

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 037-2025

A By-law to amend Idling By-law 170-2004, as amended, to: add and update various definitions, reflect changes to the legislative authority for municipalities to appoint municipal by-law enforcement officers, and clarify interpretation of the By-law.

WHEREAS section 11(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws for the economic, social and environmental well-being of the municipality, including respecting climate change, and the health, safety and well-being of persons;

AND WHEREAS the City of Vaughan enacted Idling By-law 170-2004, as amended, in which municipal by-law enforcement officers have the authority to enforce the By-law;

AND WHEREAS section 55 of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1 ("*Community Safety and Policing Act*") gives municipalities the authority to appoint *Municipal By-law Enforcement Officers* and repeals and replaces the *Police Services Act*, R.S.O. 1990, c. P. 15 ("*Police Services Act*") which previously gave municipal councils that authority;

AND WHEREAS the Council of The Corporation of the City of Vaughan deems it necessary to amend the Idling By-law to reflect this change to legislative authority, and make other updates regarding definitions and interpretation of the By-law;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. To amend By-law 170-2004, as amended, as follows:

(a) delete and replace section 3.0 with the following:

3.0 Definition and Interpretation

(1) In this by-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context requires.

- (2) Wherever a word is used in this By-law with its first letter capitalized and the whole word italicized, the term is being used as it is defined in 3.0(4) of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- (3) Any reference to a statute, regulation, by-law or other legislation shall include such statute, regulation, by-law or legislation as amended, re-enacted, replaced, or superseded.
- (4) For the purposes of this By-law:
- “Administrative Penalties By-law” refers to the City Administrative Penalties By-law 240-2024;
- “Armoured Vehicle” means a modified or purpose-built *Motor Vehicle* with armoured plating or other similar reinforced protective features that is used by a licensed security services provider for the purpose of transporting valuables, such as large amounts of cash money;
- “City” refers to the corporation of the City of Vaughan;
- “Idle” means the operation of the engine of a vehicle while the vehicle is not in motion and not being used to operate auxiliary equipment that is essential to the basic function of the vehicle and
- “idling” has a corresponding meaning;
- “Layover” means stopping at a point along a transit route for a maximum of fifteen (15) minutes to allow a *Transit Vehicle* to adjust to service schedules;
- “Mobile Workshop” means:
- (a) a vehicle containing equipment that must be operated inside or in association with the vehicle; or
 - (b) a vehicle conducting maintenance or construction or serving as a facility for taking measurements or making observations operated by or on behalf of municipality, public utility or police, fire or ambulance service;

“Motor Vehicle” includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in the *Highway Traffic Act*, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a streetcar, or other motorized vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the *Highway Traffic Act*;

“Municipal By-law Enforcement Officer” means a *Person* appointed as a *Municipal By-law Enforcement Officer*, pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P.15 or section 55 of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1, to enforce the provisions of this By-law;

“Order” means a written notice issued by a *Municipal By-law Enforcement Officer* directing a *Person* to take some action in compliance with a *City* by-law;

“Person” means an operator of a Motor Vehicle, and includes the owner or lessee of a Motor Vehicle, including commercial vehicles, whether an individual, corporation, association, firm or partnership;

“Stopover” means a scheduled delay of a maximum of fifteen (15) minutes at a Transit Vehicle terminal to allow Transit Vehicles to adjust services schedules;

“Transit Vehicle” means York Transit vehicles, GO Transit vehicles, paratransit vehicles, tour buses and motor coaches.

- (b) delete reference to “as amended” and “as amended, or its successor by-law”;
- (c) delete and replace reference to “Enforcement Officer” with “*Municipal By-law Enforcement Officer*”;
- (d) delete and replace the text “a notice” in section 7.0(1) with “an *Order*”;
- (e) delete and replace the text “a notice to comply” in section 7.0(2) with “an *Order*”;

- (f) delete and replace the text in section 9.0(2) with the following:
“Where an *Order*, fine or other penalty has been issued under any by-law repealed by this By-law, a *Municipal By-law Enforcement Officer* may issue for the corresponding contravention an *Order*, fine or other penalty under the provisions of this By-law, with due consideration for any action taken under such previous by-laws;”
- (g) delete and replace reference to “administrative monetary penalty” with “administrative penalty”;
- (h) delete and replace reference to “administrative monetary penalties” with “administrative penalties”.
- (i) delete and replace reference to “Administrative Monetary Penalties By-law” with “Administrative Penalties By-law”.
- (j) delete and replace section 10.0(1) with the following:
 - (1) This is a designated by-law as per Schedule 1 of the *Administrative Penalties By-law*.

Voted in favour by City of Vaughan Council this 25th day of February, 2025.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 13 of Report No. 1 of the Committee of the Whole.
Report adopted by Vaughan City Council on January 28, 2025.
City Council voted in favour of this by-law on February 25, 2025.
Approved by Mayoral Decision MDC 002-2025 dated February 25, 2025.
Effective Date of By-Law: February 25, 2025