



## Legislation Text

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**File #:** BL-17-030, **Version:** 1

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**TAMRMS#:** B06

### **Transit Bylaw Update**

Presented by: Kevin Bamber, Director

### **RECOMMENDATION(S)**

1. That Bylaw 23/2017, being a bylaw to operate a public transportation system, be read a first time.
2. That Bylaw 23/2017, be read a second time.
3. That unanimous consent be given for consideration of third reading of Bylaw.
4. That Bylaw 23/2017, be read a third and final time.

### **PURPOSE OF REPORT**

This report is to seek approval to repeal Transit Bylaw 34/87, and approve the new updated and modernized Bylaw. The current Bylaw is 30 years old and has become outdated.

### **COUNCIL DIRECTION**

N/A

### **BACKGROUND AND DISCUSSION**

The current Transit Bylaw (34/87) was drafted in 1986 and came into force 30 years ago. Since that time, language drafting and technologies have evolved, limiting the effectiveness of the current Bylaw. The proposed Bylaw maintains the overall intent of the current Bylaw, but references new acts and legislation (such as the *Blind Persons' Rights Act* RSA 2000 cB-3, the *Service Dogs Act* RSA 2007 cS-7.5, and the *Provincial Offences Procedure Act* RSA 2000 cP-34).

The purpose of this revision is to refresh the Bylaw by:

- updating heading titles and the format throughout the proposed Bylaw;
- updating older wording to be more inclusive, or to reflect current terminology; and
- developing a specified listing of penalties with corresponding fines.

Though significant wording (new language) and formatting changes are proposed, along with new definitions and a more clearly defined penalty structure, the overall intent of the proposed Bylaw has not changed.

This amended draft is the result of extensive review and input from the Legal Services and Municipal Enforcement departments of the City. Additional comments were submitted by Legislative Services and Finance. Overall, the proposed Bylaw is the product of a review of the current document, the retention of relevant portions, and an industry scan of best practices.

The new fine/penalty structure which has been added to the proposed Bylaw has been implemented by the City of St. Albert in various other bylaws, such as the *Animal Bylaw*, the *Community Standards Bylaw*, the *Noise Bylaw*, and the *Traffic Bylaw*. A similar fine/penalty structure for Transit agencies has been implemented in a number of other jurisdictions such as Calgary, Winnipeg, Saskatoon, and Regina. Transit Administration views the fine/penalty structure as providing Municipal authorities with a clearly defined set of rules governing behavior, in or near transit facilities, with a graduated level of fines addressing the severity of the infraction.

## **STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT**

Transit Administration circulated various drafts of the proposed Bylaw to City Departments for review and comments. Policing Services, Legal Services, Legislative Services, SLT and others have all provided feedback into the development of the proposed Bylaw.

## **IMPLICATIONS OF RECOMMENDATION(S)**

Financial: None at this time.

Legal / Risk: The proposed Bylaw maintains the same intent as the current Bylaw; however, the format has been updated to better align with the City of St. Albert's current bylaw format. The Enforcement and Penalty sections of the proposed Bylaw are almost identical to other City of St. Albert bylaws. A section which prohibits smoking in the current Bylaw has been removed as the City's *Smoking Bylaw* already prohibits smoking on transit vehicles and the repetition is unnecessary.

A new schedule of fines has been added to the proposed Bylaw. This schedule outlines the description of the offence associated with each individual section in the proposed Bylaw, as well as the fine associated with it. The purpose of the fine schedule is three-fold: it allows for ease of changing fine amounts for individual offences, it allows Peace Officers to know what section of the bylaw to note on the ticket, and it gives the courts a basic description of the offence upon prosecution.

Program or Service: None at this time.

Organizational: None at this time.

## **ALTERNATIVES AND IMPLICATIONS CONSIDERED**

Council could choose not to pass Bylaw 23/2017. If this alternative is selected, Bylaw 34/87 would still remain in effect and would still be out of date.

## **STRATEGIC CONNECTIONS**

St Albert Strategic Plan (Policy C-CG-02)

Pillars of Sustainability

- Social ("Inclusive Community" - the new Bylaw reflects modern language / wording to stay current).
- Built Environment ("Safe... transportation network" - the new Bylaw is designed to promote safer and more efficient movement of people within the community).
- Governance Strategy ("St. Albert is responsive... to the community" - keeping a 30-year old Bylaw active does not demonstrate responsiveness to a changing community).

Transit Long Term Department Plan (Various sections of the LTDP talk to passenger safety and comfort. The new Bylaw will enable Transit to better meet the goals and objectives outlined in the plan).

Council Policy C-TS-01 (The purpose of this policy C-TS-01, is to create "a safe and reliable transit service". The new Bylaw will enable Transit to better meet that purpose).

Report Date: July 10, 2017

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