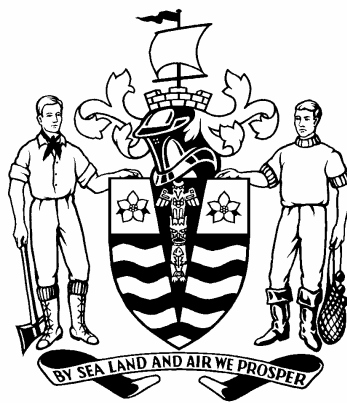


CITY OF VANCOUVER BRITISH COLUMBIA



MOTOR VEHICLE NOISE AND EMISSION ABATEMENT BY-LAW NO. 9344

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the City of Vancouver

MOTOR VEHICLE NOISE AND EMISSION ABATEMENT BY-LAW

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BY-LAW NO. 9344

Motor Vehicle Noise and Emission Abatement By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

SECTION 1 INTERPRETATION

Name of By-law

1.1 The name of this By-law, for citation, is the “Motor Vehicle Noise and Emission Abatement By-law”.

Definitions

1.2 In this By-law:

“idle” or “idling” means the operation of the engine of a motor vehicle that is not in motion; and

“motor vehicle” means a vehicle which is self-propelled or propelled by electric power obtained from overhead wires but does not include a motorized wheelchair or a vehicle operated upon rails or tracks.

Table of contents

1.3 The table of contents for this By-law is for convenient reference only, and is not for use in interpreting or enforcing this By-law.

Schedules

1.4 Schedules attached to this By-law form part of this By-law.

Severability

1.5 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

**SECTION 2
MOTOR VEHICLE NOISE AND EMISSION ABATEMENT**

Disturbing noises

2.1 The following noises are, in the opinion of Council, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public:

- (a) the squeal of a tire, made by a motor vehicle that is accelerating or changing direction;
- (b) a loud, roaring, or explosive sound emitted by a motor vehicle;
- (c) the amplified sound of a radio, television, player, or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor vehicle and that someone outside the motor vehicle can easily hear;
- (d) the sound from vehicle-mounted sound amplification equipment made continuously for more than two minutes at the same location;
- (e) the sound of an automobile security system made, either continuously or intermittently, for a period exceeding one minute, or the sound of an automobile security system, not including its activation status signal, made more than three times in a 24 hour period; and
- (f) the sound of a motor vehicle that is idling in contravention of section 2.7 of this By-law except as exempted by section 2.8.

Prohibition against disturbing noises

2.2 A person must not make or cause to be made any objectionable noise set out in section 2.1 of this By-law.

Noise from motor vehicle

2.3 A person must not operate a motor vehicle so as to cause a nuisance by noise from the motor vehicle.

Motor vehicle horn or warning device

2.4 A person must not use or operate a horn or other warning device on a motor vehicle for any purpose other than as an audible warning incidental to the safe operation of the motor vehicle.

Approved motor vehicle race or parade

2.5 The prohibitions set out in sections 2.2, 2.3, and 2.4 are not to apply to participants in a motor vehicle race or a parade which Council has approved.

Engine brake

2.6 A person must not use or operate a “Jacobs” brake or other type of engine brake on a motor vehicle for any purpose other than as an emergency braking device incidental to the safe operation of the motor vehicle.

Idling

2.7 A person must not cause or permit a motor vehicle to idle:

- (a) for more than three consecutive minutes in a 60 minute period; or
- (b) while unattended and unlocked.

Idling exception

2.8 Section 2.7(a) does not apply to a:

- (a) motor vehicle that contains or has attached to it equipment requiring power from the engine to operate in the course of the operation of such equipment for a commercial or public purpose;
- (b) police, fire, ambulance, or other emergency motor vehicle in the course of the performance of police, fire, ambulance, or other emergency duties including training activities;
- (c) motor vehicle in the course of assistance in an emergency;
- (d) armoured motor vehicle, used to transport money or valuables, in which a person remains to guard the contents, in the course of the loading or unloading of such money or valuables;
- (e) motor vehicle in the course of a race or parade Council has approved; or
- (f) bus while its passengers are in the course of embarking or disembarking.

Impounding

2.9 For the purposes of the Impounding By-law, Council deems a motor vehicle that:

- (a) has an automobile security system operating in contravention of this By-law; or
- (b) is idling while unattended and unlocked or insecure;

to be a vehicle unlawfully left upon a street.

SECTION 3 ENFORCEMENT

Offences under By-law

3.1 A person who:

- (a) violates any provision of this By-law, or does any act or thing which violates any provision of this By-law, or suffers or allows any other person to do any act or thing which violates any provision of this By-law;
- (b) neglects to do or refrains from doing anything required to be done by any provision of this By-law; or
- (c) fails to comply with an order, direction, or notice given under any provision of this By-law, or suffers or allows any other person to fail to comply with an order, direction, or notice given under any provision of this By-law;

is guilty of an offence against this By-law, and liable to the penalties imposed under this Section 3.

Fine for offence

3.2 Every person who commits an offence against this By-law is punishable on conviction by a fine of not less than \$100.00 and not more than \$2,000.00 for each offence, except that the fine under section 2.7 is not to be less than \$50.00 for a person operating a motor vehicle other than a bus, being a motor vehicle having a seating capacity of more than 12 persons, including the driver, operated for hire or for public transportation, or a truck, being a motor vehicle or combination of motor vehicles having a gross vehicle weight in excess of 10,000 kilograms.

Fine for continuing offence

3.3 Every person who commits an offence of a continuing nature against this By-law is liable to a fine not exceeding \$50.00 for each day such offence continues.

SECTION 4 EFFECT OF BY-LAW, REPEAL, AND ENACTMENT

Effect of this By-law

4.1 The provisions of this By-law are in addition to, and not in substitution for, the provisions of the Noise Control By-law.

Repeal

4.2 This By-law repeals By-law No. 4338.

Force and effect

4.3 This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 18th day of July, 2006

(signed) Sam Sullivan
Mayor

(signed) Syd Baxter
City Clerk

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