



CORPORATE STRATEGIC INITIATIVES

TO: Chair and Members of the Community and Corporate Services Committee
SUBJECT: An Update of the City's Idling Initiatives including a Review of the Idling Control Bylaw and a Strategy to Increase Levels of Enforcement

Report Number: CSI-1/09 Report Date: March 17, 2009
Author(s): Fleur Storace-Hogan Date to Committee: April 1, 2009
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APPROVALS: Department Head General Manager City Manager

To be completed by the Clerks Department

Committee Disposition & Comments
Council Disposition & Comments
01- Approved 02 - Not Approved 03 - As Amended 04 - Referred 05 - Deferred 06 - Received & Filed 07 - Withdrawn

1.0 RECOMMENDATIONS:

THAT Report CSI-1/09 dated March 17, 2009 titled "An update of the City's idling initiatives including a review of the Idling Control Bylaw and a strategy to increase levels of enforcement" be received; and

THAT the Idling Control Bylaw contained in Appendix 1 of CSI-1/09 dated March 17, 2009 to prohibit unnecessary idling within the City of Burlington be approved;

THAT Idling Control Bylaw 71-2004 be repealed once the new bylaw comes into effect;

THAT Corporate Strategic Initiatives staff report on idling enforcement statistics through the Quarterly Environmental Initiatives Report; and

THAT the Mayor write to the GO Transit chair, to request either that GO Transit staff enact and enforce their own idling control bylaw or that they allow City of Burlington staff to enforce the City's Idling Control Bylaw on GO Transit property.

2.0 PURPOSE:

The purpose of this report is to provide an update of the City's idling initiatives including a review of Burlington's Idling Control Bylaw and a strategy to increase levels of enforcement.

3.0 BACKGROUND AND RELATIONSHIP TO STRATEGIC PLAN:

An operating vehicle emits several different gases from its tailpipe including greenhouse gases (GHGs) such as carbon dioxide (CO₂) that contribute to climate change and criteria air contaminants (CACs) such as volatile organic compounds (VOCs), carbon monoxide (CO) and nitrogen oxides (NO_x) that contribute to air pollution. While there are currently no technologies to reduce CO₂ from tailpipe emissions, CACs have been greatly reduced from gasoline powered vehicles and are slowly being reduced from diesel powered vehicles.¹

Natural Resources Canada (NRCan) identifies the direct benefits of reducing idling as a decrease in GHGs and fuel consumption. If these were the only factors to consider, the recommendation would be to turn an engine off if idling for more than 10 seconds. However, the relationship between idling and CACs is a more complex issue. In a modern gasoline powered vehicle, there is no substantial difference on CACs when idling for anywhere between 10 seconds and 10 minutes or turning the engine off and on.² However, because heavy duty diesel powered vehicles emit higher levels of CACs such as particulate matter (PM) and NO_x due to more limited emission controls, the best way to reduce CACs is to turn the engines off. Therefore, to balance overall emissions, fuel savings and any potential increase in maintenance costs on the battery or starter, NRCan recommends turning one's engine off if idling for more than 60 seconds.³

Idling vehicles emit CO₂ which contributes to climate change resulting in a warmer environment locally. Warmer temperatures could bring more health implications including: an increase of heat-related illnesses due to more frequent hot days and longer heat waves; more occurrences of smog on days when heat stress is already likely; a potential increase in food-borne illnesses as food is more likely to spoil faster in warmer temperatures, and people's traditional approaches to food storage may be inadequate; and potentially increased incidence of infections as insects that carry infectious diseases may survive the warmer winters and expand their range.

¹ Natural Resources Canada. *Idle Free Zone* website. *Emission Impacts Resulting from Vehicle Idling*. Available: <http://oee.nrcan.gc.ca/transportation/idling/impact.cfm?attr=28>.

² Taylor, Gordon, W. 2003. *Review of the Incidence, Energy Use and Costs of Passenger Vehicle Idling*. Prepared for the Office of Energy Efficiency, Natural Resources Canada.

³ Natural Resources Canada. *Idle Free Zone* website. *Emission impacts resulting from vehicle idling*. Available: <http://oee.nrcan.gc.ca/transportation/idling/impact.cfm?attr=28#f3>

Therefore, any action that we can take to convince drivers that “idling gets you nowhere” and to stop unnecessary idling will help to reduce all the direct and indirect costs associated with tailpipe emissions while also saving fuel and money.

History of Idling Enforcement in Burlington

The City of Burlington officially launched an idling awareness campaign on Clean Air Day in June 2003. Since then City staff have made a concerted effort to ensure the message about unnecessarily idling is reaching the public as highlighted in Appendix 2.

In 2004, Council adopted Idling Control Bylaw 71-2004 to control unnecessary idling which came into effect in May 2005. Since then enforcement has proceeded in accordance with the Council approved direction in report CORPSERV-1/04 (CC-119-04), “THAT the idling control bylaw be enforced by parking enforcement officers on a complaints basis or as necessary.”

Since 2005, Environment staff have registered approximately 55 complaints about unnecessary idling. Follow-up on these complaints resulted in mailing 30 letters to residents or businesses and seven patrols by Parking Bylaw Officers. In the rest of the cases, Environment staff contacted the party that was idling by phone (i.e. for company vehicles idling on city streets). At times, staff had to explain to the complainant that in the particular situation described, the Idling Control Bylaw did not apply (i.e. due to the temperature exemption, etc.). On occasion, the caller asked that staff not follow-up with the idling party (i.e. the caller wanted to know their options but did not want staff to mail a letter at that point in time).

Parking Services registered an additional 11 complaints requiring patrols by Parking Bylaw Officers. When officers witnessed unnecessary idling, an information notice about the bylaw was left behind. Parking Bylaw Officers have not issued any tickets or summonses to date. However, one charge (a summons) was laid in March 2008 by Halton Regional Police Services. In October 2008, the Justice of the Peace issued a \$100 fine plus surcharges for a total cost of \$132.75.

This report fulfills a Council direction outlined in *Future Focus Seven* under the Environmental Stewardship section:

5.2C “Review Burlington’s Anti-Idling Bylaw and make recommendations to increase levels of enforcement.”

4.0 DISCUSSION:

Idling Control Bylaw Review

When the City of Burlington’s bylaw was originally drafted, staff examined other existing idling bylaws. At the time, many followed the City of Toronto’s lead as they had one of the original stand alone idling bylaws (those bylaws that only deal with idling) dating back to pre-amalgamation.

