



**BEING A BY-LAW TO LICENCE, REGULATE AND GOVERN THE IDLING OF MOTOR VEHICLES AND REPEAL BY-LAW 044-2022**

**WHEREAS** the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes municipalities to regulate the activities for the health, safety and well-being of the inhabitants of the municipality; and

**WHEREAS** the Town of Cobourg is supportive of strategies to reduce emissions of air pollutants and greenhouse gas emissions.

**NOW THEREFORE BE IT RESOLVED THAT THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF COBOURG ENACTS AS FOLLOWS:**

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**1.0 Definitions**

In this by-law:

- a) **“Director”** means the Town’s Director, Legislative Services.
- b) **“Drive-Through”** means that portion of a commercial property which is designated as a drive-through on an approved Site Plan and posted with appropriate signage.
- c) **“Idle”** means the operation of a Vehicle engine while the Vehicle is not in motion, and “Idling” shall have a similar meaning.
- d) **“Officer”** means:
  - i) the Director;
  - ii) a Municipal Law Enforcement Officer appointed by Council or by the Director to enforce a By-law or a direction or order of

the Town made under the Municipal Act or made under a By-law; and

iii) a police officer employed by a municipal police force or by the Ontario Provincial Police or by the Royal Canadian Mounted Police.

e) “**Vehicle**” means a vehicle as defined by the *Highway Traffic Act, R.S.O. 1990, c. H.8* except that “Vehicle” also includes a motorized snow vehicle.

## **2.0 General**

2.1 This by-law applies to all Idling within the Town of Cobourg unless specifically exempted by this by-law or by statute or regulation.

2.2 No person shall cause or permit Idling for more than two (2) consecutive minutes.

## **3.0 Exemptions**

3.1 Section 2.2 does not apply to:

a) Idling that is necessary for the Vehicles maintenance or repair

b) The reasonable idling of a vehicle in order to comply with the requirements of the Highway Traffic Act for a clear windshield;

c) Police, fire, public transit or emergency medical Vehicles while engaged in, and for which Idling is required for, police, fire, public transport or medical activities;

d) Vehicles while engaged in, and for which Idling is required for the provision of municipal activities;

e) Vehicles while motionless because of traffic conditions or traffic control signals on a highway or a Drive-Through;

f) Vehicles when the ambient outside temperature is more than 27° or less than 5°;

g) Vehicles while engaged in, and for which Idling is required for, the provision of construction activities;

h) Vehicles using heating or refrigeration systems powered by the Vehicles engine for the preservation of perishable cargo;

i) Armoured Vehicles while engaged in, and for which Idling is required for, the provision of armoured Vehicles services;

j) Vehicles while engaged in a parade or race authorized by the Town of Cobourg;

k) Vehicles while passengers are embarking or disembarking; or to

l) Farm Vehicles while engaged in, and for which Idling is required for, farming.

#### **4.0 Order To Discontinue Activity**

- 4.1 Where an Officer is satisfied that a person has contravened this By-law, the Officer may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity.
- 4.2 An order under Section 4 shall set out:
- a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
  - b) the date by which there must be compliance with the order.
- 4.3 Any person who contravenes an order issued under Section 4.0 is guilty of an offence.

#### **5.0 Notice**

- 5.1 Any notice or document respecting this By-law may be given in writing in any of the following ways and is effective:
- a) on the date a copy is personally delivered to the Person to whom it is addressed;
  - b) on the third (3<sup>rd</sup>) day after a copy is sent by regular mail or by registered mail to the Person's last know address;
  - c) upon confirmation of the successful transmission of a copy by facsimile transmission to the Person's last know facsimile transmission number;
  - d) upon sending a copy by e-mail transmission to the Person's last known e-mail address; and
  - e) upon a copy being posted on the door of any building or structure on the Person's last know Premises or where no building or structure exists, on a stake erected by the Officer on the Person's last know Premises; or on the date a copy is place on or affixed in any manner to a Person's motor vehicle.

#### **6.0 Set Fine And Penalty**

- 6.1 Every person who contravenes any provision of this By-law is guilty of an offence and is liable to pay a fine for each offence and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990 c.P33, as may be amended from time to time.
- 6.2 Administrative Penalty Process By-law 079-2022 applies to each administrative penalty issued pursuant to this By-law.

6.3 Each Person who contravenes any provision of this By-law or fails to comply with an Order issued in accordance with this By-law, shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law 079-2022 be liable to pay to the Town an administrative penalty of:

- a) \$175 for the remainder of the first day on which the contravention occurs; and
- b) \$275 for each subsequent day on which the contravention continues.

**7.0 Coming Into Force**

7.1 This by-law shall come into force and take effect on the date that it is approved by the Council of The Corporation of the Town of Cobourg.

**8.0 Short Title**

8.1 This by-law may be cited as the “Vehicle Idling Control By-Law”

**9.0 Repeal By-law**

9.1 That By-law 044-2022 is hereby repealed.

READ and finally passed in Open Council this 26<sup>th</sup> day of March, 2025.

“Lucas Cleveland”

\_\_\_\_\_  
Lucas Cleveland, Mayor

“Brent Larmer”

\_\_\_\_\_  
Brent Larmer, Clerk

**Schedule A**  
**The Corporation of the Town of Cobourg**  
**By-Law to Regulate the Idling of Motor Vehicles**  
**Part I Provincial Offences Act**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provisions creating or defining offence</b>	<b>COLUMN 3 Set Fine</b>
1.	Cause of permit idling more than two consecutive minutes	Section 2.2	\$60.00
2.	Contravene an Order	Section 4.2	\$100.00

**Note: The penalty provision for the offences listed above is Section 6 of this By-law a certified copy of which has been filed**