

THE CITY OF VAUGHAN

BY-LAW

IDLING

(Consolidated Version – Enacted as [By-law 170-2004](#))

Last consolidated on April 6, 2022. City of Vaughan by-laws are provided on line for convenient public reference. By-laws are consolidated on an ongoing basis, but recent amendments may not be reflected in the latest consolidated version. Check the [Amendment History](#) to get a complete listing of all pertinent regulations. For further information contact the Office of the Director and Chief Licensing Officer.

A By-law A By-law to provide for the control of the idling of motor vehicles.

WHEREAS section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to enable it to govern its affairs as it considers appropriate, and enhance its ability to respond to municipal issues;

AND WHEREAS section 11(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws for the economic, social and environmental well-being of the municipality, including respecting climate change, and the health, safety and well-being of persons;

AND WHEREAS motor vehicles are sources of nitrogen oxides, carbon monoxide, sulphur dioxides and volatile organic compounds that impact the City of Vaughan's outdoor air;

AND WHEREAS the City of Vaughan has committed to reducing emissions contributing to climate change poor air quality; [Amended by subsection 1.(a) of [By-law 100-2020](#) on June 29, 2020]

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

Table of Contents

- 1.0 Short Title3**
- 2.0 Applicability and Scope 3**
- 3.0 Definitions and Interpretation3**
- 4.0 Prohibitions 4**
- 5.0 Exceptions 4**
- 6.0 Administrative Monetary Penalties5**
- 7.0 Fines 5**
- 8.0 Severability5**
- 9.0 Transition 6**
- 10.0 Designation of By-law 6**
- 11.0 Force and Effect 6**

← 1.0 Short Title

- (1) The By-law shall be known and referenced as the “Idling By-law”. [Added by subsection 1.(b) of [By-law 100-2020](#) on June 29, 2020]

← 2.0 Applicability and Scope

- (1) This By-law applies to all *Idling* within the *City*, including *Idling* on:
 - (a) private property;
 - (b) public property;
 - (c) highways forming part of the road system under the jurisdiction of The Corporation of the City of Vaughan; and
 - (d) highways forming part of the road system under the jurisdiction of The Corporation of the Regional Municipality of York which are within the boundaries of The Corporation of the City of Vaughan.
- (2) Where there is a conflict or contradiction between this By-law and any other by-law of the City or regulations of Regional Municipality of York, Province of Ontario or other Governmental Entity, the provisions establishing the higher standard shall prevail. [Amended by subsection 1.(c) of [By-law 100-2020](#) on June 29, 2020]

← 3.0 Definitions and Interpretation [Amended by subsection 1.(d) of [By-law 100-2020](#) on June 29, 2020]

- (1) In this By-law: [Amended by subsections 1.(e),1.(f) and 1.(g) of [By-law 100-2020](#) on June 29, 2020]

“Armoured Vehicle” means a modified or purpose-built *Motor Vehicle* with armoured plating or other similar reinforced protective features that is used by a licensed security services provider for the purpose of transporting valuables, such as large amounts of cash money; [Added by subsection 1.(i) of [By-law 100-2020](#) on June 29, 2020]

“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;

“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;

“Mobile Workshop” means:

- (a) a vehicle containing equipment that must be operated inside or in association with the vehicle; or
- (b) a vehicle conducting maintenance or construction or serving as a facility for taking measurements or making observations operated by or on behalf of municipality, public utility or police, fire or ambulance service;

“Motor Vehicle” includes an automobile, motorcycle, motorassisted bicycle unless otherwise indicated in the *Highway Traffic Act*, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a

streetcar, or other motorized vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the *Highway Traffic Act*. [Amended by subsection 1.(h) of [By-law 100-2020](#) on June 29, 2020]

“Person” means an operator of a *Motor Vehicle*, and includes the owner or lessee of a *Motor Vehicle*, including commercial vehicles, whether an individual, corporation, association, firm or partnership;

“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;

“Transit Vehicle” means York Transit vehicles, GO Transit vehicles, paratransit vehicles, tour buses and motor coaches;

← **4.0 Prohibitions** [Amended by subsection 1.(k) of [By-law 100-2020](#) on June 29, 2020]

- (1) No *Person* shall cause or permit a *Motor Vehicle* to *Idle* for more than five (5) consecutive minutes.

