



CORPORATION OF THE DISTRICT OF TOFINO

Anti-Idling Bylaw No. 1087, 2009

Consolidated for Convenience Only

This is a consolidated version of the parent bylaw that incorporates changes made pursuant to the following amendment bylaws:

Amendment Bylaw	Effective Date
Bylaw No. 1108, 2010	February 9, 2010

This consolidation is for convenience and reference purposes only. Persons making use of this consolidated version of Bylaw No. 1087 are advised that it is not a legal document. For the purposes of interpreting and applying the law, the original Bylaw No. 1087 and all amending bylaws must be consulted.

Bylaw numbers appearing in the margin of this consolidated version refer to the applicable amendment bylaw.

THE DISTRICT OF TOFINO

ANTI-IDLING BYLAW NO. 1087, 2009

A Bylaw to Regulate the Idling of Vehicles

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 District of Tofino encourages drivers to refrain from idling their vehicles whenever possible;

NOW THEREFORE the Council of the District of Tofino, in the Province of British Columbia, in an open meeting assembled **Hereby Enacts as Follows:**

1. This bylaw may be known and cited for all purposes as the “District of Tofino Anti-Idling Bylaw No. 1087, 2009”
2. In this bylaw:
 - a) “Idle” and “Idling” mean the operation of an internal combustion engine of a vehicle while the vehicle is not in motion; and
 - b) “Vehicle” means a rubber-tired or tracked vehicle that is designed to be self-propelled by an internal combustion engine but does not include a motor-assisted cycle or a vehicle wholly, or in part, by an electric motor.
 - c) “Bylaw Enforcement Officer” means any of the following:
 - Chief Administrative Officer of the District of Tofino
 - Bylaw Enforcement Officer of the District of Tofino
 - Superintendent of Public Works of the District of Tofino
 - Fire Chief/Deputy Fire Chief of the District of Tofino
 - RCMP Officers
 - RCMP Auxiliary Officers
 - or their duly appointed designate
3. 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 regulation and provision in this bylaw are carried out.
4. No person shall cause or permit a vehicle to idle for more than three (3) consecutive minutes. Failure to comply may result in a fine of Fifty Dollars (\$50.00).

5. Section 4 of this bylaw does not apply to:
- a) vehicles idling while passengers are embarking or disembarking;
 - b) vehicles idling because of traffic, an emergency or mechanical difficulties;
 - c) armoured vehicles involved in the secure delivery and pick up of goods;
 - d) emergency vehicles, as that term is defined in the *Motor Vehicle Act*;
 - e) vehicles engaged in a parade or a race;
 - f) vehicles engaged in a mechanical test or maintenance procedure for which idling is required;
 - g) vehicles that must remain idling so as to power a heating or a refrigeration system for the preservation of perishable cargo; and
 - h) vehicles that must remain idling so as to power any tools or equipment necessary for or incidental to the provision of services by a municipality or public utility.

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6. Every person who contravenes any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfil, observe, carry out, or perform a duty or obligation imposed by this bylaw, shall be deemed to have committed an offence against this bylaw and:
- a) shall be liable to a fine set out in the District of Tofino Municipal Ticket Information System Bylaw No. 1088, 2009 as amended from time to time; or
 - b) shall be liable to a penalty set out in the District of Tofino Bylaw Notice Enforcement and Dispute Adjudication System Bylaw No. 1107, 2009 as amended from time to time; or
 - c) shall be liable, upon summary conviction, to the penalties provided under the Offence Act and amendments thereto; or
 - d) any combination of 6 a), b), and c).

Read a first time this 14th day of April, 2009

Read a second time this 14th day of April, 2009

Read a third time this 9th day of June, 2009

Adopted by Council this 9th day of June, 2009

John Fraser, Mayor

Bob Long, CAO

I hereby certify the foregoing to be a true and correct copy of "District of Tofino Anti-Idling Bylaw No. 1087, 2009" as adopted by Council this 9th day of June, 2009.

Bob Long, CAO