



## Governance and Priorities Committee Report

For the Meeting of December 3, 2015

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**To:** Governance and Priorities Committee      **Date:** November 23, 2015  
**From:** Fraser Work, Director, Engineering & Public Works  
**Subject:** Skateboarding Regulations – Additional Information

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### RECOMMENDATION

That Council direct staff to:

1. Proceed with proposed amendments to the Streets and Traffic Bylaw, Ticket Bylaw, and Parks Regulation Bylaw that would permit the use of skateboards, roller skates, in-line skates, and non-motorized scooters on all City streets, and require skateboarders and users of other similar modes of transportation to follow the same rules of the road as cyclists, and eliminate associated impound provisions, effective February 1, 2016.
2. Proceed with a communications strategy to increase public understanding on how skateboarders can integrate in City streets.
3. Write a letter to the Province of BC advocating for a provincial standard within the Motor Vehicle Act for skateboarding helmets, similar to cyclist regulations.
4. Report back in June 2016 with any observations/considerations related to skateboarding safety in the City.

### EXECUTIVE SUMMARY

At the October 8, 2015 Governance and Priorities Committee meeting, Council considered a report proposing recommendations regarding skateboarding regulations, in response to previous Council direction to amend the Streets and Traffic Bylaw to permit the use of skateboards on City roadways.

After considering the report, Council made the following motion:

*That Council refer the matter back to staff for further work with particular attention to the following:*

- 1. Fines applying only to downtown.*
- 2. Amount of fines when not in the downtown.*
- 3. Requirement for lights and reflectors.*
- 4. The age of skateboarders to whom the regulations would apply.*

The proposed bylaw amendments to regulate skateboards and other similar modes of transportation appended to this report mimic existing regulations for cyclists, with the exception of helmet use and the provision of lights and reflectors.

Council requested staff provide additional information to help determine how to best apply skateboard-related fines, to ensure penalties remain consistent with existing and similar regulations. Based on City guidelines and a review of skateboarding fines in other cities, a \$125 fine is considered reasonable, and consistent with cyclist-related offences.

Differing fine amounts could be administered for specific areas of the City, with possibly fines highest or only applied downtown. Administering multiple penalty schemes could prove less efficient to manage, whereas a single penalty system would likely be simpler and easier to understand and implement. Staff recommend consistent fine amounts be applied to skateboarding-related offences.

Bylaw amendments requiring skateboarders and other similar users wear lights/reflectors that align closely with cyclist safety regulations could be implemented. Given anticipated low adoption levels if lights/reflectors were included in bylaw amendments for skateboarders, staff propose that, as a minimum alternative, staff advocate for lighting "safe practices" as a core part of any future communication strategy, and challenge stakeholders on how best to develop a light/reflector design that may appeal to users.

Council also raised concerns about younger skateboarders having to follow the same rules of the road as other skateboarders; especially children being subject to ticketing for operating a skateboard on a sidewalk in residential neighbourhoods. This also raised questions as to whether this bylaw would apply only to the downtown core, where safety risks were highest.

Based solely on risks, it may be difficult to substantiate age-related rules for safety infractions. Staff's review of regulations in other nearby Canadian municipalities found no common age-based exemptions for skateboarding.

VicPD personnel have expressed concerns with how to appropriately safeguard skateboarding, particularly in busier areas. The VicPD position is that, in addition to the existing regulations that separate skateboarders from pedestrians, skateboarders need to be separated from vehicle traffic as much as reasonably possible. It was also noted that, while enforcement of skateboarding regulations would be prioritized in areas of heightened risks, such as busy pedestrian and traffic areas, there may be instances where enforcement of the regulations outside these areas could be required.

To simplify rule understanding and application, and to consistently align with cycling rules, staff recommends removing the current geographical skateboarding prohibition, and instead promote safe skateboarding practices in all locations across all age-groups, in concert with the Vic PD focus on risk-mitigation.

Staff also recommends advocating for a provincial helmet requirement, with the province setting appropriate standards within the Motor Vehicle Act, similar to how the helmet requirement for cyclists has been regulated.

In order to ensure adequate support and adoption of these bylaw amendments, a comprehensive communications strategy is required, to provide clear and accessible information to all impacted stakeholders. Outreach will be done with all neighbourhoods, and in particular, the City will also work with the Downtown Residents' Association and Downtown Victoria Business Association to reach their members about the change in regulations. Signage and markings will also be installed to help all transportation modes safely share the roadway. Implementation, including paint markings, signage, and other communications tools, is estimated at \$10,000. Funding is recommended to be sourced from the 2016 Transportation operating budget.

A February 1, 2016 effective date for the bylaw amendment is recommended. Staff will report to Council in June 2016 with initial comments regarding the effectiveness of the new regulations.



## **PURPOSE**

To provide Council additional information related to proposed bylaw amendments to permit the use of skateboards on City roadways.

## **BACKGROUND**

At the October 8, 2015 Governance and Priorities Committee meeting, Council considered a report proposing recommendations regarding skateboarding regulations, in response to previous Council direction to amend the Streets and Traffic Bylaw to permit the use of skateboards on City roadways. After considering the report, Council made the following motion:

*That Council refer the matter back to staff for further work with particular attention to the following:*

- 1. Fines applying only to downtown.*
- 2. Amount of fines when not in the downtown.*
- 3. Requirement for lights and reflectors.*
- 4. The age of skateboarders to whom the regulations would apply.*

Staff have reviewed the various issues raised by Council, and are forwarding recommendations for Council's consideration.

## **ISSUES & ANALYSIS**

In addition to proposed changes to the Streets and Traffic Bylaw and Ticket Bylaw originally identified in the staff report presented to the Governance and Priorities Committee October 8<sup>th</sup>, staff have included a revision to the Parks Regulation Bylaw that would be consistent with what is being proposed for City streets. The proposed amendment to the Parks Regulation Bylaw would permit skateboards and other similar modes of transportation on roadways in parks. Similar to the existing restriction for skateboarding on sidewalks, the prohibition for skateboarding on pathways/footpaths in City parks would remain.

Section 124(1)(t) of the BC Motor Vehicle Act gives municipalities the authority to regulate and control persons using roller skates, sleighs, skates, skis or other similar means of conveyance on highways in the municipality.

The proposed bylaw amendments to regulate skateboards and other similar modes of transportation appended to this report mimic existing regulations for cyclists, with the exception of helmet use and the provision of lights and reflectors.

