

CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

By-Law Number 20-2007

BEING A by-law to regulate the idling of vehicles within the Village of Merrickville-Wolford

WHEREAS motor vehicles are a major source of carbon monoxide emissions into the outdoor air of the Village of Merrickville-Wolford;

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

AND WHEREAS section 9(3) of the Municipal Act 2001 authorizes every Council to pass by-laws and make such regulations they consider appropriate;

AND WHEREAS the Council of the Corporation of the Village of Merrickville- Wolford 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 Village of Merrickville-Wolford enacts as follows that;

1. SHORT TITLE

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

2. INTERPRETATION

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

"Village" means the Corporation of the Village of Merrickville-Wolford

"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 Village or a public utility, or a police, fire or ambulance service vehicle;

"normal farm practice" means a practice that,

(i) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances, or

(ii) makes use of innovative technology in a manner consistent with proper advanced farm management practices;

"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;

"vehicle" means a motor vehicle, trailer, 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.

3. IDLING PROHIBITED

- a. No person shall cause or permit a vehicle to idle for more than 3 (three) minutes in any sixty-minute period.
- b. 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 Village;
 - (g) a private 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;
 - (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.
 - (j) vehicles engaged in normal farm practice
 - (k) vehicles, including hybrid vehicles, that eliminate the emissions of green house gases and criteria air contaminants during the idling phase of the operation

4. OFFENCE

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

5. PENALTIES

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, as amended or any successor thereof.

THIS BY-LAW shall come into force and take effect on the date of passage thereof

READ a first and second time this 26th day of November, 2007

READ a third and final time and passed this 26th day of November, 2007

Mayor

Clerk