



AGENDA

**Committee of the Whole
to be held on Thursday May 23rd, 2019 at 10:30 a.m. in the Council
Chambers
Municipal Hall, 977 South Maquinna Drive**

Call to Order

Guests: Sgt. Joshua Wiese, NCO i/c, Nootka Sound RCMP Detachment

**Introduction of
Late Items** None.

**Approval of the
Agenda**

- New Business** 1 Sgt. Joshua Wiese, NCO i/c, Nootka Sound RCMP Detachment
- a) **Municipal Speed Limits- Report to Council**
 - b) **Property Crime Concerns**
 - c) **Provincial Policing Priorities (as applicable to Tahsis)**
 - d) **Other Issues**

Adjournment

VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council
From: Mark Tatchell, CAO
Date: May 13, 2019
Re: Municipal speed limits

PURPOSE OF REPORT:

To provide Council with the bylaw and provincial authorities for establishing speed limits within the municipality.

POLICY/LEGISLATIVE BACKGROUND:

Street and Traffic Regulation Bylaw No. 29, 1971 constitutes the primary source for traffic regulation within the Village.

Article 5, s. 6 states:

No motor-vehicle shall be driven or operated upon any highway within the Municipality at a greater rate of speed than thirty (30) miles per hour except as posted by the Village.

Article 6, s. 7 states:

Where traffic signs are located, established or maintained on any street indicating that the rate of speed of all vehicles is regulated or fixed on any such street in any zone, place or area indicated by the location of such signs, no person shall drive such a vehicle at a greater rate of speed than that shown on the sign, provided however, that wherever such signs are displayed indicating that the zone, place or area is in the vicinity of a school, such restriction of speed shall be applicable between the hours of eight o'clock in the forenoon and five o'clock in the afternoon of any day on which school is regularly held; and whenever such signs are displayed indicating that the zone, place or area is in the vicinity of a playground, such restriction of speed shall be applicable between dawn and dusk. For the purpose of this section, where numerals alone are prominently displayed on any sign, the maximum speed allowed in the zone shall be that number of miles per hour indicated by such numerals.

(The bylaw was amended in 1977 to change 30 miles per hour to 40 kilometers per hour.)

The authority for municipal councils to establish speed limits on public highways within municipalities is set out in the *Motor Vehicle Act, RSBC 1996, Ch. 318*:

Speed limits

146 (1) Subject to this section, a person must not drive or operate a motor vehicle on a highway in a municipality or treaty lands at a greater rate of speed than 50 km/h, and a person must not drive or operate a motor vehicle on a highway outside a municipality at a greater rate of speed than 80 km/h.

(2) The minister responsible for the administration of the *Transportation Act* may, by causing a sign to be erected or placed on a highway limiting the rate of speed of motor vehicles or a category of motor vehicles driven or operated on that portion of the highway, increase or decrease the rate of speed at which a person may drive or operate a motor vehicle or a category of motor vehicle on that portion of the highway.

(3) If the minister responsible for the administration of the *Transportation Act* has caused a sign to be erected or placed on a highway limiting the rate of speed of motor vehicles or a category of motor vehicles driven or operated on that portion of the highway, a person must not, when the sign is in place on the highway, drive or operate a vehicle on that portion of the highway at a greater rate of speed than that indicated on the sign for that category of motor vehicle.

And in section 146 (6)

(6) Subject to subsections (2) and (3), a municipality may by bylaw direct the rate of speed at which a person may drive or operate a motor vehicle on a highway in the municipality.

The *Motor Vehicle Act* defines "highway" as

"**highway**" includes

- (a) every highway within the meaning of the *Transportation Act*,
- (b) every road, street, lane or right of way designed or intended for or used by the general public for the passage of vehicles, and
- (c) every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited,

but does not include an industrial road;

All public roads within the Village are considered highways.

Under the existing bylaw, the speed limit on all streets within the municipality is 40/kilometers per hour, except in school or playground zones. Should Council wish to vary the speed limit in other areas, Council would need to adopt a bylaw and post signs on all affected streets.

Respectfully submitted:

A handwritten signature in black ink, consisting of a large, sweeping initial 'M' followed by a wavy line that tapers off to the right.

Mark Tatchell, CAO