

CITY OF BURNABY

TRAFFIC AND TRANSPORTATION COMMITTEE
(TRAFFIC SAFETY DIVISION)

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

RE: SCHOOL ZONE HOURS

RECOMMENDATIONS:

1. **THAT** Council approve the principle of expanding school zone hours (presently “8:00am to 5:00pm on a day school is regularly held”) to bring them into conformance with the hours of Park zones (currently “between dawn and dusk”).
2. **THAT** a UBCM resolution supporting this recommendation be approved.
3. **THAT** a copy of this report be sent to the Minister of Transportation & Highways, the British Columbia Association of Police Chiefs (BCACP) Traffic Safety Committee, and the Burnaby School District.
4. **THAT** copies of this report be forwarded to Burnaby MLA’s requesting their support.

REPORT

The Traffic and Transportation Committee (Traffic Safety Division), at its meeting held on 2000 June 20, received and adopted the attached report responding to the direction of the Committee to review the conformity of school and playground zone hours.

The Committee requested that the recommendations be amended to include that a copy of the report be forwarded to Burnaby MLA’s requesting their support.

Respectfully submitted,

Councillor D. Evans
Chair

Councillor B. Der
Vice Chair

: COPY - CITY MANAGER
- DIRECTOR ENGINEERING
- OFFICER-IN-CHARGE, R.C.M.P.

Councillor G. Begin
Member

City of Burnaby

INTER-OFFICE COMMUNICATION

TO: TRAFFIC SAFETY COMMITTEE DATE: 2000 05 25
FROM: ASST. DIRECTOR ENGINEERING, FILE: 55-13-02
TRAFFIC & ENGINEERING SYSTEMS
SUBJECT: SCHOOL ZONE HOURS

PURPOSE: To respond to the direction of the Committee to review the conformity of school and playground zone hours.

RECOMMENDATIONS:

1. THAT Council approve the principle of expanding school zone hours (presently "8:00am to 5:00pm on a day school is regularly held") to bring them into conformance with the hours of Park zones (currently "between dawn and dusk").
2. THAT a UBCM resolution supporting this recommendation be approved.
3. THAT a copy of this report be sent to the Minister of Transportation & Highways, the British Columbia Association of Police Chiefs (BCACP) Traffic Safety Committee, and the Burnaby School District.

R E P O R T

1.0 INTRODUCTION

At the last meeting of the Committee there was some discussion regarding school and playground speed zones and the difficulties created by the different times each is in effect. It was noted that the British Columbia Association of Police Chiefs Traffic Safety Committee had been dealing with the matter. Staff were asked to provide a report that further detailed the BCACP position and potentially supported that position.

2.0 BACKGROUND

The legislation regarding schools and playground speed zones is to be found in the *Motor Vehicle Act* Section 147 which states:

“Schools and Playgrounds

- 147 (1) *Every person driving, between the hours of 8 a.m. and 5 p.m. on a day school is regularly held, a vehicle on a highway where signs are displayed stating a speed limit of 30 km/h or on which the numerals “30” are prominently shown, must drive at a rate of speed not exceeding 30 km/h while approaching, passing or in the vicinity, as indicated by the signs, of the school to which the signs relate.*
- (2) *A person driving a vehicle on a highway must drive the vehicle at a rate of speed not exceeding 30 km/h when approaching or passing, between dawn and dusk, a public play ground for children where signs are displayed stating a speed limit of 30 km/h, or on which the numerals “30” are prominently shown.”*

3.0 BCACP POSITION

Enclosed is a copy of the BCACP resolution regarding this issue. The resolution requests “government to pass legislation which would combine school grounds and playgrounds into one type of play area and post them with a common sign’ and further, that the sign have a tab beneath the identifying sign which would establish the 30 k/hr. speed limit, and also display the hours of 07:00 - 22:00 that the speed zone would be in effect, seven days a week”.

Annexed to the resolution is a supportive letter from the office of the Attorney General.

4.0 THE RATIONALE FOR CONFORMITY

The rationale for conformity of hours is based on the fact that schools function outside of regular school hours, and that the school grounds are essentially similar to playgrounds in terms of usage particularly during summer months. In the past some

local authorities, including Burnaby, replaced the school zone pentagons with playground signs during the summer break in partial recognition of this dual usage. The City dropped this program some decades ago because of the significant cost and logistics involved.

5.0 OTHER ISSUES AND OPTIONS

5.1 Hours of Operation

It is noted that there is a minor lack of consensus on the hours that playgrounds (and therefore schools) signing should be in effect. The current legislation states between dawn and dusk, the precise times of which vary from day to day by time of year. The letter from the office of the Attorney General suggests that the regulation be in effect all times for simplicity.

However, there may be merit in establishing regulations that directly address the issue in order to promote a wider respect for the regulation. For example, the difficulty, desirability and public acceptability of enforcing playground limits at 1:00 am may detract from the importance of the zone during needed hours. Thus the Police Chiefs have recommended that the hours be set as being from 07:00 to 22:00 which would capture the longest summer evening but extend well past dusk in winter months. Some would argue that, from a personal safety perspective, public use of parks, playgrounds and school grounds after dusk is undesirable.