### **Fines**

Council requested staff provide additional information to help determine how to best apply skateboard-related fines, to ensure penalties remain consistent with existing and similar regulations.

In August 2010, Council approved amendments to the Ticket Bylaw and consequential amendments to a number of other bylaws. Part of the recommended actions included implementing a set of criteria to develop fine amounts, and to ensure they remained appropriate relative to the offence (see Appendix - Criteria for Setting Fines).

Referring to the criteria, skateboarding infractions would reasonably fall in the range stipulated in principle 3, which suggests a fine between \$75-250, and should remain proportional to the offence, as stipulated in principle 6, with a lower limit of \$75 to cover administration of related offences, as per principle 5.

Based on the internal guidelines for consistency, and a review of fines issued in other municipalities (see Table 2), a fine between \$75 and \$250 could be considered reasonable for skateboard-related

offences. The proposed \$125 fine (with \$75 early payment option) is consistent with those for cyclist-related offences. The proposed amendment to the Ticket Bylaw (attached) lists proposed skateboard-related offences (noted as 43A in Column 2), corresponding fine amounts (Column 3), and fine amounts for early payment (Column 4).

The \$125 fine amounts in the proposed Ticket Bylaw amendment remain unchanged from those noted in the staff report presented at the October 8, 2015 GPC meeting.

Various fine options exist for Council's consideration, as depicted in the following table:

**TABLE 1 – Fine Options**

Skateboarding Related Fine Scheme	Proposed Approach	Proposed Amount (Consistent with Criteria)	Pros	Cons
Single Fine Scheme	Single infraction penalty	\$125-250, with early fine payment incentive	<ul style="list-style-type: none"> <li>• Consistent with cycling rules.</li> <li>• Simple plan to administer and communicate</li> </ul>	<ul style="list-style-type: none"> <li>• Could disadvantage individuals if improperly administered.</li> </ul>
Geographic Fine Scheme	Fines administered in downtown core	As above for downtown core only	<ul style="list-style-type: none"> <li>• Strong disincentive for unsafe practice in busy downtown area.</li> <li>• Simplifies enforcement zone.</li> <li>• Aligns with previous understanding of "red zone" area.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not address unsafe actions in other areas.</li> <li>• More difficult/complex to administer/enforce.</li> </ul>
Age Fine Scheme	Fines administered based on age limits	As above, or another fine amount, for persons above age limit	<ul style="list-style-type: none"> <li>• Avoids penalising younger, potentially less-informed, skateboarders.</li> </ul>	<ul style="list-style-type: none"> <li>• Ignores safety aspects.</li> <li>• More difficult to administer/enforce.</li> </ul>
Hybrid Model	Combination of the above	As required	<ul style="list-style-type: none"> <li>• May best address unique suite of City concerns.</li> </ul>	<ul style="list-style-type: none"> <li>• More complex to administer and enforce.</li> </ul>

Differing fine amounts could be administered for specific areas of the City, with possibly fines highest or only applied downtown. A review of skateboarding regulations in other nearby communities (including the City of Langford and the District of Oak Bay) suggests they apply a single fine scheme. While more severe penalties may be warranted for the busiest areas, administering multiple penalty schemes could prove less efficient to manage, whereas a single penalty system would likely be simpler and easier to understand and implement, at least initially in the City. Staff recommend consistent fine amounts be applied to skateboarding-related offences throughout the City, with continual review to recommend any required future changes.

### **Requirement for lights and reflectors**

Proposed regulations for lights and reflectors were first noted in the staff report presented at the October 8, 2015 Governance and Priorities Committee meeting.

Section 183(6) of the Motor Vehicle Act requires cyclists to have lights and reflectors to operate on streets between ½ hour after sunset, and ½ hour before sunrise, and that individuals must wear a white light on the front that is visible for at least 150m, a suitable red reflector, and a lighted red lamp visible to the rear. Bylaw amendments could be posed to don lights/reflectors that align closely with



cyclist safety regulations, and require skateboarders and other similar users to have this equipment when travelling on streets during periods of darkness.

If desired, bylaw amendments for lights and reflectors could include the following:

*A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway between 1/2 hour after sunset and 1/2 hour before sunrise must wear the following equipment:*

- (a) *a lighted lamp on the person's front and under normal atmospheric conditions capable of displaying a white light visible at least 150 m in the direction the person is pointed;*
- (b) *a red reflector of a make or design approved by the Insurance Corporation of British Columbia for the purposes of section 183(6)(b) of the Motor Vehicle Act;*
- (c) *a lighted lamp, visible to the rear, displaying a red light.*

It is recognised through ongoing liaison with community skateboarders that lights/reflectors may be considered untenable accessories, and staff would expect that adoption of cycling-similar rules to be very low until such a time that the culture embraced improved personal safety equipment. A review of other municipal regulations found only Portland requires lights, while Vancouver requires only reflective equipment. Staff recommends Council consider the risk of low adoption levels if lights/reflectors were included in bylaw amendments, and propose that, as a minimum alternative, staff advocate for "safe practices" as a core part of any future communication strategy, and challenge stakeholders on how best to develop a light/reflector design that may appeal to their cultural norms.

### Age and Geographic Considerations

Council raised concerns about younger skateboarders having to follow the same rules of the road as other skateboarders; especially children being subject to ticketing for operating a skateboard on a sidewalk in residential neighbourhoods. This also raised questions as to whether this bylaw would apply only to the downtown core, where safety risks were highest.

Staff also examined skateboarding-related enforcement details in other jurisdictions to guide considerations, as summarized in the table below:

**TABLE 2 – Skateboard Regulations: Other Municipalities**

Location	Helmets required	Lights required	Age-based regulations	Geographic-based regulations	Fines/regulations	Multi-level fines based on age or geography
Portland, Oregon	YES	YES	<16 yr. old requires helmet	Restricted in some areas downtown	<ul style="list-style-type: none"> <li>\$115 – riding on sidewalks, restricted areas, not moving to the right when being passed, no lights/reflectors at night.</li> <li>\$250 - all other applicable Oregon Motor Vehicle Act regulations.</li> </ul>	NO
Vancouver	YES	NO	NO	YES, only permitted on a minor street	<ul style="list-style-type: none"> <li>\$250 - must not wear headphones or anything that may affect hearing helmet, wrist, knee,</li> </ul>	NO

