



THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 74 -2007

BEING A BY-LAW TO PROVIDE FOR THE CONTROL OF THE IDLING OF VEHICLES IN THE TOWN OF ORANGEVILLE

WHEREAS Section 2 of the *Municipal Act*, 2001, S.O. 2001 c.25, as amended, provides that municipalities are created to be responsible and accountable governments for matters within their jurisdiction and are given powers and duties by statute for purposes which include fostering the current and future environmental well being of the municipality;

AND WHEREAS Section 130 of the *Municipal Act*, 2001 S.O. 2001 c.25, as amended, enables a municipality to regulate matters not specifically provided for in the *Municipal Act*, or any other Act for purposes related to the health, safety and well being of the inhabitants of the municipality;

AND WHEREAS the running of motor vehicles results in the generation of airborne particulate matter, nitrogen oxide, carbon monoxide, sulphur oxide, volatile organic compounds and greenhouse gas emissions;

AND WHEREAS air pollution in the Town of Orangeville is associated with adverse health effects;

AND WHEREAS the unnecessary idling of motor vehicles produces excess amounts of airborne pollutants that can otherwise be avoided;

AND WHEREAS Council has committed to introducing more environmentally responsible and sustainable practices within the Town of Orangeville;

BE IT THEREFORE ENACTED by the Council of the Corporation of the Town of Orangeville as follows:

1. Title of By-Law

1.1 This by-law may be referred to as the "Idling Control By-law."

2. Definitions

2.1 In this by-law,

"Council" means the council of The Corporation of the Town of Orangeville;

"Idle" means the operation of a vehicle engine while the vehicle is not in motion and "idling" has a corresponding meaning;

"Person" includes an operator of a motor vehicle, and includes the owner, lessee or renter of a motor vehicle, including commercial vehicles, whether an individual, corporation, association, firm or partnership;

"Vehicle" means any vehicle that is capable of being driven on roads by any means other than muscular power exclusively, but does not include any vehicle designed to run exclusively on rails;

"Vehicle with Power Take-off" means a vehicle containing work equipment that must be powered by the vehicle's engine.

3. Prohibitions

- 3.1 No person shall cause or permit a vehicle to idle anywhere within the Town of Orangeville for more than three (3) continuous minutes.

4. Exemptions

- 4.1 Section 3 does not apply to:
- a) police, fire or ambulance vehicles while engaged in operational activities, except where idling is substantially for the convenience of the operator of the vehicle;
 - b) vehicles assisting in an emergency activity;
 - c) vehicles with power take-off while they are in the course of being used for their basic function;
 - d) vehicles for which idling is required to service the engine or conduct repairs;
 - e) armoured vehicles in which a person remains inside the vehicle while guarding the contents, or while the vehicle is being loaded or unloaded;
 - f) vehicles remaining motionless because of an emergency, traffic, weather conditions or mechanical difficulties over which the driver has no control;
 - g) vehicles engaged in the course of a parade or race or any other event authorized by Council;
 - h) vehicles idling while passengers are embarking or disembarking;
 - i) transit vehicles while at a transfer location, except where idling is substantially for the convenience of the operator of the vehicle; and,
 - j) vehicles when the ambient outside temperature is more than 30°C or less than 0°C.

5. Administration and Enforcement

- 5.1 This by-law shall be administered and enforced by a By-law Enforcement Officer.

6. Penalty

- 6.1 Any person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a fine as provided in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

BY-LAW READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS
13TH DAY OF AUGUST 2007



ROB ADAMS, MAYOR



CHERYL JOHNS, CLERK