



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information x	Recommendation ☐	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of Council

Submitted by: _____
Bob Morton, Councillor District 6

Date: November 5th, 2024 Special Council Meeting

Subject: Anti Idling Policy/By-Law

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act (MGA) – Section 172 (1) A council may make by-laws, for municipal purposes, respecting

- (a) the health, well being, safety and protection of persons;
- (c) persons, activities and things in, on or near a public place or place that is open to the public;
- (d) nuisances, activities and things that, in the opinion of the council, may be or may cause nuisances, including noise, weeds, burning, odours, fumes and vibrations.

RECOMMENDATION or DECISION REQUEST

It is recommended...

THAT COUNCIL DIRECT STAFF TO PROVIDE AN INFORMATION REPORT ON EXISTING POLICIES RELATED TO IDLING, AS WELL AS EXAMPLES OF WHAT OTHER MUNICIPALITIES HAVE IMPLEMENTED AND WHAT A POTENTIAL BY-LAW COULD LOOK LIKE.

BACKGROUND

West Hants Regional Municipality does not currently have an Anti Idling By-Law in place. However, under the Motor Vehicle Act a person is not permitted to leave an unattended car running on the street.

Property ☐	Public Opinion ☒	Environment ☒	Social ☐	Economic ☐	Councillor Activity ☐
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DISCUSSION

NEXT STEPS

If approved by Council, staff will provide an Information Report for Councils consideration that reflects best practices.

FINANCIAL IMPLICATIONS

There are no financial implications associated with providing an Information Report.
Should Council endorse the creation of an Anti-Idling By-Law, it should be noted there will be financial costs associated with the exploration of By-Law opportunities and preparation of a draft By-Law this fiscal year can be handled within existing Operating Budget.

Any additional costs if a By-Law was created, such as costs for educational material and enforcement would be a future budget consideration.

ALTERNATIVES

Council may choose not support the request.
Council may choose to provide alternate direction.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

Staff, including by-law enforcement officers were consulted to confirm there is not a current municipal anti-idling by-law. The WHRM does however have a practice of tracking idling time of certain vehicles within the municipal fleet that have GPS tracking devices onboard.

Further, action can be taken to formalize internal policies and procedures as well as a by-law.

Examples are attached from the Town of Kentville for Council's reference.

Staff await the direction of Council on this matter.

Report Prepared by: _____

Report Reviewed by:  _____
Mark Phillips, Chief Administrative Officer



TOWN OF KENTVILLE BY-LAW CHAPTER 77 IDLING CONTROL

WHEREAS Section 172 of the Municipal Government Act authorizes the Town to regulate with respect to the health, well-being, safety and protection of persons and nuisances, activities and things that, in the opinion of Council, may be or may cause nuisances, including odours and fumes;

AND WHEREAS motor vehicles are sources of particulate matter, nitrogen oxide, carbon monoxide, sulphur oxide, volatile organic compounds and greenhouse gas emissions;

AND WHEREAS such emissions have negative effects on local, regional and global climate and air quality and, as such, constitute a nuisance and negatively affect the health safety and well-being of residents of the Town of Kentville;

THEREFORE the Council of the Town of Kentville enacts this By-law.

SHORT TITLE

This by-law may be cited as the “Idling Control By-law”.

DEFINITIONS

2. In this By-law:

- a. “idle” means the operation of a Vehicle’s internal combustion engine while the vehicle is not in motion and “idling” has a corresponding meaning;
- b. “Public Transport Vehicle” means a bus or van, other than one being operated as a taxi, for the conveyance of passengers from any point within the Town of Kentville to any other point within the Town, including a bus or van for the conveyance of passengers to points outside the Town from within the Town; and
- c. “Vehicle” means any motorized vehicle but does not include any vehicle designed to run exclusively on rails.