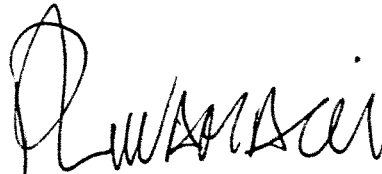
However, of greater importance than the precise hours during which playground and school speed zones are in effect is the principle of their conformity.

5.2 Melding of the Zones

The attached letter from the Attorney General's office the possible unification of playground and school zones to create a single "child activity" zone. Such a concept has obvious advantages and disadvantages but again it would be preferable to defer such consideration pending resolution of the hours of conformity proposal.

6.0 CONCLUSION

We believe there is merit in extending the hours during school speed zones are in effect to bring them into conformity with playgrounds. The recommendation to council reflects this. As adoption of the regulation requires an amendment to the *Motor Vehicle Act* it is appropriate that the Minister of Transportation and Highways be enjoined to do so. As the wider support of other local authorities is desirable a draft UBCM resolution on this matter is attached.



P. Liivamagi, P. Eng.
ASST. DIRECTOR ENGINEERING,
TRAFFIC & ENG. SYSTEMS

PL:jh
Attach.

cc: City Manager
RCMP (Traffic Section)

DRAFT UBCM RESOLUTION -
EXTENDED SCHOOL ZONE HOURS

Whereas the Provincial Government is responsible for the *Motor Vehicle Act* and its regulations and whereas the establishment of school and playground zones including reduced speed limits is intended to provide safety for children in the vicinity.

And whereas schools are frequently used by children within the community outside of regular school hours in much the same way as playgrounds.

Therefore be it resolved that the present applicability of school zones “between the hours of 8 am to 5 pm on a day school is regularly held” be brought into conformity with time limits for playgrounds, currently being “between dawn and dusk” but subject to extension (07:00 to 22:00 h is being recommended by the BC Association of Police Chiefs).

BCACP TRAFFIC SAFETY COMMITTEE

MOTION FOR SUBMISSION TO THE BRITISH COLUMBIA ASSOCIATION OF CHIEFS OF POLICE (BCACP)

The following motion, submitted by the *Legal, Technical & Procedural Subcommittee* of the BCACP Traffic Safety Committee, was passed by members at a meeting of the General membership on March 15, 2000:

MOTION #4-2000 : Expanded Hours - School and Playground Speed Zones

WHEREAS an increasing number of school playing fields are being used by children for organized and unorganized activities outside of normal school hours, particularly evenings and weekends;

AND WHEREAS an increasing number of schools are having to extend their hours of playground usage due to increased enrolment;

AND WHEREAS children using school property as play areas outside of normal school hours deserve the same protection as children using established playgrounds;

THEREFORE BE IT RESOLVED that the BCACP Traffic Safety Committee recommend that the BCACP request government to pass legislation which would combine school grounds and playgrounds into one type of play area and post them with a common sign; and further, that the sign have a tab beneath the identifying sign which would establish the 30 k/hr. speed limit, and also display the hours of 07:00 – 22:00 that the speed zone would be in effect, seven days a week.

Attachment: Related correspondence from Roger Cutler, Crown Counsel, Criminal Justice Branch.



VIA FACSIMILE - (250) 248-0547

January 31, 2000

125-20/MVEH

Sgt. T.A. Lamond
Central Island Highway Patrol
727 West Island Highway
Parksville, B.C.
V9P 1B9

Dear Sgt. Lamond:

Re: School Zone Hours

Thankyou for bringing this matter to my attention. I share the Committee's concern with respect to the operative hours presently set out in Section 147(1) of the *Motor Vehicle Act*. I have never understood the need to distinguish between the operative hours applicable to school zones and those applicable to playgrounds which seem artificial and unrelated to the actual time of use of these areas. I have always felt that Sections 147(1) and (2) ought to be collapsed into one section addressing speed throughout the day in areas where children are likely to be present.

Regardless of the response that local school districts may provide with respect to extended hours, I believe it is trite to acknowledge that children are likely to be attending school grounds in the early morning hours prior to 8:00 a.m. and in the evening hours after 5:00 p.m. It is my experience that schools are an integral part of the local community providing not only a place of education during the day, but a location used for extra curricular activities (music, athletics and other programs) which require attendance by children in the early morning hours and in the evening well after dusk. It is also my experience that school grounds become playgrounds once school has been let out. The play areas that presently exist in the school yards do not cease to be used at 5:00 p.m. on school days as Section 147(1) would suggest. Further, these areas are also frequented by children on weekends and during the summer months; time periods not captured by Section 147(1).

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Ministry of
Attorney General

Criminal Justice Branch
Headquarters

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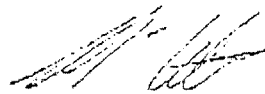
TDD/TTY (Telephone Device for the Deaf)
In Victoria: (250) 387-7603
Outside Victoria: 1-800-665-3622
Office Location:
9th Floor, 1001 Douglas Street

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I would recommend that the Committee consider collapsing Section 147(1) and (2), discarding the reference to times in Section 147 and simply adopting a 30 km/hour speed limit throughout the 24-hour day in children areas. This would increase public safety, allow for easier enforcement, and allow the driving public to become accustomed to these vulnerable areas without checking the clock or the charts to determine when the sun is to rise or set.

I look forward to further discussions on this issue.

Yours truly,



Roger F. Cutler
Crown Counsel
Criminal Justice Branch

RFC:db