As part of the current idling bylaw review process, Environment staff once again consulted with several Ontario municipalities with stand alone idling bylaws and summarized the information in Appendix 3. There are at least 28 municipal idling bylaws in Ontario, 15 of which were passed after the City of Burlington’s bylaw came into effect. The City of Burlington is not alone in

reviewing the idling bylaw as the Cities of London and Toronto are also in the midst of a review. After examining all 28 bylaws, several changes were proposed to the City of Burlington's bylaw as outlined in Appendix 4. However, the major changes are discussed in greater detail below.

a) Permitted Idling Limit

It is recommended that the permitted idling time, excluding transit, be reduced from three minutes to one minute for several reasons. First, one minute was the recommended timeline for the "model idling bylaw"⁴ identified in a report commissioned by NRCan in 2005. Secondly, NRCan revised their website in 2008 and they recommend that idling be limited to one minute to balance emissions, fuel use and potential extra wear and tear for the car components.⁵ Finally, any reduction in permitted idling time will increase the ease and efficacy of enforcement as Parking Bylaw Officers do not need to wait for three minutes prior to writing up a ticket.

The average permitted idling time in most municipal bylaws, excluding transit, is three minutes. However, almost all of the bylaws are not actively enforced, with the exception of the City of Toronto (Appendix 3). The exceptions to the three minute rule are the Town of Newmarket, City of Owen Sound and the City of Peterborough. The Cities of London and Toronto are currently considering reducing their idling limit though a final decision has not been approved by their City Councils. Based on the research conducted for this report, should Burlington City Council adopt a proposed one minute bylaw, they would be the first in Ontario to approve such a bylaw.

b) Temperature Exemption

Staff are recommending removing the temperature exemption from the Idling Control Bylaw. Several municipalities excluded temperature exemptions in their original idling bylaw including Bracebridge, Guelph, Markham, Orillia, Peterborough, Pickering and Whitchurch-Stouffville. Other municipalities including Huntsville, London and Toronto indicated that they might also consider changes to the temperature exemption in their idling bylaws.

Including a temperature exemption in an idling bylaw requires an additional step for enforcement staff to note the temperature at the time of the idling incident. However, temperature varies greatly within the City of Burlington making enforcement and possibly conviction that much more complicated on days when the temperature is approaching the limits identified in the original bylaw. In addition, staff have received complaints of unnecessary idling at times but could not do anything due to the temperature being below five degrees Celsius or above 27 degrees Celsius. Complaints in the summer months were of particular concern especially during a Smog Alert when we want to encourage people to reduce vehicle use.

It should be emphasized that the bylaw addresses *unnecessary* idling. Should one need to idle their vehicle, such as to clear their windows in winter, they are allowed to do so under the *Highway Traffic Act*. However, residents are expected to also scrape their windows and not to rely solely on the defrost/defog function in vehicles.

⁴ Clean Air Partnership. 2005. *Cracking Down on Idling: A Primer for Canadian Municipalities on Developing and Enforcing Idling Control Bylaws*. Report prepared for: Natural Resources Canada and the Greater Toronto Area Clean Air Council. Available: http://www.cleanairpartnership.org/gtacac/pdf/cracking_down_on_idling.pdf.

⁵ Natural Resources Canada. Idle Free Zone Website. *Emission impacts resulting from vehicle idling*. Available: <http://oee.nrcan.gc.ca/transportation/idling/impact.cfm?attr=28>.

c) Drive-Through Lanes

The purpose of a drive-through lane is to use one's vehicle to obtain a service. While considered a convenience for some, one of the consequences is idling. The intention of the Idling Control Bylaw has always been to address unnecessary idling (i.e. idling while waiting for someone). Vehicles in drive-through lanes are considered to be similar to vehicles in traffic congestion. Therefore, when staff receive complaints about idling in drive-through lanes, the staff response has consistently been that the bylaw does not apply.

There has been a lot of media attention in recent years regarding the need to "ban" drive-throughs. In January 2009, St. John's Newfoundland City Council directed "That a moratorium be placed on all drive-throughs that run onto roadways that could impact pedestrians and motorists until the traffic concerns relating to vehicles accessing and egressing the operations onto the public roadways can be addressed."⁶ It should be noted that the underlying reason for this resolution did not have anything to do with idling. The moratorium lasted two weeks as franchise owners agreed to look at a variety of options to alleviate the traffic related problems.⁷

While drive-throughs are a permitted use in the City of Burlington, they are prohibited in the downtown core for several reasons including traffic management issues (i.e. insufficient room for stacking vehicles to prevent blocking traffic on a roadway). In addition, the City is trying to achieve a greater intensity and density of use, building form and urban design in the downtown, and drive-throughs by their very nature do not lend themselves to this type of intensity and building form. Lastly, the City is trying to create an environment in the downtown which emphasizes pedestrian and transit usage and comfort over vehicular traffic, and drive-throughs do not lend themselves to this desired type of environment.

Since drive-throughs are a permitted use in many areas, there is a new trend to include an exemption for drive-throughs in municipal idling bylaws. The City of Peterborough Bylaw 08-077 exempts a "vehicle which is being operated on the travelled portion of a highway or drive-through."⁸ The Town of Wasaga Beach Bylaw 2008-91 exempts "vehicles that remain motionless because of traffic congestion caused by construction or other circumstances outside the control of the person occupying the vehicle, including but not limited to a drive-through facility."⁹ While the City of Owen Sound does not specifically exempt drive-throughs from Bylaw 2007-236, they do refer to the issue in their staff report and state that the bylaw would "not be enforced on drive-through restaurants."¹⁰

To ensure clarification, staff recommend that the City of Burlington follow suit with the City of Peterborough and the Town of Wasaga Beach and exempt drive-through lanes from the idling bylaw. Determining whether or not to place a moratorium on drive-throughs in the City of Burlington is a land use planning issue and thus beyond the scope of this report.

⁶ St. John's Newfoundland Council Minutes. January 5, 2009. Available: <http://www.stjohns.ca/cityhall/councilminutesdetail.jsp?id=397>.

⁷ St. John's Newfoundland Council Minutes. January 19, 2009. Available: <http://www.stjohns.ca/cityhall/councilminutesdetail.jsp?id=399>.

⁸ City of Peterborough Bylaw Number 08-077. Available: <http://www.peterborough.ca/Assets/By-Laws/Miscellaneous/Idling+By-law.pdf>

⁹ Town of Wasaga Beach Bylaw Number 2008-91. Available: www.wasagabeach.com

¹⁰ Hughes, Chris. September 27, 2007. *Vehicle Idling By-law*. Staff Report. City of Owen Sound, Ontario.

d) Revised Definition of Idling to Increase Levels of Enforcement

Under the *Provincial Offences Act* charges can only be laid under Part I, Part II or Part III. All parking offences are issued Part II tickets. Tickets are issued using the licence plate to identify the owner of a vehicle who is ultimately responsible for payment. In comparison, Idling Control Bylaw 71-2004 is currently a Part I offence and as such, tickets must be issued directly to a person. In order to issue an idling ticket currently, Parking Bylaw Officers must ask for a person's contact information which does not have to be disclosed to the officer. Another option is to issue a Part III summons which is more costly to enforce as it requires going to court.

It is recommended that idling be defined as a Part II offence in the new Idling Control Bylaw allowing Parking Bylaw Officers to issue a ticket for an idling offence in a similar fashion to a parking ticket. This approach has been recently adopted by both the Cities of Peterborough and Orillia. This would be a more efficient process as the officers do not have to request personal information to issue a ticket but can simply use the Ontario Ministry of Transportation's licence plate databank and charge the owner of the vehicle. Burlington's Legal Department and Parking Services staff both support this new approach.

