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Item No. 12.1.3
Transportation Standing Committee
September 22, 2016

TO: Chair and Members of Transportation Standing Committee

SUBMITTED BY: **Original Signed**
Taso Koutroulakis, P.Eng., A/Director, Transportation & Public Works

DATE: August 22, 2016

SUBJECT: **2007 Crosswalk Policy - Notification Process for Removal of a Crosswalk**

ORIGIN

Item 9.1 of the May 24, 2016 meeting of Halifax Regional Council:

MOVED by Councillor Karsten, seconded by Councillor Nicoll THAT Halifax Regional Council request a staff report on a policy to implement a notification process regarding the removal of crosswalks under the 2007 Crosswalk Policy.

MOTION PUT AND PASSED

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, (“HRM Charter”), subsections 21(1),(2):

- (1) The Council may establish standing, special and advisory committees.
- (2) Each committee shall perform the duties conferred on it by this Act, any other Act of the Legislature or the by-laws or policies of the Municipality.;

HRM Charter, subsection 59(3), “In addition to matters specified in this Act or another Act of Legislature, the Council may adopt policies on any matter that the Council considers conducive to the effective management of the Municipality.”

HRM Charter, subsection 321(8), “The traffic authority for the Municipality has, with respect to highways in the Municipality, excluding those for which the Provincial Traffic Authority has authority, the powers conferred upon a traffic authority by or pursuant to the Motor Vehicle Act .”

Motor Vehicle Act, subsection 90(1), “The traffic authority may establish and designate and may maintain, or cause to be maintained, by appropriate devices, marks or lines upon the surface of the highways, crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the highway, and at such other places as he may deem necessary.”

RECOMMENDATION

It is recommended that the Transportation Standing Committee recommend that Regional Council adopt Administrative Order 2016-006-ADM, the *Marked Crosswalk Removal Notification Administrative Order*, as set out in Attachment 1 of this report.

BACKGROUND

The Crosswalk Safety Task Force (“Task Force”) was formed in April of 2007 in response to concerns from residents across Nova Scotia for the safety of pedestrians in crosswalks. The Task Force consisted of representatives from both Provincial and Municipal governments and academia with strong backgrounds in transportation and focusing on the areas of engineering, education and enforcement.

The work of the Task Force was completed independently and transparently, hearing from experts in the fields of traffic and transportation engineering, education and law enforcement. Submissions from the public were also accepted and carefully reviewed.

The resulting recommendations from the Task Force were based on review of current literature and research, expert and professional experience and information gathered from the public. Within the theme of engineering, the Task Force made the general recommendation:

“The Task Force recommends the Provincial & Municipal Traffic Authorities install crosswalk treatments based on technical merit & national standards to ensure consistency & uniformity for drivers and pedestrians.”

And specifically:

“The road authority must require the assessment of existing marked crosswalks when refurbishing highways and roadways to ensure they reflect current traffic situations, guidelines and standards. When existing marked crosswalks are not warranted, they must be removed due to potential safety hazards.”

The above practice has been the approach used by staff since the release of the Task Force report and recommendations, is in keeping with the approach of promoting and maintaining uniformity in the placement and maintenance of marked crosswalks as recommended by the Task Force and is in line with the responsibilities of the Traffic Authority as outlined in the *Motor Vehicle Act*.

DISCUSSION

When an existing marked crosswalk is identified for removal via assessment related to a capital project, the process currently followed by staff is that the Councillor whose district in which the crosswalk is located receives direct notification of the intent to remove the crosswalk. Public notification of the removal has not been part of the process as these decisions fall within the jurisdiction of the Traffic Authority.

As noted during the May 24, 2016 Regional Council session, HRM does provide notification to residents regarding construction related work taking place in their neighbourhood. This notification is intended to provide residents with advance notice of potential disruptions (parking, access, etc.) that may occur as a result of the construction activity. It was also noted that no such notification is done as it relates the decision to remove an existing marked crosswalk in conjunction with the construction project which often leads to Councillors receiving calls from residents because they did not receive any advance notice that the crosswalk was being removed.

In order to provide some advance notification to the public of the decision to remove a marked crosswalk that was determined to be unwarranted, staff reviewed notification processes undertaken by other HRM business units. In particular, processes used by Construction Services (notification of capital works projects), Development Engineering (notification of development permits/variances and blasting permits) and Halifax Transit (notification of transit stop relocations/removals) were consulted.

Processes for both Construction Services and Development Engineering make use of notifications being mailed out or hand delivered to residents within a specific distance of the particular project. Development Engineering uses a 300 m radius for notification of blasting permits and a different area, 30 m, for notification of development/variance permits, while Construction Services determines a notification area on a project-by-project basis, which depends on the type and extent of work to be done. Halifax Transit provides notification of transit stop relocation/removal by posting a notice directly on the affected stop. Notice is posted at least five days (if possible) prior to the stop being relocated or removed.

Given the likelihood of pedestrians encountering a crosswalk that may be somewhat removed from their place of residence, a notification process similar to that used by Halifax Transit would be the most appropriate means of providing notification to the public of the decision to remove a crosswalk.

Upon completion of the necessary assessments, once a crosswalk was identified for removal, staff would first notify the Councillor whose district within which the crosswalk is located and then post notification directly at the particular crosswalk. Notification of removal would be posted at a location no less than five (5) business days in advance of the crosswalk being removed.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this report.

COMMUNITY ENGAGEMENT

Community engagement was not deemed necessary as this report deals with matters related to internal policy.

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified at this time.

ALTERNATIVES

There are no recommended alternatives.

ATTACHMENTS

Attachment 1 – Proposed Marked Crosswalk Removal Notification Administrative Order

Attachment 2 – Draft Crosswalk Removal Notice

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> [or other appropriate Committee link] then choose the appropriate [Community Council/Board] and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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**ADMINISTRATIVE ORDER NUMBER 2016-006-ADM
RESPECTING NOTIFICATION OF THE REMOVAL OF MARKED CROSSWALKS**

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

WHEREAS the Crosswalk Safety Task Force was formed in April of 2007 in response to concerns from residents across Nova Scotia for the safety of pedestrians in crosswalks;

AND WHEREAS the resulting recommendations from the Task Force were based on review of current literature and research, expert and professional experience and information gathered from the public;

AND WHEREAS one of recommendations of the Task Force was that “the road authority must require the assessment of existing marked crosswalks when refurbishing highways and roadways to ensure they reflect current traffic situations, guidelines and standards. When existing marked crosswalks are not warranted, they must be removed due to potential safety hazards”.

Short Title

1. This Administrative Order may be cited as the “*Marked Crosswalk Removal Notification Administrative Order*.”

Purpose

2. The purpose of this Administrative Order is to provide notice to the public when the Traffic Authority or a Deputy Traffic Authority decide that a marked crosswalk will be permanently removed as a result of roadway improvements.

Interpretation

3. In this Administrative Order,

(a) “crosswalk” means that portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface;

(b) “Deputy Traffic Authority” means a Deputy Traffic Authority appointed by the Council pursuant to the *Motor Vehicle Act*;

(c) “Municipality” means the Halifax Regional Municipality;

(d) “roadway” means a roadway as defined by the *Motor Vehicle Act*; and

(e) “Traffic Authority” means the Traffic Authority of the Municipality appointed by the Council pursuant to the *Halifax Regional Municipality Charter* and the *Motor Vehicle Act*.

Notice

4. If the Traffic Authority or a Deputy Traffic Authority decide that a marked crosswalk will be permanently removed as a result of roadway improvements, the Municipality will:

(a) provide e-mail notification to the Councillor whose district within which the affected crosswalk is located; and

(b) provide notification to the general public by posting notice at the affected crosswalk.

5. Notification to the general public shall be posted at the affected crosswalk no less than five (5) business days prior to the crosswalk being removed.

6. The notification provided to the public may be in the form determined by the Traffic Authority or a Deputy Traffic Authority.

Done and passed this day of , 2016.

Mike Savage, Mayor

Kevin Arjoon, Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on [month], [day], 201_.

Kevin Arjoon, Municipal Clerk

PERMANENT CROSSWALK
REMOVAL

**TAKE NOTICE THAT IN ACCORDANCE
WITH THE *MARKED CROSSWALK
REMOVAL NOTIFICATION
ADMINISTRATIVE ORDER* THIS
CROSSWALK WILL BE PERMANENTLY
REMOVED AS PART OF THE
UPCOMING ROADWAY
CONSTRUCTION.**

Contact 311 for more information.

halifax.ca/traffic