

VILLE DE
MONT-ROYAL



TOWN OF
MOUNT ROYAL

IDLING CONTROL BY-LAW NO. 1407

ADOPTION PROCÉDURE SUMMARY

NOTICE OF MOTION: March 27, 2006

ADOPTION OF BY-LAW: April 24, 2006

COMING INTO EFFECT: April 27, 2006

WHEREAS the town council wishes to reduce nuisances caused by pollutants uselessly released in the air by idling vehicles;

WHEREAS the town council wishes to help reduce greenhouse gases in order to meet the Kyoto Protocol targets, along with a series of other measures;

CONSIDERING section 463 of the Cities and Towns Act (R.S.Q., Chapter C-19);

WHEREAS notice of motion for this by-law was given on March 27, 2006;

ON APRIL 24, 2006, COUNCIL ENACTED THE FOLLOWING:

Definitions

1. In this by-law, unless the context indicates otherwise, the following terms shall have the following meanings:

“idle”: the operation of a vehicle engine while the vehicle is not in motion and “idling” has a corresponding meaning;

“engine”: a combustion engine.

“vehicle”: a motor vehicle, a commercial vehicle, a passenger vehicle, a tool vehicle, a heavy vehicle or a road vehicle within the meaning of the Highway Safety Code (R.S.Q., Chapter C-24-2) as well as a snowmobile, an all-terrain motorized vehicle or any other motorized vehicle designed to travel off a public highway within the meaning of the Act respecting off-highway vehicles (R.S.Q., Chapter V-1.2);

“heavy vehicle”: a heavy vehicle within the meaning of the Highway Safety Code;

Nuisances

2. Shall constitute a nuisance the idling of a vehicle, except for a heavy diesel vehicle, for more than three (3) minutes in a sixty (60) minute period.

3. Shall constitute a nuisance the idling of a heavy diesel vehicle for more than ten (10) minutes, after cold-starting the engine, when the ambient outside temperature is below 0°C.

4. It shall constitute a nuisance the idling of a heavy diesel vehicle for more than five (5) minutes before turning off the engine.

Exceptions

5. This by-law shall not apply to the following vehicles:

1° an emergency vehicle within the meaning of the Highway Safety Code;

2° a vehicle used as a taxi within the meaning of the Highway Safety Code between November 1 and March 31 provided someone, who could be the driver, is inside the vehicle;

3° a vehicle whose engine is used to perform work, or to refrigerate food or keep it warm;

4° a vehicle at a standstill because of a traffic jam, heavy traffic or traffic lights;

5° a vehicle affected by frost or ice, for as long as required for safe driving;

6° an armoured security vehicle;

7° a vehicle powered, in whole or in part, par clean energy, such as a hybrid vehicle.

8° a heavy vehicle when idling is necessary for conducting a pre-departure inspection in accordance with section 519.2 of the Highway Safety Code.

6. This by-law shall not apply when the ambient outside temperature is below -10°C and idling is necessary for the operation of the heating equipment of a vehicle carrying a person.

7. For the purposes this by-law, the ambient outside temperature is that measured every hour by Environment Canada at Pierre Elliot Trudeau international airport for the island of Montréal.

8. No person may create or maintain a nuisance as defined in this by-law.

Penalties

9. Every person who contravenes or permits the contravention of any provision of this by-law is guilty of an offence and liable to a fine between \$50 and \$100 in the case of a physical person, and between \$100 and \$200 in the case of a moral person.

10. In the case of a subsequent offence, the fine shall be between \$100 and \$200 in the case of a physical person, and between \$200 and \$400 in the case of a moral person.

Coming into effect

11. This by-law shall come into effect according to law.

Marie Turenne, o.m.a.
Town Clerk o.m.a.

Vera Danyluk
Mayor