GENERAL PROHIBITIONS

3. No person shall cause or permit a Vehicle to idle for more than three consecutive minutes.

EXEMPTIONS

4. It shall be a defence to a charge pursuant to section 3.0 of this By-law if the Vehicle was:
 - a. idling for a purpose required by provincial or federal legislation;
 - b. engaged in an emergency response and idling was necessary for such response;
 - c. engaged in work where the engine was required to provide power for auxiliary equipment being used in that work, and the auxiliary equipment is typically found in or attached to the type of vehicle in question, which auxiliary equipment could not operate without the Vehicle idling;
 - d. an armoured Vehicle in which a person remains inside the Vehicle while guarding the contents, or while the armoured Vehicle is being loaded or unloaded, and idling was necessary for the safety of the occupant of the Vehicle or bystanders;
 - e. standing as a result of an emergency, traffic, weather conditions, a funeral or mechanical difficulties over which the driver has no control;
 - f. engaged in the course of a parade or race;
 - g. idling where the engine was required to provide power or heat for defogging or de-icing the windshield and no reasonable alternative was available to clear the condensation or ice;
 - h. idling for the purpose of being mechanically maintained or fixed; or
 - i. a Public Transport Vehicle engaged in the embarking or disembarking of passengers.

ADMINISTRATION AND ENFORCEMENT

5. The By-law shall be administered and enforced by an Officer of the Town of Kentville Police and any Town employee appointed to do so by the Chief Administrative Officer of the Town.

PENALTIES

6.
 - a. Any person who contravenes section 3.0 of this Bylaw is guilty of an offence and punishable on summary conviction by a fine of not less than \$150.00 and not more than \$10,000, and in default of payment to imprisonment for a period not exceeding one year.
 - b. Any person who contravenes any provision of this By-law and who is given notice of the contravention may pay to the Town, at the place specified in the notice, an out of court settlement in the amount as set out in the notice, pursuant to the Summary Proceedings Act, within 14 days of the date of the notice and shall thereby avoid prosecution for that contravention.

CLERK'S ANNOTATION FOR OFFICIAL BY-LAW BOOK

Date of first reading:	July 9, 2008
Date of advertisement of Notice of Intent to Consider:	August 21, 26, 2008
	September 2, 9, 2008
Date of second reading:	September 10, 2008
*Date of advertisement of Passage of By-Law:	September 23, 2008
Date of mailing to Minister a certified copy of By-Law:	September 23, 2008

I certify that this Idling Control Bylaw – Chapter 77 was adopted by Council and published as indicated above.



CAO Mark Phillips

*Effective Date of the By-Law unless otherwise specified in the By-Law



TOWN OF KENTVILLE POLICY STATEMENT G41 ANTI-IDLING STANDARD OPERATING PROCEDURE

1.0 PURPOSE

To eliminate unnecessary idling of vehicles owned by the Town of Kentville, or by employees, councilors and committee members of the Town of Kentville, so as to reduce the emission of greenhouse gases and diesel exhaust particulate matter into the atmosphere.

2.0 DEFINITIONS

Idle

The operation of a vehicle engine while the vehicle is not in motion and “idling” has the same meaning.

Vehicle or Motor Vehicle

Any vehicle that is capable of being driven or drawn on or off roads by any means other than muscular power exclusively.

Vehicle with Power Take-Off

A vehicle containing work equipment that must be powered by the vehicle engine.

3.0 SCOPE

This Procedure shall apply to all vehicles owned by the Town of Kentville and operated by Town of Kentville employees, and personal vehicles owned by Town Employees, Town Council members and members of Town Committees, while such vehicles are parked in a posted “No Idle” zone on Town owned property.

4.0 PROCEDURE

No employee shall allow for a Town of Kentville Vehicle to idle in excess. Natural Resources Canada recommends idling for no more than 10 seconds (30-seconds for vehicle cold start).

This Procedure does not apply to the following vehicles or vehicles operating during the following circumstances:

- Vehicles operating during an emergency operation.
- Vehicles for which, idling is required to service engine or to conduct repairs.
- Vehicles engaged in the course of a parade or race or any other event authorized by the C.A.O. or Department Head.
- Vehicles when the ambient temperature outside warrants the provision of a warming station for workers assigned to outdoor duties.
- Vehicle is idling for the purpose of operating power take off or electrical equipment.
- Engine Warm-ups or Cool-downs are required by the manufacture specifications.

5.0 ASSOCIATED DOCUMENTS

6.0 POLICY REVISION HISTORY

Date Created: May 9, 2007
Revisions: January 2017. Reformatted.

A handwritten signature in black ink, appearing to read 'M. Phillips', written over a horizontal line.

CAO Mark Phillips