

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-108**

**A BY-LAW TO AMEND TRAFFIC & PARKING  
BY-LAW NO. 2002-001  
(TO ALLOW THE USE OF SEGWAYS ON  
CITY SIDEWALKS)**

**WHEREAS** the *Municipal Act, 2001*, (S.O. 2001, c.25) authorizes the Council to pass By-Laws regulating or prohibiting certain traffic on highways and regulating or prohibiting parking on highways;

**AND WHEREAS** the *Highway Traffic Act*, R.S.O. 1990, Chapter H-8, as amended, authorizes the Council to pass By-laws regulating traffic on highways;

**AND WHEREAS** the Council passed Resolution 2011-200 at its meeting held Monday, March 21, 2011, authorizing that the Traffic & Parking By-law No. 2002-001 be amended to allow the use of Segways on sidewalks in the City in compliance with Ontario Regulation 488/06 – Pilot Project Segways.

**NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. That Part 1 – General – Definitions of By-Law 2002-001 is hereby amended by adding the following:
  - “(jj) “Segway” means a device known as the Segway Personal Transporter or the Segway Human Transporter that is manufactured by Segway Inc.”
2. That Part 2 – Traffic Regulations of By-Law 2002-001 is hereby amended by adding the following:
  - “42. Segways:
    - (1) Every person operating a Segway on a sidewalk:
      - (i) shall give way to pedestrians or bicycles by slowing or stopping if there is insufficient space to pass;
      - (ii) shall not operate at a speed that is markedly greater than the speed of pedestrians who are proximate to the Segway; and
      - (iii) shall not operate it in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.
    - (2) The operation of a Segway will only be allowed on a Municipal sidewalk from the period commencing May 1<sup>st</sup> to October 14<sup>th</sup> of each year.
    - (3) No person shall operate a Segway unless,:
      - (i) they are 14 years old or older;
      - (ii) his or her ability is limited by one or more disabilities, conditions or functional impairments; and
      - (iii) they possess and produce a medical certificate from a doctor to certify that his or her mobility is limited.
    - (4) No person shall operate a Segway unless it is equipped with a bell or horn.
    - (5) Every person operating a Segway shall sound its horn whenever it is reasonably necessary to notify pedestrians or others of its approach.
    - (6) Every person operating a Segway at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less:

- (i) shall carry a lighted lamp displaying a white or amber light at the front of the Segway and a lighted lamp displaying a red light at the rear of the Segway; and
  - (ii) the lamps shall be attached to the Segway or shall be carried or worn by the operator on his or her person.
- (7) No person under 18 years of age shall ride on or operate a Segway while on a Municipal sidewalk unless the person is wearing a helmet that complies with the regulations under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 and the chin strap of the helmet is securely fastened under the chin.
- (8) No parent or guardian of a person under 16 years of age shall authorize or knowingly permit that person to ride on or operate a Segway on a Municipal sidewalk unless the person is wearing a helmet that complies with the regulations under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 and the chin strap of the helmet is securely fastened under the chin.

READ A FIRST TIME IN OPEN COUNCIL THIS 18<sup>TH</sup> DAY OF APRIL, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 18<sup>TH</sup> DAY OF APRIL, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18<sup>TH</sup> DAY OF APRIL, 2011.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD