA**

“A BY-LAW TO AMEND BY-LAW NUMBER 100 OF 1996”

WHEREAS the Municipal Council of the Corporation of the City of Sarnia deems it advisable to amend By-Law Number 100 of 1996 of the City of Sarnia, being “A By-Law to revise and consolidate By-Laws regulating traffic and the parking of motor vehicles within the limits of the City of Sarnia on municipal highways, municipal parking lots and private properties.”

NOW THEREFORE the Municipal Council of the Corporation of the City of Sarnia enacts as follows:

1. **Part 1 – Traffic**

Paragraph 26 – “Use of Sidewalk” of By-Law 100 of 1996 of the City of Sarnia as amended by the Addition of subparagraph e:

“e) No person shall ride a power assisted bicycle on any sidewalk.”

2. This By-Law shall come into force and effect on:

a) The date it has been finally passed; and

b) where required, signs have been erected and marking placed on highways in accordance with the regulations made under the Highway Traffic Act.

FINALLY PASSED this 12th day of April, 2010.

MAYOR

CLERK

**By-Law Number of 2010
Of the City of Sarnia**

"A BY-LAW TO AMEND BY-LAW NUMBER 100 OF 1996"

READINGS:

FIRST: April 12, 2010

SECOND: April 12, 2010

THIRD: April 12, 2010

THE CITY OF SARNIA
Engineering Department
City Hall
Sarnia, ON N7T 7N2

DRAFT