

THE CORPORATION OF THE CITY OF GUELPH

By-Law Number (1998)-15945

A by-law to regulate the idling of vehicles within the City of Guelph, and to adopt Municipal Code Amendment #226, which amends the Corporation of the City of Guelph's Municipal Code by adding this By-law as Chapter 167.

WHEREAS motor vehicles are a major source of carbon monoxide emissions into the outdoor air of the City of Guelph;

AND WHEREAS carbon monoxide is associated with creating adverse health effects and contributing to the depletion of the ozone layer;

AND WHEREAS section 102 of the Municipal Act, R.S.O. 1990, Chap. M.45 authorizes every Council to pass by-laws and make such regulations for the health, safety, morality, and welfare of the inhabitants of the municipality in matters not specifically provided for by the Municipal Act;

AND WHEREAS the Council of the Corporation of the City of Guelph desires to assist in the reduction of adverse health effects and in maintaining the ozone layer by reducing the unnecessary emissions of carbon monoxide;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

SHORT TITLE

1. This By-law may be cited as the "Idling By-law".

INTERPRETATION

2. In this By-law the following terms shall have the corresponding meanings:

"City" means the Corporation of the City of Guelph

"idle" means the operation of the engine of a vehicle while the vehicle is not in motion and "idling" shall have a corresponding meaning;

"mobile workshop" means:

- (i) a vehicle containing equipment that must be operated inside, or in association with, the vehicle, or
- (ii) a vehicle serving as a facility for taking measurements or making observations which is operated by or on behalf of the City or a public utility, or a police, fire or ambulance service vehicle;

"stopover" means a stopping point along a transit route used by transit vehicles for a maximum of fifteen (15) minutes to allow transit vehicles to adjust to service schedules or to allow for the embarking or disembarking of passengers;

"transit vehicle" means a vehicle operated on behalf of Guelph Transit; and

"vehicle" means a motor vehicle, traction engine, farm tractor, road building machine and a self-propelled implement of husbandry as defined in the Highway Traffic Act, R.S.O. 1990, Chap. H.8 and includes a motorized snow vehicle or other conveyance which operates by way of a combustion engine.

IDLING PROHIBITED

3. No person shall cause or permit a vehicle to idle for more than 10 minutes in any sixty-minute period.

EXEMPTIONS

4. Section 3 of this By-law does not apply to:
 - (a) a mobile workshop while such vehicle is being used as a mobile workshop;
 - (b) a vehicle assisting in an emergency activity;
 - (c) the idling of a vehicle for the purpose of servicing the vehicle;
 - (d) an armoured vehicle carrying cash which is in the course of being loaded or unloaded;
 - (e) a vehicle that is required to remain motionless due to an emergency, traffic or weather condition or mechanical difficulty over which the operator of the vehicle has no control;
 - (f) a vehicle engaged in a parade, race or other event authorized by the City;
 - (g) a transit vehicle at a stopover;
 - (h) a vehicle transporting a person who has in his or her possession a doctor's certificate requiring that the environment surrounding him or her is to be maintained at a certain temperature or humidity; or
 - (i) a vehicle that is required to idle in order to keep in operation a heating or refrigeration system necessary for the welfare or preservation of the cargo contained therein.

OFFENCE

5. Every person who contravenes any provisions of this By-law is guilty of an offence.

PENALTIES

6. Every person who is convicted of an offence under any provision of this By-law shall be liable to a penalty as set out in Section 61 of The Provincial Offences Act, R.S.O. 1990, Chapter P.33, or any successor thereof.

MUNICIPAL CODE AMENDED

7. This By-law is hereby adopted as Municipal Code Amendment #226, which amends the Corporation of the City of Guelph's Municipal Code by adding this By-law as Chapter 167.

PASSED this TWENTY-FIRST day of DECEMBER, 1998.

Original Signed by:
Joe Young - Mayor

Original Signed by:
V. Charlene Lavigne – Deputy Clerk