					elbow pads and front and rear reflective equipment required. <ul style="list-style-type: none"> <li>• Must ride in direction of traffic and close to curb.</li> <li>• Must have a braking mechanism.</li> </ul>	
Colwood	NO	NO	NO	NO	<ul style="list-style-type: none"> <li>• \$75 - No skateboarding on roadway.</li> <li>• No skateboarding on sidewalk without due care and attention or without reasonable consideration for other persons using the sidewalk.</li> </ul>	NO
Kelowna	NO	NO	NO	NO	<ul style="list-style-type: none"> <li>• \$35 - No skateboarding on sidewalk.</li> </ul>	NO
Nanaimo	NO	NO	NO	NO	<ul style="list-style-type: none"> <li>• \$56.25 - No skateboarding on highway or sidewalk.</li> </ul>	NO
Langford	NO	NO	NO	YES	<ul style="list-style-type: none"> <li>• \$40 impound fee:</li> <li>• No skateboarding in bike lane.</li> <li>• No skateboarding on sidewalk.</li> </ul>	NO
Oak Bay	NO	NO	NO	YES	<ul style="list-style-type: none"> <li>• \$25 detention fee/\$2 per day impound fee:</li> <li>• No skateboarding on sidewalk.</li> <li>• No skateboarding in defined areas.</li> </ul>	NO
Saanich	NO	NO	NO	NO	<ul style="list-style-type: none"> <li>• \$100 - Where prohibited by resolution.</li> </ul>	NO
Toronto	NO	NO	NO	NO	<ul style="list-style-type: none"> <li>• \$90 - No skateboarding on highway or sidewalk.</li> </ul>	NO

Initial investigation suggests that other municipalities with skateboarding regulations (including Vancouver, District of Oak Bay, and the City of Langford) do not have age-based exemptions. Cities with age-based penalties relative to skateboarding appear to only focus on helmet use age limits: Portland, Oregon, Georgia and Florida require helmets for boarders under 16 years of age, New York State under 14, and California under 18.

Based solely on risks, it may be difficult to substantiate age-related rules for safety infractions. Staff recommends proposed skateboarding regulations in the City not initially include age-based exemptions, but remain a consideration for future review.

VicPD personnel have expressed concerns with how to appropriately safeguard skateboarding, particularly in busier areas, where a skateboarders' limited braking capability and constrained manoeuvring pose unique risks that remain unfamiliar and potentially unsuitable in many roadways due to the factors of road design, surface condition, proximity to automobiles, cyclists and pedestrians, and familiarity of drivers/vehicle operators. The VicPD position is that, in addition to the existing regulations that separate skateboarders from pedestrians, skateboarders need to be separated from vehicle traffic as much as reasonably possible (see attached November 17/15 VicPD memo).



Discussions between staff and VicPD outlined that traffic-related law enforcement is prioritized based on safety risks and collision prevention. VicPD indicated enforcement of skateboarding regulations would be prioritized in areas of heightened risks, such as busy pedestrian and traffic areas, which include downtown, urban villages and major streets. There may be instances, however, where enforcement of the regulations outside these busier areas could be required, and should be considered as part of an ongoing review to ensure bylaw effectiveness.

To simplify rule understanding and application and to consistently align with cycling rules, staff recommends removing the current geographical skateboarding prohibition, and instead promote safe skateboarding practices in all locations across all age-groups, in concert with the VicPD focus on risk-mitigation.

### **Helmets**

As noted in previous considerations, staff recommends advocating for a provincial helmet requirement, with the province setting appropriate standards within the Motor Vehicle Act, similar to how the helmet requirement for cyclists has been regulated. VicPD supports including a helmet requirement in the regulations, which is consistent with larger community skateboarding regulations, such as in the City of Vancouver. As per the Council decision at the October 8<sup>th</sup> GPC, skateboarders (and other similar modes) shall be encouraged to don helmets, and not required to do so until such a time that provincial legislation enacts skateboarding helmet regulations.

### **Communications – Actions and Outlook**

In order to ensure adequate support and adoption of these bylaw amendments, a comprehensive communications strategy is required. Staff propose an education program to inform the public about the new regulations which permit skateboards, roller skates, in-line skates, and non-motorized scooters on all City streets, including the downtown core. The communication strategy aims to provide clear and accessible information to all impacted stakeholders, including motorists, cyclists, pedestrians, downtown businesses and residents, in order to foster safe and courteous use of downtown streets and thoroughfares by all road users.

A combination of media will be used to reach those who are impacted and interested in the bylaw changes. Print and electronic materials, will be produced, including a video segment developed with skateboarders. The short video will highlight the changes to the bylaw, and showcase how to safely share the road with other users, including information on visibility and how to turn left at intersections. Information about where skateboarding is not permitted (sidewalks, etc.) will also be highlighted. Outreach will be done with all neighbourhoods, and in particular, the City will also work with the Downtown Residents' Association and Downtown Victoria Business Association to reach their members about the change in regulations.

Improved signage will also reduce risks associated with this change of transportation flow in the City. Staff recommend additional signage instructing all users how to safely share the road. Signage and road markings will also be updated to indicate skateboard use is permitted in marked bike lanes.

### **2015-2018 Strategic Plan**

Permitting the use of skateboards and other similar modes of transportation on all roadways in the City of Victoria encourages active transportation, which is consistent with the 2015-2018 Strategic Plan objective to complete a multi-modal and active transportation network.

### **Impacts to 2015-2018 Financial Plan**

Executing the required communications and safety systems to support the proposed bylaw amendments will incur additional costs to the City. Estimates for the provision of desired

communications tools is approximately \$10,000 for in-house design/production. This initial estimate, includes paint markings and signage, and communications tools. Funding for these initiatives will be provided via the 2016 Transportation operating budget.

### **Official Community Plan Consistency Statement**

Encouraging skateboard use is also consistent with Goal 7.17.3 in the City's Official Community Plan "providing right-of-way space on streets, sidewalks, and footpaths as appropriate for other forms of personal mobility".

### **CONCLUSIONS**

Permitting the use of skateboards and other similar modes of transportation on all roadways in the City of Victoria encourages active transportation, and advances 2015-2018 Strategic Plan and Official Community Plan objectives.

Staff recommend adopting the proposed bylaw amendments to the Streets and Traffic Bylaw, Ticket Bylaw, and Parks Bylaw, and request Council direct staff to implement the communication and education program outlined in this report.


To allow sufficient time for communication roll-out, and implementation of the physical changes, a February 1, 2016 effective date for the bylaw amendment is recommended.

Staff will report to Council in June 2016 with initial comments regarding the effectiveness of the new regulations.

Respectfully submitted,

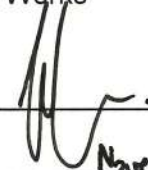


Brad Dellebuur  
Manager, Transportation  
Engineering and Public Works

for   
Fraser Work  
Director  
Engineering and Public Works

Report accepted and recommended by the City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

  
November 26, 2015

### **List of Appendixes / Attachments**

August 2010 principles/criteria for setting fines  
Parks Regulation Bylaw amendment  
Streets and Traffic Bylaw amendment  
Ticket Bylaw Amendment  
November 17/15 VicPD memo



## Criteria for setting fines

### Appendix C

#### Criteria for Assessing Municipal Ticket Information Fines

##### Principles

1. Violations that have (or may have) an impact on public health, public safety or cause harm to the environment will have the greatest penalties (generally \$500+).
2. Violations that significantly impact revenue or the City's ability to properly manage its business will have mid range penalties (generally in the \$250 - \$500 range).
3. Violations that address minor nuisances, inappropriate social behaviours or are not otherwise mentioned above will have lower penalties (generally in the \$75 to \$250 range).
4. Only violations with penalties in the lower or mid range will normally be candidates for reduced fines for early payment – which, if used should create an incentive for the violator to pay early.
5. Generally a fine of less than \$75 (non reduced amount) should be avoided as the cost to the City of processing/administering a ticket is a minimum of \$60.00.
6. The fine must have a value high enough to be a deterrent to a potential violator, but not so high as to be unreasonable relative to the offence.
7. Tickets cannot be prescribed for speeding or firearms offences (*Community Charter* prohibition).
8. Tickets cannot impose a fine greater than \$1000 (*Community Charter* prohibition).
9. Similar offences in different bylaws (i.e. interfere with an inspector) should have similar penalties prescribed.
10. Where the province has established ticket fines for similar offences under the *Offence Act*, the Ticket Bylaw should prescribe fines within +/- 10%.

**PARKS REGULATION AMENDMENT BYLAW**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to clarify the rules surrounding the use of skateboards and other similar modes of transportation in parks.

The Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the "Parks Regulation (Skateboarding) Amendment Bylaw."
- 2 Bylaw No. 07-059, the Parks Regulation Bylaw, is amended
  - (a) by repealing section 12(1)(o), and
  - (b) by adding the following subsections immediately after section 12(4):
    - "(5) A person must not use skates, skateboards, rollerblades or any similar apparatus in a park other than
      - (a) on a road on which vehicular traffic is permitted,
      - (b) on a footpath designated for that purpose by signage,
      - (c) in an area designated for that purpose by signage, or
      - (d) with prior express permission of the Director under section 5.
    - (6) A person using skates, skateboards, rollerblades or any similar apparatus in a park in accordance with subsection (5)(a) or (b) must
      - (a) comply with the requirements of section 43A of the Streets and Traffic Bylaw, and
      - (b) travel in the direction of traffic or as designated by signage."

**Effective date**

This Bylaw comes into force on February 1, 2016.

READ A FIRST TIME the	day of	2015
READ A SECOND TIME the	day of	2015
READ A THIRD TIME the	day of	2015
ADOPTED on the	day of	2015

CITY CLERK

MAYOR



## STREETS AND TRAFFIC AMENDMENT BYLAW

### A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to remove the current prohibition against the use of skateboards and other similar modes of transportation on highways within the downtown core, to revoke the authority to impound skateboards and other similar modes of transportation being used in the downtown core, to establish rules governing the use of skateboards and other similar modes of transportation on highways throughout the City.

Under its statutory powers, including section 124 of the *Motor Vehicle Act* and sections 36 and 260 to 273 of the *Community Charter*, the Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

#### Title

- 1 This Bylaw may be cited as "Streets and Traffic Regulation (Skateboarding) Amendment Bylaw

#### Streets and Traffic Bylaw

- 2 Bylaw No. 09-079, the Streets and Traffic Bylaw, is amended

- (a) by repealing the definition of "human powered device" in section 4,
- (b) by adding the following section immediately after section 43:

#### "Skating provisions

- 43A (1) Subject to the applicable provisions of the *Motor Vehicle Act* and its regulations and in addition to the duties imposed by this Bylaw, a person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway has the same rights and duties as a driver of a vehicle.
- (2) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway
  - (a) must not, for the purpose of crossing a highway, use the device on a crosswalk unless
    - (i) authorized to do so by a bylaw,
    - (ii) directed to do so by a sign, or
    - (iii) entering or leaving a multi-use trail on a crosswalk linking portions of the trail to one another or to a highway,
  - (b) must, subject to section 115(1), use the device as near as practicable to the right side of the highway,

- (c) must not use the device abreast of another person using a cycle, skateboard, roller skates, in-line skates, or a non-motorized scooter on the highway,
  - (d) if the device is a skateboard or non-motorized scooter, must keep at least one foot on the skateboard or non-motorized scooter,
  - (e) must not carry a passenger on the device, and
  - (f) must not use the device on a highway where signs prohibit the device's use.
- (3) Nothing in subsection (2)(b) requires a person to use a skateboard, roller skates, in-line skates, or a non-motorized scooter on any part of a highway that is not paved.
- (4) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway who intends to turn left at an intersection where there is more than one lane from which left turns are permitted must
- (a) approach the intersection in the lane closest to the right side of the highway from which a left turn is permitted,
  - (b) keep to the right of the line that divides the lane referred to in paragraph (a) from the lane immediately to the left of that lane,
  - (c) after entering the intersection, turn to the left so that the device will leave the intersection to the right of the line referred to in paragraph (b), and
  - (d) when practicable, turn in the portion of the intersection to the left of the centre of the intersection.
- (5) If an accident occurs by which a person or property is injured, directly or indirectly, owing to the use of a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway or a sidewalk, the person using the skateboard, roller skates, in-line skates, or a non-motorized scooter must
- (a) remain at or immediately return to the scene of the accident,
  - (b) render all possible assistance, and
  - (c) give to anyone sustaining loss or injury the person's name and address.
- (6) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway without due care and attention or without reasonable consideration for other persons using the highway.



