

# Idling Control By-law

PH-9 - Enacted August 3, 1999

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**PUBLIC HEALTH**

**By-law PH-9**

A by-law to provide for the  
**Control of The Idling of Vehicles**

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*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 City of London's outdoor air;*

*And Whereas the levels of air pollutants in the City of London are associated with adverse health effects, including deleterious effects on respiratory health;*

*Therefore the Municipal Council of The Corporation of the City of London enacts as follows:*

**SHORT TITLE  
IDLING CONTROL BY-LAW**

## **Part 1 DEFINITIONS**

### **1.1 Definitions**

In this by-law:

#### **Idle - defined**

“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 - defined**

“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.

#### **Medical Officer of Health - defined**

“Medical Officer of Health” means the Medical Officer of Health for the Middlesex-London Health Unit or a person delegated by him or her for the purposes of this by-law.

#### **Mobile workshop - defined**

“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.

#### **Stopover - defined**

“stopover” means a scheduled delay of a maximum of fifteen (15) minutes at a transit vehicle terminal to allow transit vehicles to adjust service schedules.

#### **Transit vehicle - defined**

“transit vehicle” means London Transit Commission vehicles, paratransit vehicles, tour buses and motor coaches.

#### **Vehicle - defined**

“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.

## **Part 2 PROHIBITED MATTERS**

### **2.1 Idling - more than 5 minutes - prohibited**

No person shall cause or permit a vehicle to idle for more than five (5) consecutive minutes.

### **2.2 Exceptions - 5 minutes does not apply**

Section 2.1 does not apply to:

- (a) police, fire, or ambulance vehicles while engaged in operational activities, including training activities except where 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;

- (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 be maintained within a certain range;
- (k) vehicles when the ambient outside temperature is more than 27 degrees Celsius (27°C) or less than five degrees Celsius (5° C).

**Part 3  
ADMINISTRATION AND ENFORCEMENT**

**3.1 Administration - enforcement**

This by-law shall be administered and enforced by the Medical Officer of Health.

**3.2 Fine - for contravention**

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*.

**3.3 Continuation - repetition - prohibited by order**

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.

**Part 4  
ENACTMENT**

**4.2 Effective date**

This by-law comes into force on the day it is passed.

Passed in Open Council on August 3, 1999.

Dianne L. Haskett  
Mayor

Jeff A. Malpass  
City Clerk

First Reading - August 3, 1999  
Second Reading - August 3, 1999  
Third Reading - August, 1999