



BE IT ENACTED by the Council of the Town of Wolfville, under the authority of Section 172 of the *Municipal Government Act*, as amended.

1.0 Title

This Bylaw shall be known as Bylaw 93 and may be cited as the “Idling Control Bylaw.”

2.0 Background

Section 172 of the *Municipal Government Act* authorizes the Town to regulate with respect to the health, well-being, safety and protection of persons and nuisances, activities and things that, in the opinion of Council, may be or may cause nuisances, including odours and fumes. Whereas motor vehicles are sources of particulate matter, nitrogen oxide, carbon monoxide, sulphur oxide, volatile organic compounds, and greenhouse gas emissions; and whereas such emissions have negative effects on local, regional and global climate and air quality and, as such, constitute a nuisance and negatively affect the health, safety and well-being of residents of the Town of Wolfville, Council enacts this Bylaw.

3.0 Definitions

In this Bylaw,

- (a) “idle” means the operation of the engine of a vehicle while the vehicle is not in motion and not being used to operate auxiliary equipment that is essential to the basic function of the vehicle and “idling” has a corresponding meaning;
- (b) “mobile workshop” means,
 - i. a vehicle containing equipment that must be operated 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 a municipal utility or a police, fire or ambulance service vehicle;
- (c) “public transit vehicles” means taxis, tour buses, school buses and motor coaches;
- (d) “transit bus” means a motor vehicle operated by or subsidized by a municipality or a regional transit authority;
- (e) “criteria air contaminants” are a group of air pollutants that cause smog, acid rain and other health hazards. They include sulphur oxides (SO_x), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), lead (Pb), and ground-level ozone (O₃);



- (f) “vehicle” means any vehicle that is capable of being driven or drawn on roads by any means other than muscular power exclusively.

4.0 General Provisions

- (a) No person shall cause or permit a vehicle to idle for more than three (3) consecutive minutes in a sixty (60) minute period.

5.0 Exemptions

It shall be a defence to a charge pursuant to section 4 of this Bylaw if the Vehicle was:

- (a) idling for a purpose required by Provincial or Federal legislation;
- (b) a mobile workshop while it is in the course of being used for its basic function;
- (c) engaged in an emergency response and idling was necessary for such response;
- (d) engaged in work where the engine was required to provide power for auxiliary equipment being used in that work, and the auxiliary equipment is typically found in or attached to the type of vehicle in question, which auxiliary equipment could not operate without the vehicle idling;
- (e) an armoured vehicle in which a person remains inside the vehicle while guarding the contents, or while the armoured vehicle is being loaded or unloaded, and idling was necessary for the safety of the occupant of the vehicle or bystanders;
- (f) standing as a result of an emergency, traffic, weather conditions, a funeral or mechanical difficulties over which the driver has no control;
- (g) engaged in the course of a parade, race or any other event authorized by Council;
- (h) idling where the engine was required to provide power or heat for defogging or de-icing the windshield and no reasonable alternative was available to clear the condensation or ice;
- (i) engaged in providing Town services, which vehicles shall be subject to the Town of Wolfville’s Anti-Idling Standard Operating Procedure #2007-01;
- (j) idling for the purpose of being mechanically maintained or repaired;
- (k) a Public Transit Vehicle engaged in the embarking or disembarking of passengers; or
- (l) a type of vehicle, including a hybrid vehicle, that eliminates the emission of greenhouse gases and criteria air contaminants during the idling phase of operation.



6.0 Administration and Enforcement

The Bylaw shall be administered and enforced by the RCMP and any other person appointed to do so by the Chief Administrative Officer of the Town.

7.0 Penalties

(a) Any person who contravenes section 4 of this Bylaw is guilty of an offence and punishable on summary conviction by a fine of not less than \$150 and not more than \$10,000.

Clerk's Annotation for Official Bylaw Book

Date of First Reading: 15 November 2010

Date of advertisement of notice of Intent to Consider: 23 November 2010

Date of Second Reading: 20 December 2010

*Date of advertisement of Passage of Bylaw: 4 January 2011

Date of mailing to Minister a certified copy of Bylaw: 4 January 2011

CERTIFICATE

I, Rachel Turner, Town Clerk of the Town of Wolfville, do hereby certify that the Idling Control Bylaw, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Wolfville held on the 20th day of December, 2010.

Notice of the said Bylaw passing was published in *THE KINGS COUNTY REGISTER* on the 4th day of January, 2011.

Given under the hand of the Town Clerk and the corporate seal of the Town of Wolfville this 4th day of January, 2011.

RACHEL TURNER

Town Clerk

*Effective Date of the Bylaw unless otherwise specified in the text of the Bylaw.