- (7) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway must signify
  - (a) a left turn by extending the person's left hand and arm horizontally,
  - (b) a right turn by doing either of the following:
    - (i) extending the person's left hand and arm out and upward so that the upper and lower parts of the arm are at right angles;
    - (ii) extending the person's right hand and arm horizontally, and
  - (c) a stop or decrease in speed by extending the person's left hand and arm out and down.”,
- (c) by repealing section 115(1) and substituting the following:
  - “(1) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a sidewalk unless
    - (a) permitted to do so by a sign, and
    - (b) the person exercises due care and attention and reasonable consideration for other persons using the sidewalk.”,
- (d) by repealing section 115(2) and substituting the following:
  - “(2) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a street or path in a public place where signs are displayed stating that the street or path is for pedestrian use only.”,
- (e) by repealing sections 115(3) and (4), and
- (f) by repealing Schedule H and substituting the Schedule H attached to this Bylaw as Schedule 1.

### Effective date

3 This Bylaw comes into force on February 1, 2016.

READ A FIRST TIME the	day of	2015
READ A SECOND TIME the	day of	2015
READ A THIRD TIME the	day of	2015
ADOPTED on the	day of	2015

CITY CLERK

MAYOR

## Schedule 1

### SCHEDULE H

#### Detention, removal and impoundment fees

1. The detention and removal fees, shown in the second column of the following table, that correspond to the weight or type of the item shown in the first column, are payable under subsection 102(4) of this bylaw:

<u>Weight or Type</u>	<u>Detention &amp; Removal Fee</u>
65 kg or less	\$25.00 for a first detention or removal  \$100.00 for a second or subsequent detention or removal
over 65 kg	\$40.00 for a first detention or removal  \$100.00 for a second or subsequent detention or removal

2. The impoundment fees, shown in the second column of the following table, that correspond to the weight or type of the item shown in the first column, are payable under subsection 102(5) of this bylaw:

<u>Weight or Type</u>	<u>Impoundment Fee</u>
65 kg or less	\$5.00 per day, including the first day
over 65 kilograms	\$7.00 per day including the first day



**TICKET BYLAW AMENDMENT**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to establish ticket fines for contravention of the rules in the Parks Regulation Bylaw, and Streets and Traffic Bylaw applicable to the use of Skateboards.

Under its statutory powers, including sections 260 to 273 of the *Community Charter*, the Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

- 1 This Bylaw may be cited as Ticket Bylaw Amendment Bylaw.
- 2 Bylaw No. 10-071, the Ticket Bylaw, is amended by
  - (a) repealing Schedule X and substituting the Schedule X attached to this Bylaw as Schedule 2, and
  - (b) repealing Schedule JJ and substituting the Schedule JJ attached to this Bylaw as Schedule 3.

**Effective date**

- 4 This Bylaw comes into force on February 1, 2016.

READ A FIRST TIME the	day of	2015
READ A SECOND TIME the	day of	2015
READ A THIRD TIME the	day of	2015
ADOPTED on the	day of	2015

CITY CLERK

MAYOR

## Schedule 2

## Schedule X

### Parks Regulation Bylaw Offences and Fines

Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
Game in unauthorized area	4(1)(a)	\$100.00	\$75.00
Game not in accordance with park rules/times	4(1)(b)/(2)(b)	\$100.00	\$75.00
Tennis/bowling without proper equipment	4(2)(a)	\$100.00	\$75.00
Game without permit	4(3)	\$125.00	\$100.00
Event without permission	5(1)	\$250.00	\$200.00
Bathing in unauthorized area	6(a)	\$100.00	\$75.00
Bathing contrary to <i>Criminal Code</i> (nudity/ indecent exposure)	6(b)	\$100.00	\$75.00
Dressing/undressing in unauthorized area	6(c)	\$100.00	\$75.00
Dressing/undressing in unauthorized area	6(c)	\$100.00	\$75.00
Entering unauthorized area of building	6(d)	\$100.00	\$75.00
Nuisance/hazard on beach	6(e)	\$200.00	\$175.00
Boating interfering with bathing/swimming	6(f)	\$200.00	\$175.00
Interfering with/ obstructing supervisor	6(g)	\$200.00	\$175.00
Depositing object on beach or in water	6(h)	\$150.00	\$125.00
Disturbing swimmers/bathers	6(i)	\$100.00	\$175.00
Horse/donkey/mule on beach	6(j)	\$125.00	\$100.00
Dog/animal in water	6(k)	\$100.00	\$75.00
Operating motorized saw without permission	6(l)	\$125.00	\$100.00
Excavating/cutting park terrain	6(m)	\$200.00	\$175.00
Operating model aircraft in unauthorized area	7(2)(a)	\$125.00	\$100.00



Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
Operating model aircraft by non-member of Model Aeronautics Association	7(2)(b)	\$100.00	\$75.00
Operating model aircraft without permit	7(2)(c)	\$100.00	\$75.00
Operating model aircraft without insurance	7(2)(d)	\$125.00	\$100.00
Operating model aircraft without certification	7(2)(e)	\$125.00	\$100.00
Operating model aircraft at unauthorized time	7(3)	\$125.00	\$100.00
Operating model aircraft without proper sign	7(4)(a)	\$100.00	\$75.00
Operating model aircraft without rope around perimeter of area	7(4)(b)	\$100.00	\$75.00
Operating model aircraft contrary to safety guidelines/Etiquette Code	7(5)(b)	\$100.00	\$75.00
Failure to remove model aircraft signs/perimeter rope	7(6)	\$100.00	\$75.00
Conducting business/sales/gifts without permission	8	\$300.00	\$250.00
Vehicle in Clover Point Park during unauthorized hours	9(1)	\$125.00	\$100.00
Use of road to Beacon Hill Park lookout during unauthorized hours	9(2)	\$125.00	\$100.00
In park during unauthorized hours	9(3)/(4)	\$125.00	\$100.00
Unauthorized object in park during unauthorized hours	9(5)	\$100.00	\$75.00
Research/collecting in park without permit	10(1)	\$150.00	\$125.00
Discharge bow	11(b)	\$350.00	\$300.00
Discharge explosive/combustible	11(c)	\$500.00	\$500.00
Carrying/making fire without permission	11(d)(i)	\$350.00	\$300.00
Carrying/making fire in unauthorized area	11(d)(ii)	\$350.00	\$300.00

Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
Placing lighted match/cigarette/burning substance on ground	11(e)	\$350.00	\$300.00
Riding/driving animal/vehicle at unsafe speed without permission	12(1)(a)	\$200.00	\$175.00
Failing to stop animal/vehicle on request	12(1)(b)	\$250.00	\$200.00
Riding/driving animal/vehicle in unauthorized direction	12(1)(c)	\$125.00	\$100.00
Parking vehicle during night without lamps/reflectors	12(1)(d)	\$100.00	\$75.00
Driving/permitting vehicle on unauthorized area	12(1)(e)	\$150.00	\$125.00
Parking vehicle in unauthorized area	12(1)(f)(g)	\$100.00	\$75.00
Parking vehicle during unauthorized time	12(1)(h)	\$100.00	\$75.00
Parking vehicle for purpose other than visiting park	12(1)(i)	\$100.00	\$75.00
Leaving vehicle without remaining in park	12(1)(j)	\$100.00	\$75.00
Parking vehicle for purpose of overnight sleeping	12(1)(k)	\$150.00	\$125.00
Sleep overnight in vehicle in park	12(1)(l)	\$150.00	\$125.00
Cleaning vehicle	12(1)(m)	\$200.00	\$175.00
Ride/operate bicycle in unauthorized area	12(1)(n)	\$125.00	\$75.00
Riding/operating bicycle in unauthorized direction	12(1)(n)	\$125.00	\$75.00
Operate commercial vehicle except as authorized	12(2)	\$125.00	\$100.00
Ride/drive animal in unauthorized area	12(3)(a)	\$100.00	\$75.00
Ride/drive animal in unauthorized direction	12(3)(b)	\$100.00	\$75.00
Drive animal on pedestrian footpath	12(4)	\$100.00	\$75.00
Use skates/skateboard except as authorized	12(5)	\$100.00	\$65.00



Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
Use skates/skateboard on road or footpath contrary to Streets and Traffic Bylaw	12(6)(a)	\$125.00	\$75.00
Use skates/skateboard in unauthorized direction	12(6)(b)	\$125.00	\$75.00
Cutting/injuring/ removing/damaging plant/seed/building/ structure	13(1)(a)	\$350.00	\$300.00
Fouling/polluting fountain/body of water	13(1)(b)	\$500.00	\$500.00
Painting/defacing/ mutilating rock	13(1)(c)	\$350.00	\$300.00
Damaging/defacing/ destroying sign	13(1)(d)	\$500.00	\$500.00
Transport waste for disposal in park	13(1)(e)	\$500.00	\$500.00
Disposing waste in park	13(1)(f)	\$500.00	\$500.00
Disposing waste other than in authorized receptacles	13(2)	\$150.00	\$125.00
Disorderly/offensive conduct	14(1)(a)	\$200.00	\$175.00
Molesting/injuring	14(1)(b)	\$200.00	\$175.00
Obstruct use/enjoyment of park	14(1)(c)	\$200.00	\$175.00
Abode in park at night	14(1)(d)	\$150.00	\$125.00
Paint advertisements	14(1)(e)	\$150.00	\$125.00
Distribute commercial handbills	14(1)(f)	\$150.00	\$125.00
Placing posters	14(1)(g)	\$150.00	\$125.00
Disturb/injure/catch bird/animal/fish	14(1)(h)	\$350.00	\$300.00
Deposit unlawful matter into animal/bird enclosure	14(1)(i)	\$350.00	\$300.00
Consuming liquor	14(1)(j)	\$250.00	\$150.00
Encumber/obstruct footpath	14(2)(a)	\$125.00	\$100.00
Drive vehicle contrary to Noise Bylaw	14(2)(b)	\$300.00	\$250.00
Nuisance/dangerous driving	14(2)(c)	\$350.00	\$300.00
Operate vehicle to display/broadcast advertisements	14(2)(d)	\$150.00	\$125.00

Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
Removing material w/o permission	14(3)(a)/(b)	\$125.00	\$100.00
Enter into animal/bird enclosure	14(4)	\$200.00	\$175.00
Advertisement without permission	14(6)(a)	\$150.00	\$125.00
Advertisement contrary to agreement	14(6)(b)	\$150.00	\$125.00
Unauthorized advertisement	14(6)(c)/(d)	\$150.00	\$125.00
Climbing/walking/sitting contrary to sign	15(a)	\$100.00	\$75.00
Crossing/traveling/using grass contrary to sign	15(b)	\$100.00	\$75.00
Erect building/structure without/contrary to permit	16	\$150.00	\$125.00
Erect overnight shelter other than at permitted time/location	16A(2)	\$100.00	\$75.00
Animal at large/feeding without permit	17	\$100.00	\$75.00



### Schedule 3

### Schedule JJ

#### Streets and Traffic Bylaw Offences and Fines

Column 1 - Offence	Column 2 - Section	Column 3 - Set Fine	Column 4 – Fine if paid within 30 days
Cross street outside crosswalk	10(2)	\$75.00	\$45.00
Jaywalking against sign	10(4)	\$75.00	\$45.00
Illegal entry into crosswalk	11(2)	\$75.00	\$45.00
Fail to obey fire department direction	12(2)	\$150.00	\$125.00
Leave curb in unsafe manner	14	\$125.00	\$75.00
Operate bus on prohibited street	18	\$125.00	\$75.00
Disobey police direction	19	\$150.00	\$125.00
Disobey traffic control device	20	\$175.00	\$125.00
Disobey stop sign	21	\$175.00	\$125.00
Fail to yield to pedestrian - green light	22(1)(a)(ii)	\$175.00	\$125.00
Fail to yield to vehicle - green light	22(1)(a)(iii)	\$175.00	\$125.00
Fail to stop for yellow light at intersection	23(1)(a)	\$175.00	\$125.00
Pedestrian entering road - yellow light	23(1)(b)	\$75.00	\$45.00
Pedestrian failing to proceed	23(1)(c)	\$75.00	\$45.00
Fail to stop for yellow light - no intersection	23(2)(a)	\$150.00	\$100.00
Pedestrian disobey signal - yellow light	23(2)(b)	\$75.00	\$45.00
Fail to stop for red light at intersection	24(1)	\$175.00	\$125.00
Fail to yield-right turn -red light	24(3)	\$175.00	\$125.00
Pedestrian disobey signal - red light	24(4)(a)	\$75.00	\$45.00
Fail to yield-left turn-red light	24(4)(b)	\$175.00	\$125.00
Pedestrian failing to proceed	24(4)(c)	\$75.00	\$45.00
Disobey red light at crosswalk	24(5)(a)	\$175.00	\$125.00