← **5.0 Exceptions** [Added by subsection 1.(k) of [By-law 100-2020](#) on June 29, 2020]

- (1) Part 4.0 does not apply to:
 - (a) police, fire or ambulance *Motor Vehicles* while engaged in operational activities, including training activities, except where *Idling* is substantially for the convenience of the operator of the *Motor Vehicle*;
 - (b) *Motor Vehicles* assisting in an emergency activity;
 - (c) *Mobile Workshops* while they are in the course of being used for their basic function;
 - (d) *Motor Vehicles* where *Idling* is required as part of a repair process or to prepare a *Motor Vehicle* for servicing;
 - (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) *Motor Vehicles* that remain motionless because of an emergency, traffic or weather conditions or mechanical difficulties over which the driver has no control;
 - (g) *Motor Vehicles* engaged in a parade or race, or any other such event authorized by Council;
 - (h) transit and passenger *Motor Vehicles* while passengers are embarking or disembarking en route or at terminals;
 - (i) transit *Motor Vehicles* while at a *Layover* or *Stopover* location, except where *Idling* is substantially for the convenience of the operator of the *Motor Vehicle*;
 - (j) *Motor 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;

- (k) *Motor Vehicles* when the ambient outside temperature is more than twenty-seven degrees Celsius (27°C) or less than five degrees Celsius (5°C) and *Idling* of the *Motor Vehicle* is necessary for the operation of the air conditioning or heating equipment respectively.

← **6.0 Administrative Monetary Penalties** [Added by subsection 1.(l) of [By-law 100-2020](#) on June 29, 2020]

- (1) Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, for a breach of any provisions of this By-law, an Enforcement Officer may issue an administrative monetary penalty to the *Person* who has contravened this By-law.
- (2) If a *Person* is required to pay an administrative monetary penalty under section 6.0(1), no charge shall be laid against that same *Person* for the same contravention.
- (3) The amount of the administrative monetary penalty for a breach under this By-law is \$50.00.
- (4) A *Person* who is issued an administrative monetary penalty shall be subject to the procedures provided for in the Administrative Monetary Penalties By-law, as amended, or its successor by-law.

← **7.0 Fines** [Added by subsection 1.(m) of [By-law 100-2020](#) on June 29, 2020]

- (1) Every *Person* who contravenes a provision of this by-law or fails to comply with a notice under this By-law is, upon conviction, guilty of an offence and is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, Chap. P.33, as amended.
- (2) Every director or officer of a corporation who knowingly concurs in the contravention of a provision of this By-law or fails to comply with a notice to comply made under this By-law is, upon conviction, guilty of an offence and is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, Chap. P.33, as amended.
- (3) A *Person* who is convicted of an offence is liable on first conviction to a fine of \$200 and is liable on subsequent convictions to a fine of \$400.
- (4) A corporation, or any of director or officer of such corporation, who is convicted of an offence is liable on first conviction to a fine of \$400 and is liable on subsequent convictions to a fine of \$800.

← **8.0 Severability** [Added by subsection 1.(n) of [By-law 100-2020](#) on June 29, 2020]

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of the Council of the City of Vaughan in enacting this By-law that the remainder of this By-law shall continue to be in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

- ← **9.0 Transition** [Added by subsection 1.(o) of [By-law 100-2020](#) on June 29, 2020]
- (1) An existing contravention of any provision of this By-law, regardless of whether the contravention occurred prior to the enactment of this By-law, shall be subject to all of its provisions;
 - (2) Where a notice, fine or other penalty has been issued under any by-law repealed by this By-law, an Officer may issue for the corresponding contravention a notice, fine or other penalty under the provisions of this By-law, with due consideration for any action taken under such previous by-laws;
 - (3) Where any signage or public notice that prohibits *idling* makes reference to a by-law other than this By-law, such signs or public notices shall be interpreted to reference the relevant provisions of this By-law.

← **10.0 Designation of By-law** [Added by subsection 1.(p) of [By-law 100-2020](#) on June 29, 2020]

- (1) Schedule 1 of the Administrative Monetary Penalties By-law is hereby amended by including this By-law as a Designated By-law.

← **11.0 Force and Effect** [Added by subsection 1.(q) of [By-law 100-2020](#) on June 29, 2020]

- (1) This By-law shall take effect on the date of enactment.

Enacted by City of Vaughan Council this 14th day of June, 2004. [Amended by subsection 1.(r) of [By-law 100-2020](#) on June 29, 2020]

Michael Di Biase, Mayor

J. D. Leach, City Clerk

