



Corporate Report

NO: R217

COUNCIL DATE: OCTOBER 15, 2007

REGULAR COUNCIL

TO: Mayor & Council DATE: October 11, 2007
FROM: City Solicitor FILE: 3900-20-13007
SUBJECT: Highway and Traffic By-law Amendments Related to Idling (Anti-Idling)

RECOMMENDATION

It is recommended that Council:

1. approve amendments to the Highway and Traffic By-law, 1997, No. 13007 (the "By-law") to include an anti-idling provision as set out in Schedule "A" to this report; and
2. authorize the City Clerk to bring forward the necessary amendment by-law for the necessary readings.

INTENT

The intent of this report is to seek Council approval for amendments to the City's Highway and Traffic By-law to address unnecessary vehicle idling in support of environmental sustainability.

BACKGROUND

In 2004, the GVRD (now Metro Vancouver) developed a model municipal anti-idling by-law for member municipalities to adopt at their own discretion. June of 2004 was declared as "Idle Free Month" in the City of Surrey, but to date, the City has not adopted any anti-idling provisions in its by-laws.

To date only Vancouver has adopted the model anti-idling by-law. Richmond and Coquitlam are considering the adoption of an anti-idling by-law.

In July of this year, Council-in-Committee heard a delegation from Nicolas Carbajales of Kwantlen Environmental Technology on the subject of an anti-idling initiative for the City of Surrey and requested a report from staff on the matter.

DISCUSSION

It has long been recognized that vehicle emissions contribute to the accumulation of greenhouse gases and air contaminants that are significantly affecting the environment. According to Metro Vancouver, emission inventories of the Lower Fraser Valley continue to indicate that emissions from motor vehicles are the largest single source of air contaminants. These contaminants include carbon monoxide, nitrogen oxide, sulphur dioxide and other toxic compounds. Reducing vehicle emissions will reduce these contaminants.

According to the information presented by the delegation, those most affected by compromised air quality are children and seniors. Seniors are particularly vulnerable to air pollution because it aggravates medical conditions such as asthma, bronchitis and emphysema. Children are vulnerable because they breathe 50% more air than adults. Natural Resources Canada estimates that if all motorists were to reduce their daily idling by five minutes, carbon dioxide emissions would be cut by 1.6 million tons per year.

The proposed amendments to the Highway and Traffic By-law prohibit a person from permitting a vehicle to idle for more than three minutes in a 60 minute period or while the vehicle is unattended. Exemptions are provided for vehicles assisting in an emergency activity or vehicles which are being actively loaded or unloaded, and other similar situations in which the idling is otherwise appropriate or necessary.

The proposed amendments allow for enforcement of the prohibition through the use of the City's highway and traffic tickets. The proposed fine amount is \$50.00, with no reduction for early payment. The City will publicize this change on its web page and enforcement during the first few months will be by way of warning the motoring public.

CONCLUSION

The proposed amendments will assist in reducing unhealthy and environmentally damaging vehicle emissions in the City of Surrey and are consistent with Council's objective of creating a livable and sustainable city.

CRAIG MacFARLANE
City Solicitor

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SCHEDULE "A"
Proposed Amendments to
Highway and Traffic By-law, 1997, No. 13007, as amended
(the "By-law")

That the By-law be further amended as follows:

1. By introducing the following new definition of "idle" to Section 1 immediately following the definition of "highway":

"IDLE" means the operation of the engine of a vehicle while the vehicle is not in motion and "idling" has a corresponding meaning.

2. By introducing the following new definition of "mobile workshop" to Section 1 immediately following the definition of "laned roadway":

"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 emergency service.

3. By adding a new Section 58.1 immediately following existing Section 58 as follows:

IDLING

58.1 (1) No person shall cause or permit a vehicle to idle:

- (a) for more than three minutes in a 60 minute period; or
- (b) while unattended and unlocked.

(2) Section 58.1(1) does not apply to:

- (a) police, fire, ambulance or other emergency vehicles in the course of the performance of police, fire, ambulance or other emergency duties including training activities;
- (b) vehicles assisting in an emergency activity;
- (c) vehicles for which idling is required as part of a repair or regular pre-check maintenance process;
- (d) vehicles engaged in a parade or race or other event approved by Council;
- (e) vehicles idling while passengers are in the course of embarking or disembarking;

- (f) armoured vehicles used to transport money or valuables in which a person remains to guard the contents in the course of the loading or unloading of the money or valuables;
- (g) vehicles required to use heating or refrigeration systems powered by the motor or engine for the preservation of perishable cargo;
- (h) a mobile workshop while the vehicle is being used as a mobile workshop.

4. Amend Schedule "A" by inserting a new Section, Description and Fine Amount immediately following the penalty for Section 58(3):

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
58.1(1)	Prohibited idling		\$50.00