When the City of Burlington's Idling Control Bylaw was first enacted, no additional resources were allocated for administration and enforcement. The proposed program change for the revised bylaw requires more effective and sustainable enforcement. To keep the costs of enforcement to a minimum, officers will enforce the bylaw on a complaints basis and also as they come across idling vehicles while conducting their normal work duties of issuing parking tickets. As part of their normal enforcement routine, officers will also visit locations where complaints were previously reported on a quarterly basis to ensure compliance with the Idling Control Bylaw.

There are currently two Parking Bylaw Officers on each shift seven days a week (one officer is stationed north of the QEW and the other south). In total, these officers issued almost 42,000 parking tickets in 2008 or approximately 115 tickets per day. Should the effects on staff time be impacted with the increased levels of enforcement for the Idling Control Bylaw, Transit and Traffic staff will report back to Council as part of the 2010 current budget process with recommendations and costs to address this.

Another enforcement option which has been used by the City of Toronto is to conduct idling blitzes. These generally consist of one week blitzes, in the spring and fall each year. An advantage would be that this would bring high profile to the issue during those two weeks each year when most resources are shifted to enforce the idling bylaw. However, disadvantages include dedicating staff to this one issue at the expense of others. In addition, Parking Services staff have advised that if such blitzes were to occur, they would request a police presence potentially increasing the cost of enforcement. Finally, by enforcing mainly during the blitz, residents might continue to idle assuming that tickets would not be issued at any other time. A more consistent approach to idling enforcement is preferred and consideration could be given to idling blitzes in the future as an additional level of idling enforcement, pending support for additional staff resources and financing.

It should be noted that City of Burlington staff do not have the authority to enforce the Idling Control Bylaw on provincial or federal property including at GO stations. As a result, staff are recommending that the Mayor write to the GO Transit chair to request that GO Transit enact and

enforce their own idling control bylaw. Alternatively, GO Transit could allow City staff to enforce the City's Idling Control Bylaw on GO Transit property. Should this option be approved, Transit and Traffic staff will report back to Council as part of the 2010 current budget process with recommendations and costs to achieve this increased level of enforcement. So far no other municipality has the authority to enforce their idling bylaws on GO Transit property.

e) Conclusion

All of the recommended changes highlighted above are intended to clarify the Idling Control Bylaw and help to increase the level of enforcement within the city limits.

5.0 FINANCIAL MATTERS:

There are currently no additional staff resources recommended for the initial increase in enforcement. Transit and Traffic staff will report to Council through the 2010 current budget process should the increased demands to enforce the Idling Control Bylaw come at the expense of enforcing the City's Parking Bylaws. It is proposed that all revenue recovered from the enforcement of the Idling Control Bylaw in excess of the costs of enforcement will be shared between Parking Services and Corporate Strategic Initiatives (CSI). The CSI component will be redirected towards the communications associated with the idling program.

The 2009 approved Capital Budget (project ST-MP-1094) provided funding for the implementation of Future Focus Seven initiatives in the amount of \$150,000. It is proposed that the recommended communication and public education program outlined in the Communication Matters section of this report, at an estimated cost of \$10,000, be funded from this account.

Two departments, Roads and Parks Maintenance (RPM) and Transit and Traffic (T&T), identified cost savings related to idling as part of the City's cost containment exercise. RPM identified \$7,540 through increased adherence to the City's Idling Control Bylaw as well as improving staff transportation planning.¹¹

On December 1, 2008, Council approved the 2008 Transit Operational Efficiency Review (TT-47/08, CC-166-08-1). In an effort to save \$20,000, Council approved a revised policy change effective November 1, 2008 whereby Transit vehicles could idle up to a maximum of five minutes down from the previous limit of 10 minutes.

6.0 ENVIRONMENTAL MATTERS:

Unnecessary idling is a very wasteful practice. For example, idling over 10 seconds uses more fuel and produces more CO₂ emissions than restarting the engine. In addition, every litre of fuel used produces 2.3kg CO₂ for gasoline powered vehicles and 2.7kg CO₂ for diesel.¹² Finally,

¹¹ Identified in Appendix D of Finance Department report F-07/09 titled 2009 Current Budget Overview which was approved by City Council on Feb 23, 2009.

¹² Natural Resources Canada. *Idle Free Zone* website. *Emission Impacts Resulting from Vehicle Idling*. Available: <http://oee.nrcan.gc.ca/transportation/idling/impact.cfm?attr=28>.

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every 10 minutes of idling in an average vehicle with a three-litre engine wastes about one third of a litre of fuel and a vehicle with a five-litre engine wastes half a litre.¹³

If every driver of a light-duty vehicle in Burlington avoided idling for five minutes a day, this would:

- Reduce the use of **4,062,978** litres of fuel per year
- Save **\$4,062,978.30** annually (at \$1.00/litre fuel)
- Reduce **9,874,459** kilograms of GHGs per year
- Represent **1.78%** of total light-duty vehicle fuel use in Burlington
- Equal to taking **7,052** vehicles off the road
- Mean each driver would save **41.10** litres of fuel, **\$41.10** in fuel costs, and contribute to reduction of **100** kilograms of GHGs, annually
- Equal to a fuel cost reduction of **1.78** cents per litre at the pump¹⁴

City staff have implemented several measures through the years to reduce vehicle idling including the installation of:

- Automatic shutdown technology on 24 large diesel vehicles at RPM.
- Block heaters on all large diesel vehicles at RPM to reduce winter warm-up times.
- LED lighting (traffic advisors, strobes) on most units. However, it should be noted that the four way flashers are not LED and draw significant amperage. Therefore, a vehicle might still need to idle depending upon how many warning lights are necessary for a particular situation.

There are currently different technologies that allow vehicles to be turned off and not idle while conducting business. However, there are costs associated with such technologies which are often after-market products. These include auxiliary power units that fuel directly from the tank; energy recovery, solar or battery powered systems; remote ignition controls for aerial trucks; etc. Staff will continue to monitor and test technologies as they become available and as capital or operational budgets permit.

Staff have also been undertaking initiatives to reduce overall vehicle emissions for several years. These include but are not limited to the following:

- Adopting the “*Greening the Fleet Corporate Strategy*”¹⁵ in June 2008.
- A total complement of 14 hybrid vehicles in the fleet with 6 more on order.
- Rightsizing vehicles (i.e. replacing a pick-up truck with a compact vehicle).
- The use of biodiesel for off road equipment since 2003 and for on road equipment since 2004 (during the months of May to September).

¹³ Natural Resources Canada. *Idle Free Zone* website. *Idling Wastes Fuel and Money*. Available: <http://oee.nrcan.gc.ca/transportation/idling/wastes.cfm?attr=28>.

¹⁴ Natural Resources Canada. *Idle Free Zone* website. *Calculator*. Available: www.idling.gc.ca

¹⁵ Robichaud, Lynn. 2008. *Greening the Corporate Fleet Transition Strategy*. Available: <http://cms.burlington.ca/AssetFactory.aspx?did=8955>

- The use of ultralow marked sulphur diesel (15mg/kg sulphur) for off-road equipment since November 2006 in advance of the legislated requirement of June 1, 2010. The current legislated level of sulphur for off-road equipment is 500mg/kg.
- Promotion of Transportation Demand Management initiatives to staff.
- The installation of an aftermarket catalytic converter on three pieces of equipment as a pilot project (a propane powered ice edger, a diesel ride on greens mower and a gas powered push mower). This pilot project will be expanded to the City's street sweeper which has two diesel powered engines and runs 16 hours a day, 8 months of the year. Other pieces of equipment are also being considered for an expanded pilot.¹⁶

7.0 COMMUNICATION MATTERS:

Since 2003, Environment staff have worked closely with Community Relations staff to keep idling a 'top of mind' topic as highlighted in Appendix 2. Environment staff will continue to promote the benefits of not idling, emphasizing that "idling gets you nowhere" and reminding drivers to turn their engines off.

Bylaw Communication

Staff will communicate the changes to the Idling Control Bylaw and the increased level of enforcement through several different forums that include but are not limited to: media releases, advertisements in community newspapers such as the Burlington Post, updates in City Talk and Focus (community and staff newsletters respectively), on the City's intranet and internet sites,¹⁷ communication through Cogeco, the school boards, through NRCan (who profile communities in their national newsletter), speaking with staff and the public at events, through the Burlington Sustainable Development Committee, etc.

The majority of the proposed funding will be spent on placing advertisements in the Burlington Post. Other initiatives include: two banner displays, one to rotate among City facilities for the public and one for rotation among city departments; additional outdoor metal signs for City facilities; read-o-graph postings; and printed material.

Internal Initiatives

Environment staff have continued to raise awareness about unnecessary idling since 2003 when bookmarks were first distributed to all staff with their paystubs. Static cling stickers were also placed on City vehicles at the time with the message "I turn my engine off when parked." Through the years, information has also been included in the City staff newsletter "Focus" and on the City's intranet and internet web sites. Most recently, Council approved a policy change for Transit vehicles as part of a cost containment exercise reducing their maximum idling time from 10 minutes to 5 minutes. More detailed information on all initiatives related to idling that have been carried out by City staff since 2003 is highlighted in Appendix 2.

Staff continue to advise members of the public that see City vehicles idling unnecessarily to record the vehicle number as well as the time, date and location of the incident so that

¹⁶ Fagan, M. and M. Covert. 2008. *Pilot Evaluation of Catalytic Converter Technology on Off-Road Equipment*. Staff Report. City of Burlington, Ontario. Available: <http://cms.burlington.ca/AssetFactory.aspx?did=10646>

¹⁷ City of Burlington. *City Idling Initiatives*. Available: <http://cms.burlington.ca/PageFactory.aspx?PageID=4118>

supervisory staff can follow-up with the driver. When such a complaint was received in the past about a Roads and Parks Maintenance vehicle, the director of the department sent a memo to all staff within that department to remind them of the idling bylaw. In addition, Roads and Parks Maintenance staff included an idling component in two of their staff development workshops in 2007 and 2008.

Community Initiatives

In addition to the initiatives highlighted in the “bylaw communication” section above, staff will continue to sell existing “Idle Free Zone” signs at cost, maintain the idling web page on the City’s Environment site and provide information to the community including Burlington schools upon request. Staff are also aware of Burlington Green’s and Dads Against Dirty Air’s (DADA) efforts to work on this issue in the community.

Finally, the Toronto-based Clean Air Partnership (CAP) has developed an ‘Idle Free Campaign in a Box’ kit for school idling campaigns which will be publicized to all schools in March 2009. CAP will also be distributing Idle Free Zone banners (which are based on the City of Burlington’s artwork) to up to 75 schools within the Greater Toronto Area on a first come first served basis provided that schools first outline their idling initiatives. Environment staff will notify Burlington schools of this opportunity to obtain the free banner once they are ready for distribution.

8.0 CONCLUSION:

Since 2003, Environment staff have continued to raise awareness about unnecessary idling within the community and the Corporation. General awareness of environmental issues, including idling, has increased since the original bylaw was first adopted. It is anticipated that unnecessary idling will decrease within the City with the proposed changes to the Idling Control Bylaw and the new approach to enforcement.

Respectfully submitted,

Fleur Storage-Hogan
Environmental Projects

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Appendices:

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| Appendix 1: Burlington Revised Idling Control Bylaw
Appendix 2: Annual Summary of Idling Initiatives
Appendix 3: A Comparison of Municipal Idling Bylaws in Ontario
Appendix 4: Detailed Bylaw Changes |
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Special Instructions:

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APPENDIX 1: BURLINGTON REVISED IDLING CONTROL BYLAW

Bylaw Number ?-2009 of the Corporation of the City of Burlington

A bylaw to prohibit unnecessary idling of vehicles within the City of Burlington

WHEREAS section 11(2)(5) of the *Municipal Act, S. O. 2001, Chapter 25*, as amended, authorizes municipalities to pass bylaws for the economic, social and environmental well-being of the municipality;

AND WHEREAS section 11(2)(6) of the *Municipal Act, S.O. 2001, Chapter 25*, as amended authorizes municipalities to pass bylaws related to the health, safety, and well-being of persons;

AND WHEREAS section 11(3)(8) of the *Municipal Act, S. O. 2001, Chapter 25*, as amended, authorizes municipalities to pass bylaws for parking;

AND WHEREAS section 100.1(1) of the *Municipal Act, S. O. 2001, Chapter 25*, as amended, authorizes municipalities in respect of land not owned or occupied by the municipality, to regulate or prohibit the parking or leaving of motor vehicles without the consent of the owner of the land;

AND WHEREAS section 128(1) of the *Municipal Act, S. O. 2001, Chapter 25*, as amended, authorizes that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS section 425(1) of the *Municipal Act, S.O. 2001, Chapter 25*, as amended, authorizes municipalities to pass bylaws provided that any person who contravenes a municipal bylaw passed under this Act be guilty of an offence;

AND WHEREAS section 429(1) of the *Municipal Act 2001, S.O. 2001, Chapter 25*, as amended, provides that a municipality may establish a system of fines for offences under a bylaw passed under this Act;

AND WHEREAS section 436(1) of the *Municipal Act, S. O. 2001, Chapter 25*, as amended, authorizes municipalities to pass bylaws and enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not a municipal bylaw passed under this Act is being complied with;

AND WHEREAS the City of Burlington is supportive of initiatives to reduce emissions that contribute to climate change and poor air quality;

NOW THEREFORE the Council of the Corporation of the City of Burlington hereby enacts as follows:

1.0 SHORT TITLE:

This bylaw may be cited as the “Idling Control Bylaw.”

2.0 DEFINITIONS:

“**City**” means the Corporation of the City of Burlington.

“**Drive-through**” means the uses of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to persons remaining in motorized vehicles that are in a lane designated for that purpose.

“**Emergency vehicle**” includes an ambulance, fire department, police and any other vehicle being used to respond to an emergency.

“**Highway**” means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

“**Idling**” means the parking or stopping of a vehicle, while the engine is running and is not being used to operate auxiliary equipment that is essential to the basic function of the vehicle.

“**Layover**” means a stopping point along a transit route used by transit vehicles or a scheduled delay at a transit vehicle terminal for a maximum of 5 minutes to allow transit vehicles to adjust to service schedules or to allow for embarking or disembarking of passengers.

“**Mobile work**” 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.

“**Municipal property**” means real property owned by the Corporation of the City of Burlington.

“**Officer**” means any person authorized by the Corporation of the City of Burlington to enforce parking bylaws and shall include Parking Enforcement Officers, Provincial Offences Officers and Halton Regional Police Officers.

“**Private property**” means real property owned by persons, other than property owned by the Corporation of the City of Burlington and includes real property owned by individuals, local boards, corporations and public authorities.

“**Transit vehicle**” means public transit vehicles, tour buses, and motor coaches.

“**Vehicle**” means a motor vehicle, trailer, traction engine, farm tractor, or road building machine as defined in the *Highway Traffic Act* and any vehicle drawn, propelled, or driven by any kind of non-muscular power, but does not include cars of electric or diesel electric railways running exclusively upon rails. Vehicle also includes a motorized snow vehicle or other conveyance that operates by way of a combustion engine.

3.0 APPLICATION

This bylaw applies to:

- a) Private property;
- b) Municipal property;
- c) Highways forming part of the road system under the jurisdiction of the Corporation of the City of Burlington; and
- d) Highways forming part of the road system under the jurisdiction of the Corporation of the Regional Municipality of Halton which are within the boundaries of the Corporation of the City of Burlington.

4.0 PROHIBITIONS

No person shall cause or permit a vehicle to idle for more than one minute (60 seconds) in the following areas:

- a) On a highway;
- b) On private property; and
- c) On municipal property.

5.0 EXEMPTIONS

The one minute (60 second) limit does not apply to the following situations, except where idling is substantially for the convenience of the operator of the vehicle:

- a) Emergency vehicles while engaged in operational activities, including training and patient transfer activities;
- b) A vehicle that is stationary because of an emergency, traffic conditions (including but not limited to traffic control signals) or mechanical difficulties over which the driver has no control;
- c) A vehicle transporting a person who has in their possession a medical doctor’s certificate stating that for medical reasons, the person requires the temperature or humidity to be maintained within a certain range and the idling of the vehicle is necessary to achieve that temperature or humidity level;

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- d) Mobile work vehicles while they are in the course of being used for their basic function;
- e) Vehicles where idling is required as part of the repair process or to prepare the vehicle for service;
- f) Transit vehicles while at a layover. When there are no passengers/operator on board, the engine will be turned off;
- g) Vehicles engaged in a parade or any other event authorized by the municipality; and
- h) Vehicles which are operated on the travelled portion of a drive-through lane.

6.0 ADMINISTRATION AND ENFORCEMENT

6.1 This bylaw can be administered and enforced by any police officer, municipal law enforcement officer or any other person authorized by the City of Burlington.

6.2 Any person who contravenes any provision of this bylaw is, upon conviction, guilty of an offence and is liable to any penalty provided in the *Provincial Offences Act*.

6.3 The Court, in which a conviction has been entered, and any other court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any other penalty imposed on the person convicted.

6.4 An officer may, at any reasonable time, enter on land for the purpose of carrying out an inspection to determine compliance with this bylaw.

6.5 If a court of competent jurisdiction declares any section or part of this bylaw invalid or unenforceable the remainder of the bylaw shall continue to be in force.

7.0 REPEAL

7.1 Bylaw 71-2004 is hereby repealed on the date this bylaw takes effect.

8.0 ENACTMENT

8.1 This bylaw shall come into force and take effect on June 1, 2009.

Enacted and passed this 14th day of April, 2009.

Cam Jackson MAYOR

Kim Phillips CITY CLERK

APPENDIX 2: ANNUAL SUMMARY OF IDLING INITIATIVES

Item	Comment
Year: 2003	
Bookmarks & Posters	<p>Approximately 22,000 bookmarks and 150 posters were circulated to elementary school students in Burlington. A handful of bookmarks were sent to each high school library so students could pick one up if they wanted along with 3-5 posters per high school. These, along with an introductory letter, were sent to schools in April in advance of the campaign launch.</p> <p>Over 10,000 bookmarks and/or posters were circulated to City employees, City libraries, City facilities i.e. arenas, pools, etc., three local bookstores, the Sustainable Development Committee, private schools and by special request.</p> <p>In September, a letter about the idling campaign and sample materials were sent to schools as a reminder as well as to car dealerships, repair shops, limos, taxis, dry cleaners, etc.</p> <p>Information cards (similar to a bookmark) were distributed to all staff with their paystubs.</p>
Metal Signs	<p>Burlington schools received one free metal Idle Free Zone sign. Signs were also posted at City facilities and the City's three GO stations. Staff applied for and received \$3,500 from TD-Friends of the Environment. A total of 103 signs were posted in 2003.</p>
Media Profile	<p>Launch of the idling campaign</p> <ul style="list-style-type: none"> - Media advisory and media release - Burlington Post, Hamilton Spectator and 94.7 in attendance at launch - Interviews with the mayor (94.7); a roundtable on idling on Cogeco; articles regarding the campaign were in the B. Post and H. Spectator <p>GTA wide idling blitz</p> <ul style="list-style-type: none"> - Volunteers were stationed at Rolling Meadows Public School and the Burlington GO station on two separate occasions to raise awareness. Seventy local community based outreach activities were planned across the GTA. - Articles were in the B. Post, Oakville Beaver, H. Spectator, Globe and Mail and Toronto Star; interview with City staff (CH TV) <p>City distributes signs to Burlington schools</p> <ul style="list-style-type: none"> - Media release - B. Post and H. Spectator articles and staff interviewed on CHML AM900 <p>Repair Our Air Fleet Challenge</p>

