

## BYLAW NO. 3238/99

Being a bylaw of the City of Red Deer to provide for actions or recourses to be taken in an emergency.

Under Section 7(a) of the Municipal Government Act, a Council may pass bylaws for the “safety, health and welfare of people and the protection of people and property”.

Under Section 551 of the Municipal Government Act, in an emergency a municipality may take whatever actions or measures are necessary to eliminate the emergency.

THE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

### TITLE

1 This bylaw may be called the “Emergency Services Bylaw”.

### DEFINITIONS

2 In this bylaw:

“Department” means The City of Red Deer Emergency Services Department;

“Emergency” means a fire, a situation where a fire or explosion is imminent or any other situation that presents a danger to public safety or possible hazard to life, property or the environment and to which the Emergency Services Department responded;

“Equipment” means any tools, contrivances, devices or materials used by the Emergency Services Department to combat an emergency;

“Fire Apparatus” means any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters or fire fighting supplies;

“Fire Protection” means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, and training or other staff development;

“Member” means any member of the Emergency Services Department and includes officers;

“Property” includes land, buildings and structures, and any personal goods such as vehicles and furniture, and any tangible or inanimate object.

3 The Emergency Services Manager, or other member in command at the site of an emergency, shall have control, direction and management of any Department apparatus, equipment or manpower assigned to an incident and, where a member is in charge, such member shall continue to act until relieved.

4 The Emergency Services Manager or other member in command at the site of an emergency will take such action as is reasonably necessary to eliminate the dangers or hazards posed by the emergency and may:

(a) cause a building, structure or any other property to be pulled down, demolished or otherwise removed so as to prevent the spread of fire or hazard to other buildings, structures or property;

(b) enter or to cause any member, apparatus or equipment to enter

premises or property where the emergency occurred, in order to combat, control or deal with the emergency;

- (c) enter, pass through, remain on or pass over or cause any member, apparatus, or equipment to enter, pass through, remain on or pass over the land or building where the emergency occurred and any land or building adjacent to the emergency in order to combat, control or deal with the emergency;
- (d) establish a safety zone around the location of an emergency and keep persons from entering that area unless authorized by the member in charge;
- (e) call upon police officers to prevent persons from entering a safety zone;
- (f) obtain assistance from other municipal officials to assist any member in performing the duties required under this bylaw;
- (g) compel adult persons who are not members to assist in extinguishing a fire, removing property from any building on fire or in danger thereof, in guarding and securing same and in demolishing a building or structure at or near the emergency;
- (h) commandeer privately owned equipment which the member in charge considers necessary to deal with the emergency.

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No person shall:

- (a) impede, obstruct or hinder a member or any other person assisting

or acting under the direction of the Emergency Services Manager or the member in charge at an emergency;

- (b) damage or destroy Department apparatus or equipment;
- (c) drive a vehicle over any equipment without permission of the Emergency Services Manager or any other member in charge at an emergency;
- (d) obstruct a member from carrying out duties imposed by this bylaw;
- (e) falsely represent themselves as a member or wear or display any Department badge, cap, button, insignia, or other paraphernalia for the purpose of false representation;
- (f) obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water required for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water required for fire fighting purposes;
- (g) enter the boundaries or limits of a safety zone established under section 4(d) unless authorized by the Emergency Services Manager or the member in charge.

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Any person who:

- (a) violates any of the provisions of this bylaw, or
- (b) who suffers or permits any act or thing to be done in contravention

or in violation of any of the provisions of this bylaw, or

(c) who neglects to do or refrains from doing anything required to be done under any of the provisions of this bylaw, or

(d) who does any act or thing or omits any act or thing thus violating any of the provisions of this bylaw,

shall be guilty of an offence and, upon a summary conviction, is liable to imprisonment for a term of not more than six months or to a fine of not less than \$500.00 and not more than \$2,500.00, or to both fine and imprisonment.

7 Bylaw No. 3158/96 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this 5 day of July A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this 5 day of July A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this 5 day of July A.D. 1999.

AND SIGNED BY THE MAYOR AND CITY CLERK this 5 day of July A.D. 1999.

"G. D. Surkan"

"Kelly Kloss"

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MAYOR

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CITY CLERK

