

**THE CORPORATION OF THE CITY OF BROCKVILLE**  
**By-Law Number 024-1996**

*A By-Law to Regulate the Use of Bicycles, In-Line Skates and  
Any Other Form of Vehicle or Conveyance on the  
City's Park Walkway System  
(amended by 64-2016 Segways)*

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WHEREAS Section 11 of the Public Parks Act, R.S.O. 1990, Chapter P.48 permits municipalities to pass by-laws for the use, regulation, protection and government of the parks, avenues and boulevards, drives and the approaches thereto;

AND WHEREAS Subsection 42 of Section 207 of the Municipal Act R.S.O. 1990, chapter M.45 permits municipalities to pass by-laws for prohibiting vehicles, bicycles and all forms of conveyances of every description, and whatever the motive of power or of any particular kind or class of vehicle, from being used on any sidewalk, path or foot path being on any park, park lot, garden or other place set apart from ornament, embellishment or public recreation;

AND WHEREAS pursuant to Subsection 55 of Section 207 of the Municipal Act, R.S.O. 1990, Chap. M.45, a municipality has the authority to establish bicycle paths;

AND WHEREAS the City of Brockville has a parkland walkway system constructed for pedestrian use and also used by bicyclists and skaters;

AND WHEREAS it is deemed appropriate to legislate certain regulations;

NOW THEREFORE The Council of the City of Brockville enacts as follows:

1. For the purposes of this By-Law, the following terms shall be defined as follows:
  - (a) **"Pedestrian"** - One who walks on foot and shall include disabled persons in wheelchairs or otherwise;
  - (b) **"Bicycle"** - Vehicle with two wheels, one in front of the other pedaled by the rider and shall include a tricycle and unicycle but does not include a motor assisted bicycle, and must be equipped in accordance with the provisions of the *Highway Traffic Act*. A bicycle shall be permitted to operate on the walkway no faster than

- necessary, having regard to conditions prevalent at the time of use. A bicycle designed or used for commercial purposes is deemed not to be included as a permitted use on the walkway and is hereby prohibited;
- (c) **"Bicyclist"** - A person who operates a bicycle.
  - (d) **"Skater"** - A person wearing footwear described as a pair of roller skates or in-line rollerblades as a mode of travel. Persons operating skateboards, are not considered to be skaters under the definitions of this by-law and skateboards are prohibited as a mode of transportation on the pathway system.
  - (e) **"Segway"** - two-wheeled motorized personal vehicle consisting of a platform for the feet mounted above an axle and an upright post surmounted by handles.
  - (f) **"Segway rider"** – a person who operates a Segway"
2. The City of Brockville's Parkland Walkway System is as shown on the attached Schedule "A" and is hereby designated for the public usage in accordance with the terms of this by-law.
3. While pedestrians, bicyclists, skaters and Segway riders have been using the walkway, it is now considered requisite to prioritize the activities at all times.
- a) Pedestrians are to be acknowledged by bicyclists, skaters and Segway riders and bicyclists, skaters and Segway riders shall yield, at all times, the right of way on the walkway to pedestrians. In yielding to a pedestrian or pedestrians, the bicyclist, skater or Segway rider shall first determine that the pedestrian can be passed safely and in order to do so, the bicyclist, skater or Segway rider shall have regard for both the position of the pedestrian to be passed and to the position of any oncoming pedestrians, bicyclists, skaters or Segway riders.
  - b) The bicyclist, skater or Segway rider shall not pass a pedestrian unless such movement can be made safely.
  - c) Bicyclists shall be required to dismount and walk his or her bicycle when it is determined that pedestrians cannot be passed safely.

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- d) Bicyclists shall be required to dismount and walk his or her bicycle along the trail as indicated in Schedule B to this bylaw.
  - e) Bicyclists, skaters and Segway riders shall pass to the right when approaching oncoming pedestrians or other bicyclists, skaters and Segway riders when it can be done so in a safe manner. Bicyclists, skaters and Segway riders may pass to the left when overtaking pedestrians or other bicyclists, skaters or Segway riders where adequate pavement exists. A bicyclist may pass to the right of the pedestrian, in accordance with the provisions of the Highway Traffic Act."
4. No person bicycling, skating or riding a Segway shall:
- a) fail to yield the right-of-way to a pedestrian
  - b) fail to stop at any stop sign on the walkway at a designated location
  - fail to yield at a yield sign placed at a designated location on the walkway
5. No person shall park a bicycle on the walkway.
6. Any person who contravenes any of the provision of this by-law shall be guilty of an offence and upon conviction shall be liable to a penalty up to a maximum of \$5,000.00 at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction as provided for under the *Provincial Offences Act*. Upon a conviction being entered, the Court in which the conviction was entered may, in addition to any other remedy and to any penalty imposed in this by-law, make an Order prohibiting the continuation or repetition of the offence by the person convicted.
7. This By-Law shall come into force and take effect on the 28<sup>th</sup> day of March, 1996.

Given under the Seal of the Corporation of the  
City of Brockville and Passed this  
28<sup>th</sup> day of March, 1996

[J. Doran]

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Mayor

[B.C. Switzer]

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City Clerk



By-Law 024-1996  
Schedule "B"

1. Areas requiring cyclists to dismount and walk:
  - (a) The entire walkway and boardwalk area around Blockhouse Island and Tunnel Bay
  - (b) The boardwalk area in front of the Boardwalk Condominium