Item	Comment
	<ul style="list-style-type: none"> - The City was one of nine municipalities participating in this event. Ten city vehicles were temporarily fitted with devices to track idling. Idling was reduced from 11.8% to 4.8% (Burlington ranked second). - Media Release - Article in H. Spectator <p>Articles in City staff newsletter 'Focus', Environmental Corner in the City Update section of the B. Post and the residential newsletter 'City Talk'</p>
Community Displays	Eight
Year: 2004	
Bookmarks & Posters	Posters and bookmarks (10,400) were supplied to schools upon request.
Metal Signs	Nine signs requested and distributed.
Media Profile	<p>Idling Bylaw Adopted</p> <ul style="list-style-type: none"> - Media release - B. Post article and two CHML interviews on different days <p>City profiled in a national NRCan "Idle Free Zone" newsletter</p>
Community Displays	Four
Other	<p>Developed new information tickets (handed out by parking enforcement officers to raise awareness) and 'friendly reminder' letters (to mail to residents when complaints were received).</p> <p>Halton Partners for Clean Air requested permission to use the City's graphics for their campaign, allowing for a consistent look within Halton. The Town of Oakville is among one of the partners who adopted the City's design.</p> <p>City staff were invited to a NRCan workshop to discuss the idling program and next steps.</p>
Complaints	One complaint was received and a letter mailed.
Year: 2005	
Bookmarks & Posters	5,500 bookmarks and 40 posters were distributed upon request (schools, staff picnic, Burlington children's festival, City libraries and select bookstores).
Metal Signs	Ten signs were requested and sold.
Articles	<p>Idling Bylaw in Effect</p> <ul style="list-style-type: none"> - Media release - CHML & CH TV interviews, B. Post & H. Spectator articles, mentioned

Item	Comment
	<p>on CBC radio “Metro Morning” & Niagara’s 105.7</p> <p>Idle Free Week (GTA wide initiative)</p> <ul style="list-style-type: none"> - \$2,717.60 received from NRCan to cover staff time (three officers) and two vehicle rentals for a week long idling blitz. The officers were scheduled mainly at schools afterschool and at GO stations during the afternoon rush hour. 731 information tickets were distributed. - Media releases (City and GTA wide) - Environmental Corner (2) - B. Post coverage as well as GTA wide coverage (daily for 1 week) - Staff interviews – CHML, CH TV <p>Burlington Free Press, Vermont – call and coverage on Burlington, Ontario’s bylaw</p> <p>City profiled as a case study in a report prepared for NRCan titled “<i>The Carrot, the Stick, and the Combo: A Recipe for Reducing Vehicle Idling in Canadian Communities.</i>”</p>
Community Displays	Four
Complaints	<p>Six letters mailed to residents and one patrol by a parking enforcement officer requested (there were no idling vehicles when the patrol took place). Note: several inquiries were received once the bylaw became enforceable.</p> <p>Environment staff made a presentation to bylaw enforcement staff regarding the new idling bylaw.</p>
Other	<p>Peterborough County-City Health Unit asked permission to use the City’s idling graphic in two of their 10 second public service announcements which are available online at http://www.pcchu.ca/AQ/AQ-outdoor.html</p> <p>Environment staff attended, set up a display, and made a brief presentation at an environmental event for Burlington schools. Staff also prepared and distributed information packages to Burlington teachers interested in the idling campaign.</p>
Year: 2006	
Bookmarks & Posters	1,500 bookmarks, 25 posters, 50 static cling stickers, 700 information tickets
Signs	Seven signs requested and sold.
Articles	<p>Earth day insert (article on idling)</p> <p>Environmental Corner</p>
Community Displays	Five
Complaints	13 letters mailed in response to complaints (eight addresses identified in one call so a patrol was sent out to this area on four separate occasions and left 11

Item	Comment
	information tickets). Another patrol was sent out to another area on three occasions but no idling was reported.
Other	<p>Staff in coordination with the Town of Oakville and Halton Region mailed information packages to all schools in September 2006 to remind them of the ongoing program at the City, to advise them of available supplies and to encourage them to participate in an idling campaign tied in to International Walk to School Week. Packages included material to help schools run their own campaign.</p> <p>The City was awarded the 2006 Conservation Award of Excellence from Conservation Halton for the idling program.</p> <p>Environment staff presented at a municipal session on idling in Toronto.</p>
Year: 2007	
Bookmarks & Posters	1,050 bookmarks, 6 posters, 400 stickers were distributed upon request.
Banners	One school borrowed the newly designed Idle Free Zone banners
Signs	19 signs sold
Articles	<p>Environmental Corner</p> <p>Environment website re-launched - new materials promoted http://cms.burlington.ca/PageFactory.aspx?PageID=4118</p>
Community Displays	Six
Complaints	Four letters sent to residents. One patrol requested. A few other issues were investigated and at times idling was necessary. A memo was sent to all RPM staff as one complaint was received about a city vehicle idling.
Other	<p>Two experts were brought in to discuss idling at the Roads and Parks Maintenance semi annual meeting (one was a scientist/consultant who has conducted research in the field and the other person was from industry to dispel myths). Environment staff set up a display at the event.</p> <p>Environment staff made a brief presentation about idling at an environmental event for Burlington schools.</p>
Year: 2008	
Bookmarks & Posters	Approximately 25,000 bookmarks and 250 posters were distributed to all Burlington schools (Catholic, public and private), one brownie group, city facilities, etc. Also 28 packages of idling information tickets were distributed and 1000 stickers.
Banners	The banners were signed out 19 times by 14 different schools for a minimum two

Item	Comment
	week period each time.
Signs	16 signs were sold
Articles	Environmental Corner City Talk (summer and fall editions) Focus
Community Displays	Seven
Complaints	Five letters were mailed out, some other complaints were resolved without sending letters; two seven day patrols – no idling notices were needed.
Other	<p>Environment and Communications staff worked together to develop new idling material (posters, bookmarks, etc.) as the previous supplies were running low and also to ensure the content was in line with updated research.</p> <p>Environment staff made a presentation about idling to public works staff and also to Burlington schools at their annual EcoCelebration.</p> <p>Halton Partners for Clean Air requested to use our new design for their idling material, allowing for a consistent look within Halton.</p> <p>Environment staff presented at the Upwind Downwind Conference in Hamilton – included some information about the City’s idling program and future plans.</p> <p>Environment staff participated in Toronto’s idling bylaw consultation and NRCan’s idling consultation workshops.</p> <p>The City of Burlington’s original poster design appears in a high school textbook called “Passport to Civics.”</p>
Year: 2009	
Bookmarks & Posters	1,000 bookmarks, 9 posters, 800 stickers, 5 idling ticket packages
Banners	The banners were signed out three times by three different schools for a minimum two week period up to March 2009 with additional requests around Earth Day.
Signs	Two sold
Articles	Spring 2009 Recreation and Leisure Guide – idling ad
Community Displays	One
Other	<p>The Clean Air Partnership requested permission to use the City’s new idling design for their Idle Free Zone banners that will be distributed to GTA schools on a first come first served basis.</p> <p>Future plans: refer to the communications section in this report.</p>

