

**CITY OF HAMILTON**

**BY-LAW NO. 23-074**

**A By-law to Amend By-law No. 01-218, A By-law to Regulate On-Street Parking**

**WHEREAS** Ontario Regulation 141/21 regarding a pilot project for Cargo Power-Assisted Bicycles, prohibits the operation of Cargo Power-Assisted Bicycles unless such operation is permitted by and in accordance with a municipal by-law;

**AND WHEREAS** Council deems it necessary to amend the On-Street Parking By-law to permit commercial Cargo Power-Assisted Bicycles in commercial loading zones;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. The following definitions shall be included in By-law 01-218:

**“cargo power-assisted bicycle”** means a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that,

- (a) has two or three wheels,
- (b) is fitted at all times with pedals that are always operable to propel the bicycle,
- (c) has a platform, basket or container for carrying cargo, parcels or goods,
- (d) has steering handlebars,
- (d.1) has a weight of more than 55 kilograms,
- (e) has a width not exceeding 1.3 metres,
- (f) has a length not exceeding 4 metres,
- (g) has a height not exceeding 2.2 metres,
- (h) has wheels that have a width of not less than 35 millimetres and a diameter of not less than 350 millimetres,
- (i) does not have any structure that fully encloses the occupant area, and
- (j) has an electric motor with a continuous rated output power not exceeding 1000 watts that is incapable of providing propulsion assistance when the bicycle attains a speed of 32 kilometres per hour or more;

**“commercial cargo power-assisted bicycle”** means a cargo power-assisted bicycle that is used for the conveyance of cargo, parcels or goods for commercial purposes and has a 150 square inch sign with the business name and contact information written on the sign;

3. The following definitions shall be repealed and replaced by the following definitions in By-law 01-218:

**“bicycle”** includes a tricycle, a unicycle, a power-assisted bicycle and a cargo power-assisted bicycle but does not include a motor assisted bicycle;

**“commercial vehicle”** includes a commercial cargo power-assisted bicycle and includes:

- (i) a vehicle licensed as a commercial vehicle under the Highway Traffic Act;
- (ii) a motor vehicle which has attached to both of its sides a sign, of not less than 150 square inches in size, identifying the person, business or company in whose service the vehicle is employed; and,
- (iii) a taxi cab;

**“motor vehicle”** includes an automobile, a motorcycle, a motor assisted bicycle unless otherwise indicated in this by-law, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power-assisted bicycle, a cargo power-assisted bicycle, a motorized snow vehicle, a tractor engine, a farm tractor, a self-propelled implement of husbandry or a road-building machine;

**“vehicle”** includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric or steam railways running only upon rails, a wheelchair whether powered or not, or a powered scooter designed for use on a sidewalk;

4. In all other respects, By-01-218 is confirmed; and
5. The provisions of this By-law shall become effective on the date approved by City Council.

**PASSED** this 10<sup>th</sup> day of May, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk