

**THE CORPORATION OF THE  
CITY OF WHITE ROCK  
BYLAW 2089**

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A Bylaw to regulate vehicle idling in the City of White Rock.

WHEREAS pursuant to the *Motor Vehicle Act*, a municipality may, by bylaw, regulate, control and prohibit the stopping, standing or parking of vehicles in the municipality;

AND WHEREAS pursuant to the *Community Charter*, a municipality may, by bylaw, regulate, prohibit and impose requirements with respect to the protection and enhancement of the well-being of its community in relation to the emission of smoke, fumes and other effluvia that is liable to foul or contaminate the atmosphere;

AND WHEREAS motor vehicles emit smoke and fumes which are the source of particular matter, nitrogen oxide, carbon monoxides, sulphur dioxide and other volatile organic compounds that are liable to foul or contaminate the atmosphere;

AND WHEREAS the Council of the City of White Rock encourages drivers to refrain from idling their vehicles whenever possible;

NOW THEREFORE the Council of the City of White Rock in open meeting assembled enacts as follows:

**1. TITLE**

1.1 This Bylaw may be cited as the “*City of White Rock Anti-Idling Bylaw 2015, No. 2089.*”

**2. DEFINITIONS**

2.1 In this Bylaw:

“**City**” means the City of White Rock.

“**Idle**” means the operation of an internal combustion engine of a vehicle while the vehicle is not in motion and “**idling**” has a corresponding meaning.

“**Mobile Workshop**” means a vehicle or equipment within a vehicle that must remain in operation for a business purpose; or 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 emergency service.

**“Vehicle”** or **“Motor Vehicle”** means a vehicle capable of being driven or drawn on roads that is designed to be self-propelled by an internal combustion engine but does not include a motor-assisted cycle or a vehicle operated wholly by an electric motor or any vehicle designed to run exclusively on rails.

**“Bylaw Enforcement Officer”** means any of the following:

Chief Administrative Officer of the City of White Rock,  
Bylaw Enforcement Officer of the City of White Rock,  
Director of Engineering and Municipal Operations of the City of White Rock,  
Fire Chief/Deputy Fire Chief of the City of White Rock,  
RCMP Officers,  
RCMP Auxiliary Officers, or  
Their duly appointed designate.

### **3. GENERAL PROHIBITIONS**

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

**3.2** No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out his duties as prescribed in this bylaw. The Bylaw Enforcement Officer is authorized and empowered to inspect, compel and require that all the regulations and provisions in this bylaw are carried out.

### **4. EXEMPTIONS**

**4.1** Section 3.1 of this Bylaw does not apply to:

- a) a mobile workshop while such a vehicle is being used as a mobile workshop;
- b) Police, fire, city 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;
- c) vehicles assisting in an emergency activity;
- d) vehicles for which idling is required as part of a repair or regular pre-check maintenance process;
- e) armoured vehicles in which a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded;
- f) vehicles idling because of an emergency, traffic, or mechanical difficulties over which the driver has no control;
- g) vehicles engaged in a parade or race or any other event authorized by Council;
- h) buses idling while passengers are embarking or disembarking;

- i) vehicles required to use heating or refrigeration systems powered by the motor or engine for the preservation of perishable cargo; and
- j) vehicles that must remain idling so as to power any tools or equipment necessary for or incidental to the provision of services by a Federal, Provincial or public utility.

## 5. OFFENCE

5.1 Every person who contravenes a provision of this Bylaw, suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, shall be deemed to have committed an offence against this Bylaw.

5.2 Every violation shall be deemed to be a new and separate offence for each day during which the offence continues.

5.3 Any person guilty of an offence under this Bylaw shall be liable:

- a) to a fine as set out in the City of White Rock Municipal Ticket Information Bylaw No. 1929;
- b) upon summary conviction, to the penalties provided under the *Offence Act*; or
- c) any combination of the above.

## 6. SEVERABILITY

6.1 If any section, subsection or clause of this Bylaw is declared or held to be invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been enacted and adopted without the invalid and severed section, subsection or clause.

RECEIVED FIRST READING on the 28<sup>th</sup> day of September, 2015

RECEIVED SECOND READING on the 28<sup>th</sup> day of September, 2015

RECEIVED THIRD READING on the 28<sup>th</sup> day of September, 2015

RECONSIDERED AND FINALLY ADOPTED on the 5<sup>th</sup> day of October, 2015



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MAYOR



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CITY CLERK