CITY OF YELLOWKNIFE
BY-LAW NO. 4478

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, to amend Highway Traffic By-law No. 4063, as amended to date.

PURSUANT TO SECTIONS 70 and 73 of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22;

WHEREAS the Council of the Municipal Corporation of the City of Yellowknife has enacted Highway Traffic By-law No. 4063; and

AND WHEREAS the Council of the Municipal Corporation of the City of Yellowknife wishes to amend Highway Traffic By-law No. 4063 Section 2 and Section 66 which relates to definitions and idling vehicles;

AND WHEREAS the Council of the Municipal Corporation of the City of Yellowknife wishes to add a severability clause to Highway Traffic By-law No. 4063;

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular session duly assembled, enacts as follows:

APPLICATION

1. That Highway Traffic By-law No. 4063 is hereby amended by:

    (a) Adding the definition of "Idle" to Section 2 with:

"Idle"	means the operation of a vehicle engine while the vehicle is not in motion and "idling" has a corresponding meaning.

    (b) Deleting the definition of a "Mobile Workshop" from Section 2 in its entirety and replacing it with:

"Mobile Workshop"   means a vehicle containing equipment that must be operated inside or in association with the vehicle or a vehicle serving as a facility for taking measurements, or making observations or conducting maintenance or construction operated by or on behalf of the City, public utility or enforcement, fire or emergency service.

(c)   Adding the definition of "Vehicle – Power Take Off" to Section 2 with:

"Vehicle-Power   means a vehicle containing
Take Off"   work equipment that must be powered by the vehicle engine.

(d)   Deleting Section 66 in its entirety and replacing it with:

66.   (1)   No person shall cause or permit an unattended vehicle engine to idle for more than 3 minutes in a 60 minute period.

      (2)   Subsection (1) does not apply to the following:

            (a)   Police, enforcement, fire or ambulance vehicles while engaged in operational activities;
            (b)   Vehicles assisting in an emergency activity;
            (c)   A mobile workshop while such vehicle is being used as a mobile workshop;
            (d)   Vehicles with power take-off while they are in the course of being used for their basic function;
            (e)   Vehicles for which idling is required to service the engine or conduct repairs;

(f) Armoured vehicles which a person remains inside the vehicle while guarding the contents, or while the vehicle is being loaded or unloaded;

(g) Vehicles remaining motionless because of an emergency, traffic, weather conditions or mechanical difficulties over which the driver has no control;

(h) Vehicles engaged in the course of a parade, procession or race or any other event authorized by Council;

(i) Vehicles idling while passengers are embarking or disembarking;

(j) Vehicles when the ambient temperature outside is less than -10 degrees Celsius, and then for no longer than 15 minutes.

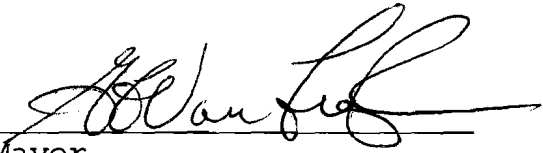(3) An unattended vehicle which is left idling with the keys in the ignition must have all the doors locked.

(e) Amending Schedule D to separate the fines for Section 65 and 66 to read as follows:

Large vehicle illegally idling	65	$40.00
Vehicle illegally idling	66(1)	$40.00
Unattended Vehicle idling with keys in ignition and doors unlocked	66(3)	$40.00

EFFECT

2. This by-law shall come into effect upon having received Third Reading and otherwise meeting the requirements of Section 75 of the *Cities, Towns and Villages Act*.

READ a First time this 28 day of _APRIL_
A.D., 2008.

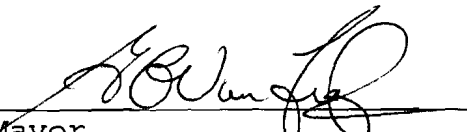_____
Mayor

_____
City Administrator

READ a Second time this 28 day of _APRIL_
A.D., 2008.

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Mayor

_____
City Administrator

READ a Third time and finally passed this 12TH day of
MAY A.D., 2008.

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Mayor

_____
City Administrator

I hereby certify that this by-law has been made in accordance with the requirements of the _Cities, Towns and Villages Act_ and the by-laws of the Municipal Corporation of the City of Yellowknife.

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City Administrator

Docs.#140708