APPENDIX 3: A COMPARISON OF MUNICIPAL IDLING BYLAWS IN ONTARIO

	Bracebridge	Burlington	Collingwood	Guelph	Halton Hills	Hamilton	Huntsville
Bylaw	2005-108	71-2004	2005-59	1998-15945	2005-0083	07-160	2003-145
Idling Limit	3 minutes No transit service	3 minutes in any 60 minutes 'transit' = 10 minutes	3 minutes in 60 minute period 'transit' = 10 min if passengers on board	10 minutes in 60 minute period Guelph Transit = 15 minutes	3 minutes in 60 minute 'transit' - same unless passengers embarking or disembarking	3 consecutive minutes in 60 minute period 'transit' = 15 minutes	5 consecutive minutes 'transit' = 5 - 15 depending on AC
Enforce	Bylaw enforcement officers (one officer Sept – Apr; two officers May – Aug). Both reactive (complaint driven) and proactive.	Parking enforcement officers.	Parking (2) and bylaw (2); complaint oriented & proactive.	Guelph police- this will likely change to city's bylaw officers (note parking enforcement section disbanded and now all officers can enforce part 1, 2 or 3)	Municipal law enforcement officers	Parking and bylaw services staff	Bylaw enforcement officers
History	No charges. Numerous warnings with records kept. Repeat incidents would result in a fine but this hasn't happened yet.	One summons charge and conviction in 2008. \$100 + \$12.75 court costs + \$20 victim surcharge = \$132.75.	No charges. If someone is idling - will speak with the person and ask to turn their engine off and also follow up with a warning letter. Idling blitz week in Sept targeting hot spots.	No charges.	No charges.	No charges laid.	1 ticket issued at the beginning of enforcement and paid.
Set Fines	\$100	\$150 + \$5 court cost + \$25 victim surcharge.	\$200	No set fines. Currently can only issue a summons.	No set fines.	No set fines.	\$100 set fine.
Other	Public education key component. Letters sent to local businesses and schools. Signage at all municipal facilities and one school. Information about bylaw posted in community newspaper many times per year.	Reviewing bylaw and enforcement – report in April 2009.	Considering staff report in early 2009.	Best practices review will include idling bylaw (possibly by July 09)	The issue is being re-examined in the comprehensive review of Halton Hills' traffic/parking bylaws 2008-09	Green Venture delivered 398 signs, 90 posters, 800 stickers, engaged with 250 drivers and outreached at 32 events since 2006. FAQs created in 2008 and a template notification letter. Since June 2008, 48 enquiries and complaints received.	Considering reviewing the bylaw to remove the temperature exemption. Education in the first year.

	Kingston	London	Markham	Newmarket	Niagara Falls	Oakville	Orillia
Bylaw	2008-95	PH-9-1999	2005-192	2005-157	98-217	2002-153	2008-89 Chapter 999
Idling Limit	3 minutes in 60 minutes unless less than 5°C, then 5 minutes in a 60 minute period 'transit' = 5 minutes in a 60 minute period	5 consecutive minutes 'transit' = 15 minutes	3 continuous minutes 'transit' - same unless passengers embarking or disembarking	2 consecutive minutes 'public transit' – 15 minutes	3 minutes in 60 minutes N. Transit = 15 minutes	5 consecutive minutes 'transit' = 15 minutes	3 minutes 'transit' = 10 minutes
Enforce	Bylaw enforcement officers (includes parking) and health unit.	Public health inspectors but considering changing to parking enforcement.	Bylaw enforcement officers.	Bylaw staff (includes parking).	Bylaw enforcement officers.	Bylaw enforcement officers.	Bylaw officers (also provide primary parking enforcement).
History	No charges. Issue one warning and then charge.	5 tickets between July – Sept 07. Enforcement strategies included responding to complaints, active surveillance and visiting locations where excessive idling has been reported. Compliance through education and warnings.	No charges.	No charges. Officers speak to those idling and ask that they turn their engines off. Compliance achieved.	No charges.	Responded to 31 complaints from 2003 to August 2008. One commercial vehicle complaint and charge in 2003 - withdrawn at court.	No charges.
Set Fines	\$25 + victim surcharge. Considering long form up to \$5000 for repeat offenders.	\$135 set fine.	\$150 set fine.	\$250	No set fines.	Set fine of \$155.	\$100 with early option payment \$80 (TBD).
Other	Education between March to July 08. Advised the Ontario Bus Association of the new regulation and had compliance over the summer 08.	The City received \$50,000 from NRCan (summer 2008 to March 31, 2009) for surveys, interventions at schools, daycares, workplaces and plazas supported by new signs, posters and an ad campaign. City and health unit staff considering bylaw changes including enforcement structure in early 2009.	Education. Hired two interns for idling campaign.	Focused on education "break the habit" since 2006. June 2-6, 08 (anti-idling week) all bylaw officers blitzed high traffic areas i.e. plazas, malls, bus terminals, schools and drive-through restaurants.	Extensive education campaign with motor coaches and trucks.	Ongoing education campaign.	Simcoe-Muskoka District Health Unit has been conducting an education campaign.

	Oshawa	Ottawa	Owen Sound	Peterborough	Pickering	Port Hope	St. Catharines
Bylaw	12-2006	2007-266	2007-236	08-077	6297/04	39/2007	2007-294
Idling Limit	3 consec. minutes in a 60 minute period 'transit' and municipal idling unlimited	3 consecutive minutes in 60 minutes 'private transit' – same unless passengers embarking or disembarking.	2 consecutive minutes (gas) and 5 consecutive minutes (diesel) *noted in staff report that bylaw won't be enforced in drive-throughs.	2 minutes continuously; 1 minute continuously for city owned vehicles (applies to transit too unless passengers embarking or disembarking) *exempt drive-throughs	5 consecutive minutes 'transit' = 15 minutes	Continuously for three minutes 'transit' = 15 minutes	3 consecutive minutes 'transit' = 15 minutes
Enforce	? no staff response	Level 2 bylaw officer.	Bylaw division (parking enforcement)	Parking enforcement officers within the area they cover; outside that area police coverage until additional bylaw officers are approved.	Municipal law enforcement officer or Durham Region Police Service.	Bylaw enforcement officers or police services.	Parking enforcement officers in the future.
History	? no staff response	4 charges. Mostly complaints based. Blitzes in fall and spring as reminders (officers hand out info and issue verbal warnings year round). On average, 200 complaints/month. Records kept on all bylaw infractions.	1 charge laid.	No charges.	No charges. Focused on education.	No charges. Complaints based.	No charges. Respond to complaints where idling is a chronic problem.
Set Fines	\$50?	\$100	Proposed to be \$105.	\$30	No set fine.	\$125	\$100
Other	Approved \$10,000 public education campaign.	\$100,000 from NRCan for 2003-5 campaign with another \$51,600 to run an internal idling campaign in winter 2006-7 that focused on four branches of city fleet. Ongoing education since 2003 (over 1,000 signs distributed). Prepared a CD containing idling material for K–gr 6 curriculum with Friends of the Earth. Enforcement officers visit schools to make presentations (based on the CD) and on the same day enforce bylaw during drop-offs/pick-ups of children at school. Coming in 2009 an anti-idling educational toolkit on www.ottawa.ca	Applied to NRCan for education in 2009/2010 but funding was not approved.	\$15,000 for awareness campaign approved.	Education campaign i.e. information posted on website.	Environmental Advisory Committee will develop public information piece. Regular advertising of the idling bylaw posted in local newspapers.	Education (ads on busses, bus shelters, displays at malls, in school presentations on air quality, signs at schools, etc). Local community group "Climate Action Now" have given out information to many drivers.