Column 1 - Offence	Column 2 - Section	Column 3 - Set Fine	Column 4 – Fine if paid within 30 days
Fail to yield to pedestrian - green arrow	25(1)(a)	\$175.00	\$125.00
Fail to yield to vehicle - green arrow	25(1)(a)	\$175.00	\$125.00
Pedestrian disobey signal -green arrow	25(1)(b)	\$75.00	\$45.00
Fail to stop-yellow arrow - marked crosswalk	25(2)(a)(i)	\$175.00	\$125.00
Fail to stop-yellow arrow - intersection	25(2)(a)(ii)	\$175.00	\$125.00
Fail to yield-yellow arrow - pedestrian	25(2)(b)	\$175.00	\$125.00
Pedestrian entering road - yellow arrow	25(2)(c)	\$75.00	\$45.00
Pedestrian fail to proceed -yellow arrow	25(2)(d)	\$75.00	\$45.00
Fail to stop on flashing red -intersection	26(1)(a)	\$175.00	\$125.00
Fail to stop on flashing red -no intersection	26(2)(a)	\$150.00	\$100.00
Fail to yield to pedestrian - flashing yellow - intersection	26(3)(a)	\$175.00	\$125.00
Fail to yield to pedestrian - flashing yellow - no intersection	26(4)(a)	\$175.00	\$125.00
Fail to yield to pedestrian - flashing green	26(5)(a)	\$175.00	\$125.00
Stunting	27	\$175.00	\$125.00
Unsafe lane change	28(a)	\$125.00	\$75.00
Crossing solid line	28(b)	\$125.00	\$75.00
Change lanes without signal	28(c)	\$125.00	\$75.00
Left turn from wrong lane	28(d)	\$125.00	\$75.00
Right turn from wrong lane	28(e)	\$125.00	\$75.00
Pass on left facing traffic	28(f)	\$125.00	\$75.00
Disobey indicated slow speed	28(g)	\$125.00	\$75.00
Wrong side – double line	29(1)(a)	\$125.00	\$75.00
Wrong side of broken line	29(1)(b)(i)	\$125.00	\$75.00
Wrong side of solid line	29(1)(b)(ii)	\$125.00	\$75.00
Fail to keep right of single broken/solid line	29(1)(c)	\$125.00	\$75.00
Drive over newly painted lines	31	\$125.00	\$75.00
Fail to pass at safe distance	32(1)(a)	\$125.00	\$75.00



Column 1 - Offence	Column 2 - Section	Column 3 - Set Fine	Column 4 – Fine if paid within 30 days
Fail to complete pass safely	32(1)(b)	\$125.00	\$75.00
Fail to yield to passing vehicle	32(2)(a)	\$125.00	\$75.00
Increase speed while being passed	32(2)(b)	\$125.00	\$75.00
Pass on right	33(1)	\$125.00	\$75.00
Unsafe pass on right	33(2)(a)	\$125.00	\$75.00
Pass on right off roadway	33(2)(b)	\$125.00	\$75.00
Unsafe pass on left	34	\$125.00	\$75.00
Pass without clear view	35	\$125.00	\$75.00
Drive over highway divider	36(a)	\$125.00	\$75.00
Fail to keep right on divided highway	36(b)	\$125.00	\$75.00
Unsafe U-turn	37(a)	\$175.00	\$125.00
U-turn on curve	37(b)(i)	\$125.00	\$75.00
U-turn on crest of grade	37(b)(ii)	\$125.00	\$75.00
Prohibited U-turn	37(b)(iii)	\$175.00	\$125.00
U-turn-intersection signal	37(b)(iv)	\$175.00	\$125.00
U-turn-business district	37(b)(v)	\$125.00	\$75.00
Fail to signal turn	38(1)	\$125.00	\$75.00
Inadequate signal on turn	38(2)	\$125.00	\$75.00
Fail to signal stop or decrease in speed	38(3)	\$125.00	\$75.00
Fail to give proper signal	39(1)	\$125.00	\$75.00
Drive vehicle without signal device	39(2)	\$125.00	\$75.00
Fail to give proper signal	40(1)	\$125.00	\$75.00
No signal equipment - right hand drive	40(2)	\$125.00	\$75.00
Drive over fire hose	41	\$100.00	\$50.00
Drive on sidewalk	42	\$100.00	\$50.00
Fail to ride cycle on right	43(2)(b)	\$125.00	\$75.00
Ride cycle abreast of another cycle	43(2)(c)	\$125.00	\$75.00
Ride cycle-no hands on handlebars	43(2)(d)	\$125.00	\$75.00
Ride cycle off regular seat	43(2)(e)	\$125.00	\$75.00
Ride cycle with excess persons	43(2)(f)	\$125.00	\$75.00
Ride cycle where prohibited	43(2)(g)	\$125.00	\$75.00
Illegal left turn-cycle	43(4)	\$125.00	\$75.00
Ride cycle/conveyance while holding onto vehicle by hand	43(5)	\$125.00	\$75.00
Careless cycling	43(6)	\$125.00	\$75.00
Cycling without reasonable consideration	43(6)	\$125.00	\$75.00

Column 1 - Offence	Column 2 - Section	Column 3 - Set Fine	Column 4 – Fine if paid within 30 days
Ride device on crosswalk	43A(2)(a)	\$125.00	\$75.00
Fail to use device on right	43A(2)(b)	\$125.00	\$75.00
Ride device abreast of another device or cycle	43A(2)(c)	\$125.00	\$75.00
Fail to keep foot on device	43A(2)(d)	\$125.00	\$75.00
Carry passenger on device	43A(2)(e)	\$125.00	\$75.00
Use device where prohibited	43A(2)(f)	\$125.00	\$75.00
Illegal left turn-device	43A(4)	\$125.00	\$75.00
Fail to remain at accident	43A(5)(a)	\$125.00	\$75.00
Fail to render assistance	43A(5)(b)	\$125.00	\$75.00
Fail to provide name and address	43A(5)(c)	\$125.00	\$75.00
Careless use of device on highway	43A(6)	\$125.00	\$75.00
Fail to signal	43A(7)	\$125.00	\$75.00
Fail to ride on motorcycle seat	44(1)	\$150.00	\$100.00
Passenger unlawfully on motorcycle	44(2)(a)	\$125.00	\$75.00
Motorcycle passenger not lawfully seated	44(2)(b)	\$125.00	\$75.00
Permit unlawfully seated motorcycle passenger	44(3)	\$125.00	\$75.00
Operate motorcycle over 2 abreast	44(4)	\$125.00	\$75.00
Park in Tour Bus Zone	64	\$75.00	\$50.00
Park in Sightseeing Stand	79	\$75.00	\$50.00
Park in Horse Stand	80	\$75.00	\$50.00
Unlawful Night Parking	83	\$75.00	\$50.00
Unlawful Night Parking	84(1)	\$75.00	\$50.00
Sleep in Vehicle	84(2)	\$75.00	\$50.00
Unlawful stopping/standing/parking	87(2)	\$75.00	\$50.00
Park contrary to Zoning Bylaw	95	\$100.00	\$75.00
Leave unattended trailer on street	96	\$75.00	\$50.00
Goods/merchandise left unlawfully on street	100	\$100.00	\$75.00
Excavate/damage/cause nuisance on street	101	\$200.00	\$150.00
Place/leave sign/object on street/public place	102(1)(a)/(b)	\$125.00	\$100.00
Deposit litter/other matter	102(1)(c)	\$200.00	\$175.00
Written material causing litter/obstruction	102(1)(d)	\$125.00	\$75.00



