



**OAKVILLE
CONSOLIDATED VERSION AS OF MAY 27, 2019 – AMENDED BY BY-LAW 2017-
011, 2019-050**

**THE CORPORATION OF THE TOWN OF OAKVILLE
BY-LAW NUMBER 2002-153**

A by-law to provide for the control of the idling of vehicles

WHEREAS Section 102 of the Municipal Act authorizes a municipal council to pass a by-law and to make regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided for in the Act;

AND WHEREAS vehicles are sources of nitrogen oxides, carbon monoxide, sulphur dioxides and volatile organic compounds in the Town of Oakville's outdoor air;

AND WHEREAS the levels of air pollution in the Town of Oakville are associated with adverse health effects, including deleterious effects on respiratory health;

THE COUNCIL ENACTS AS FOLLOWS:

1. DEFINITIONS

- (1) **IDLE** - means the operation of the engine of a vehicle while the vehicle is parked or stopped and not being used to operate auxiliary equipment that is essential to the basic function of the vehicle and "idling" has a corresponding meaning; **(By-law 2017-011)**
- (2) **LAYOVER** - means stopping at a point along a transit route for a maximum of fifteen (15) minutes to allow a transit vehicle to adjust to service schedules;
- (3) **MOBILE WORKSHOP** - means:
 - (a) a vehicle containing equipment that must be operated inside or in association with the vehicle; or
 - (b) a vehicle serving as a facility for taking measurements or making observations or conducting maintenance or construction operated by or on behalf of a municipality, public utility or police, fire or ambulance service.

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- (3.1) **PARK, PARKED or PARKING** - means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose and while actually engaged in loading or unloading merchandise or passengers **(By-law 2017-011)**
 - (3.2) **STOP, STOPPED OR STOPPING** - means the halting of a vehicle even momentarily, whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the directions or a police officer, traffic control devise or traffic signal **(By-law 2017-011)**
 - (4) **STOPOVER** - means a scheduled delay of a maximum of fifteen (15) minutes at a transit vehicle terminal to allow transit vehicles to adjust services schedules;
 - (5) **TRANSIT VEHICLE** - means Oakville Transit vehicles, GO Transit vehicles, paratransit vehicles, tour buses and motor coaches;
 - (6) **VEHICLE** - means a motor vehicle, trailer, traction engine, farm tractor, or road building machine as defined in the *Highway Traffic Act*, and any vehicle drawn, propelled or driven by any kind of non-muscular power but does not include cars or electric or diesel electric railways running exclusively upon rails.

2. PROHIBITIONS

- (1) No person shall park or stop with vehicle idling for more than three (3) consecutive minutes. **(By-law 2017-011, 2019-050)**
- (2) Section 2(1) does not apply to:
 - a) police, fire or ambulance vehicles while engaged in operational activities, including training activities, except where the idling is substantially for the convenience of the operator of the vehicle;
 - b) vehicles assisting in an emergency activity;
 - c) mobile workshops while they are in the course of being used for their basic function;
 - d) vehicles where the idling is required as part of a repair process or to prepare a vehicle for servicing;

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- e) armoured vehicles where a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded;
 - f) vehicles that remain motionless because of an emergency, traffic or weather conditions or mechanical difficulties over which the driver has no control;
 - g) vehicles engaged in a parade or race or any other such event authorized by Council;
 - h) transit and passenger vehicles while passengers are embarking or disembarking en route or at terminals;
 - i) transit vehicles while at a layover or stopover location, except where the idling is substantially for the convenience of the operator of the vehicle;
 - j) vehicles transporting a person where a medical doctor certifies in writing that for medical reasons, the person requires the temperature or humidity to be maintained within a certain range and the idling of the vehicle is necessary to achieve that temperature or humidity level;
 - k) vehicles when the ambient outside temperature is more than 27 degrees Celsius (27°C) or less than five degrees Celsius (5°C) and the idling of the vehicle is necessary to the operation of air conditioning or heating equipment respectively.

3. ADMINISTRATION AND ENFORCEMENT

- (1) This by-law shall be administered and enforced by the By-law Enforcement Section of the Town of Oakville.
- (2) Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the *Provincial Offences Act*.
- (3) The court in which a conviction has been entered and any other court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any other penalty imposed on the person convicted.



4. SHORT TITLE

This by-law may be cited as the “Anti-Idling By-law”.

PASSED by the Council this **12TH** day of **AUG.** , 2002.

ANN MULVALE, MAYOR

CHRISTINE SHEWCHUK A/CLERK