	Stratford	Toronto	Vaughan	Wasaga Beach	Whitchurch-Stouffville	Windsor	Woodstock
Bylaw	133-2001	673-1998 & 239-1999	170-2004	2008-91	2003-94TR	233-2001	2000
Idling Limit	5 consecutive minutes Stratford Transit = 15 minutes A/C tour bus = 10 min max to bring to temp, then must be shut off for minimum 15 minutes. No AC, then 5 minute rule applies.	3 minutes in a 60 minute period 'transit' = 15 minutes	5 consecutive minutes 'transit' = 15 minutes	3 minutes in a 60 minute period 'transit' = same unless passengers embarking or disembarking *exempt drive-throughs	3 minutes in a 60 minute period in "Idle Free Zones" defined in bylaw	5 minutes in a 60 minute period 'Transit' = 15 minutes	5 consecutive minutes 'Transit' = 15 minutes
Enforce	Bylaw officers in building/planning and police.	Transportation Services Division bylaw officers (deal with on-street parking, off-street parking, construction activities, street events & public amenities).	Any of their enforcement officers.	3 municipal law enforcement officers and any OPP officer; summer have 8 seasonal enforcement officers too.	Bylaw is voluntary. Considered making bylaw mandatory but decided to leave it as is as only have three full time and one part time to cover 86 mi ² .	Bylaw enforcement officers.	Bylaw enforcement officers.
History	No charges. Deal on a complaints basis.	Since 1999, 3,695 warnings, 475 tickets and 18 summons have been issued mostly during idling blitzes. Plan to continue with spring and fall blitzes each year.	No charges.	Respond to complaints and actively patrol as part of regular duties. No fines or summons have been issued.	Only applies to municipal facilities.	No charges. Enforce on a complaints basis.	No charges.
Set Fines	Set fine of \$115 + \$25 + \$5 court costs = \$145. A summons can also be issued.	Set fine of \$100 + 25 surcharge = \$125. A summons can also be issued.	\$350	\$150	No set fine.	\$105 + victim surcharge	No set fine.
Other	Flyers to educate public.	Bylaw under review by public health department. Final decision regarding changes in spring 2009.	Will be implementing an education program in 2009.	Healthy Communities Network, sub-committee of Council coordinated education i.e. signs, flyers, etc.	Signs posted on all municipal properties and at some schools.	No education component.	Education by Woodstock Environment Advisory Committee.

APPENDIX 4: DETAILED BYLAW CHANGES

Section of Bylaw	Clauses affected	Reason
Introduction	“Whereas” statements.	General housekeeping matters to ensure current and relevant sections of the <i>Municipal Act</i> are included. Some new statements added and others removed or combined into one statement.
Definitions	Drive-through.	Added for clarification. Drive-throughs are a permitted use in Burlington other than in the downtown core. They are considered to be similar to vehicles in traffic congestion. Other municipalities are beginning to exempt them from idling bylaws. Further details provided in section 4.0 of the report.
	Emergency vehicle	This definition not only encompasses fire, police and EMS but also other vehicles responding to an emergency including for example, transit vehicles and good samaritans.
	Idling	The definition of idling was changed to now define it as a parking offence. This, along with reducing the permitted idling time, will help to increase the level of enforcement. Parking tickets are issued to vehicle owners and personal information is not required from the driver. Further details are provided in section 4.0 of the report.
	Layover	The previous bylaw defined layover and stopover separately. The two definitions are combined into one. The allowable idling time is reduced from 10 minutes to 5 minutes as per the 2008 Transit Operational Efficiency Review (TT-47/08, CC-166-08-1) in an effort to save \$20,000. Council approved this revised policy change effective November 1, 2008.
	Mobile work	Definition remained the same. The examples were removed.
	Highway, municipal property, officer and private property.	These were added for clarification.
	Transit vehicle & vehicle	Definitions remained the same.
Application	New section	Added for clarification.
Prohibitions	Idling reduced from three minutes in a 60 minute period to one minute	This change was made for several reasons as described in the report (section 4.0): <ul style="list-style-type: none"> - This was the suggested timeline for the “model bylaw”¹⁸ prepared on behalf of NRCan in 2005. - To complement NRCan’s new research that suggests idling be limited to one minute (balancing CACs, GHGs, fuel use and extra wear and tear for the car components).¹⁹ - To allow for increased enforcement i.e. officers do not have to wait as long to enforce the bylaw.
Exemptions	Fire, police or EMS changed to emergency vehicles	As stated above, ‘emergency vehicles’ not only encompasses fire, police and EMS but also other vehicles responding to an emergency including for example, transit vehicles and good samaritans. Therefore the exemption from the original bylaw “vehicles participating in an emergency activity” was removed.

¹⁸ Clean Air Partnership. 2005. *Cracking Down on Idling: A Primer for Canadian Municipalities on Developing and Enforcing Idling Control Bylaws*. Report prepared for: Natural Resources Canada and the Greater Toronto Area Clean Air Council.

¹⁹ Natural Resources Canada. *Idle Free Zone Website. Emission impacts resulting from vehicle idling*. Available: <http://oee.nrcan.gc.ca/transportation/idling/impact.cfm?attr=28>.

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Section of Bylaw	Clauses affected	Reason
	A vehicle that is stationary...	Minor clarification.
	Temperature exemption	<p>This was removed as explained in the report section 4.0.</p> <ul style="list-style-type: none"> - Several bylaws exclude the temperature exemption and some municipalities that have this exemption are also considering whether or not to remove it. - Many use the temperature exemption as an excuse to idle. The bylaw addresses <i>unnecessary</i> idling and should one need to idle i.e. to clear their windows in winter, they are allowed to do so. However, we expect that residents will also be scraping their windows and not only using the defrost/defog function on their car. - Complaints have been received about people idling unnecessarily in the summer months especially at a time when we want to discourage people from running their cars unnecessarily (i.e. a smog alert). In such situations, there wasn't anything that staff could do. - Removing the exemption will make it easier to enforce the bylaw as enforcement staff do not have to take note of the temperature (which can vary greatly within Burlington).
	Medical doctor certificate	This exemption was clarified.
	Transit exemptions	Layover exemption kept. "Passengers embarking or disembarking" exemption was removed as it is now redundant since the definition of layover includes embarking and disembarking.
	Other exemptions remain the same	i.e. mobile work vehicles, idling to repair a vehicle, to prepare a vehicle for service, and vehicles in a parade.
	New exemption	Vehicles which are operated on the travelled portion of a drive-through lane. This was added as explained in the definition of drive-through above and in section 4.0 of the report.
Administration and enforcement	Changes to existing provisions and new provisions added	For clarification.
Repeal	A new section	To repeal the existing bylaw (since a new bylaw will be adopted).
Enactment	Enactment date of bylaw and date of force.	Date of force and effect will be June 1, 2009, during Environment Week, assuming that the City receives approval for a set fine from the Ministry of the Attorney General's office by then.