Column 1 - Offence	Column 2 - Section	Column 3 - Set Fine	Column 4 – Fine if paid within 30 days
No portable sign permit	102A(2)	\$250.00	\$200.00
Portable sign unlawful placement	102A(9)	\$125.00	\$100.00
Unlawful portable sign	102A(10)	\$125.00	\$100.00
Fail to maintain portable sign	102A(11)	\$125.00	\$100.00
No decal on portable sign	102A(12)	\$125.00	\$100.00
Fail to remove portable sign	102A(15)	\$200.00	\$175.00
Display more than one portable sign	102A(16)	\$150.00	\$125.00
Obstruct sidewalk	103(1)	\$75.00	\$45.00
Solicit in manner causing obstruction	103(5)	\$125.00	\$75.00
Fight in street or other public place	103(6)	\$300.00	\$250.00
Place/erect structure/obstruction	103A(2)	\$150.00	\$125.00
Occupy/loiter on median during prohibited hours	103A(5)	\$75.00	\$45.00
Damage/destroy planting/structure on boulevard	103A(7)(a)	\$300.00	\$250.00
Dispose waste on boulevard	103A(7)(b)	\$200.00	\$175.00
Set off fireworks on street	104	\$300.00	\$250.00
Allow liquids to flow on/over street	105(1)	\$200.00	\$175.00
Obstruct street/sidewalk	106(2)	\$200.00	\$175.00
Fail to remove snow & ice from sidewalk	107(2)	\$125.00	\$100.00
Fail to remove hazardous snow/ice/rubbish from roof/structure	107(3)	\$125.00	\$100.00
Use corrosive material to remove snow/ice	107(4)	\$125.00	\$100.00
Place wood/sawdust/coal on street	108(1)	\$125.00	\$100.00
Paint/draw on public property	109(1)(a)	\$125.00	\$100.00
Poster on public property	109(1)(b)	\$125.00	\$100.00
Mark/disfigure public property	109(1)(c)	\$125.00	\$100.00
Drive vehicle on sidewalk/boulevard	111(1)	\$100.00	\$50.00
Drive vehicle over curb	111(2)	\$100.00	\$50.00
Planting too close to street	112	\$100.00	\$75.00
Fail to post private street	113	\$75.00	\$50.00

Column 1 - Offence	Column 2 - Section	Column 3 - Set Fine	Column 4 – Fine if paid within 30 days
Ride bicycle on sidewalk	114(2)(a)	\$100.00	\$65.00
Operate bicycle where prohibited	114(2)(b)	\$100.00	\$65.00
Operate/ride bicycle without helmet	114(4)	\$35.00	\$25.00
Allow minor to ride bicycle without helmet	114(5)	\$45.00	\$30.00
Using device on sidewalk/public place	115	\$75.00	\$45.00
Street entertain in area longer than allowed	116	\$125.00	\$75.00
Fail to provide name and address	118	\$150.00	\$125.00





## VICTORIA POLICE DEPARTMENT

### Memorandum

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**TO:** City of Victoria - Governance & Priorities Committee

**FROM:** Deputy Chief Steve Ing

**DATE:** November 17, 2015

**SUBJECT:** Proposed Skateboarding Regulations

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**Background:**

The City of Victoria intends to permit the use of skateboards and other similar modes of transportation on all roadways within the City of Victoria ("COV"), and has asked the Police Department for input.

**Summary:**

The Police Department's position on this issue is primarily based on concerns about public safety. Secondary concerns arise with regard to the practical effect of a Bylaw that regulates skateboarding by essentially directing users to the roadway in a legal environment where COV staff (including police officers) cannot actually direct skateboarders to use the roadway due to liability concerns.

As a result, the Police Department position is that skateboarders need to be completely separated from pedestrian traffic, and separated from vehicle traffic as much as reasonably possible.

**Additional Detail:**

The skateboarding environment has changed over the past 20 years. Skateboard parks have been built throughout the region, providing enthusiasts with a safe venue for their sport. Skateboarding as a means of transportation for the street population has declined, in general. As a result, police enforcement priorities have changed and the Victoria Police have not utilized the bylaw seizure provisions for many years, although enforcement of the downtown core "no skateboarding" zone continues on occasion via the issuance of bylaw tickets.

However, skateboarding in the busy downtown core still represents a public safety hazard. The last serious incident involving a skateboard occurred on July 3, 2012, at the intersection of View/Government. Two tourists were seriously injured when a skateboarder collided with them while they were standing on the sidewalk. The skateboarder immediately fled the scene without rendering assistance of any kind. The male victim suffered a dislocated shoulder and the female victim suffered a dislocated jaw and head lacerations. The subsequent police investigation positively identified the suspect, who was known to police as a repeat offender with little regard for public safety.

### **Analysis**

Skateboards by design present a safety issue when ridden in non-dedicated public spaces due to the lack of control mechanisms (i.e. no brakes or direct steering mechanism) and the fact that they can become completely uncontrolled projectiles when the rider jumps off or falls off at speed.

Safety issues also arise for skateboard riders, as they are relatively unprotected when operating in the same environment as large vehicles (cars, trucks and buses).

### **Police Department Position**

Accordingly, the Police Department position is that skateboarders need to be completely separated from pedestrian traffic, and separated from vehicle traffic as much as reasonably possible.

In the downtown core, these goals would best be accomplished by a prohibition on skateboarding. However, given the COV's stated intention of permitting the use of skateboards and other similar modes of transportation on all roadways within the City of Victoria ("COV"), the Police Department requests that, within the downtown core, skateboarding be limited to the existing dedicated bike lanes.

Note that, regardless of any Bylaw, police officers will not be directing skateboarders to use the roadway, due to liability concerns that have already been noted in the independent legal opinion obtained by the COV.



Steven Ing, M.O.M., LL.B  
Deputy Chief Constable