



**Bylaw No. 1005
Municipality of Hinton Alberta
Anti Idling Bylaw**

WHEREAS, Pursuant to the Municipal Government Act, Chapter M-26, Statutes of Alberta.

AND WHEREAS, Pursuant to Part 2, Division 1, Section 7, of the Municipal Government Act, a municipality may pass bylaws with respect to the health, safety and well being of its community.

THEREFORE, The Municipal Council of Hinton in the Province of Alberta duly assembled , enacts as follows.

Part 1: Bylaw Title

This bylaw shall be known as the “ **Anti-Idling Bylaw**”

Part 11: Definitions

2. In this bylaw:
- (a) “Idle” and “Idling” shall mean the operation of an internal combustion engine of a vehicle while the vehicle is not in motion;
 - (b) “Peace Officer” shall mean a Bylaw Enforcement Officer, Municipal Enforcement Officer, a member of the RCMP or Special Constable as appointed pursuant to the provisions of the *Police Act, RSA 2000, Chapter P-17*.
 - (c) “Vehicle” shall mean 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 operated wholly, or in part, by an electric motor.

Part 111: Provisions

3. No person shall cause or permit unnecessary idling of a vehicle in excess of fifteen (15) minutes.
4. Section 3 does not apply to:
- (a) Vehicles idling while passengers are embarking or disembarking;

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- (b) Vehicles idling because of traffic, an emergency, or mechanical difficulties;
- (c) Armored vehicles involved in the secure delivery and pick up of goods;
- (d) Emergency vehicles, when used by a person engaged in the duties of their employment;
- (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 a public utility.

5.1 Every person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not less than \$250.00 and not more than \$10,000.00 or imprisonment of not more than six months.

2. A Peace Officer may issue a Bylaw Traffic Violation to any person in contravention of any provision of this bylaw, which will require payment of penalties as specified in Schedule "A" of this bylaw.

3. Each day that a contravention of the provisions of this Bylaw exists or is permitted to exist shall constitute a separate offence.

4. A traffic violation ticket is deemed to be sufficiently served:

- a. If served personally on the Driver or Owner of the vehicle.
- b. If mailed to the address of the registered owner of the vehicle.
- c. If attached to or left upon the offending vehicle.

5. If any court of competent jurisdiction declares any provision of this bylaw invalid, the invalid portion must be severed and the remainder of the bylaw is deemed valid.

This bylaw shall come into full force and effect on date of passing.

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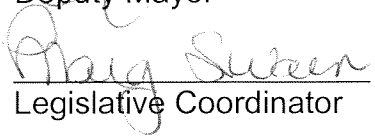
READ A FIRST TIME this 3rd day of January 2006.

READ A SECOND TIME this 3rd day of January 2006.

READ A THIRD TIME this 17th day of January 2006.



Deputy Mayor



Legislative Coordinator

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SCHEDULE "A"
Bylaw No. 1005

Offences and Fines

Section	Designated Expression	Fine	
3	Cause or permit a vehicle to idle unnecessarily for more than fifteen (15) minutes	1 st offense	\$57.00
		2 nd offense	\$100.00
		3 rd offense	\$150.00