THE CITY OF WINNIPEG

BY-LAW NO. 89/2013

A By-law of THE CITY OF WINNIPEG to amend the Fire Paramedic Service By-law

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Fire Paramedic Service By-law amended

1 The Fire Paramedic Service By-law No. 6311/94 is amended by this By-law.

Section 1 amended

2 Section 1 is amended by

(a) replacing the definition *"equipment"* with the following:

"Equipment" *includes vehicles, supplies and equipment intended or used for the purposes of fighting or preventing fires or for responding to other emergencies.*

(b) adding the following definitions in alphabetical order:

"emergency" *means a present or imminent situation or condition that requires prompt action to prevent or limit*

(a) loss of life;

(b) harm or damage to the safety, health or welfare of people; or

(c) damage to property or the environment.

"emergency response services" *includes the following services provided at the site of an emergency or a disaster:*

(a) fire suppression;

(b) emergency medical care;

(c) search and rescue;

(d) hazardous materials response.

"fire" *includes an explosion.*

Section 2 amended

3 Subsection 2(2) is amended by

(a) replacing *"property"* in clause (a) with *"equipment"*;

(b) adding the following clause immediately after clause (a):

(a.1) for establishing an organizational structure for the department, including duties for officers and members of the department;

Section 3 amended

4 Section 3 is amended in subsection (2), by striking out "*and any Assistant Chiefs*".

Section 4 replaced

5 Section 4 is replaced with the following:

Duties and powers of Chief

4(1) *The Chief shall carry out duties and tasks assigned to him or her by this By-law, the Fire Paramedic Service Regulations, Council or the Chief Administrative Officer, under the supervision of the Chief Administrative Officer.*

4(2) *Without restricting the general nature of subsection (1), the Chief is responsible for providing appropriate emergency response services at fires and other emergencies.*

4(3) *The Chief is responsible for the operation of the Winnipeg Fire Paramedic Service, including administrative staff.*

Section 5 and 6 repealed

6 Section 5 and 6 are repealed.

Section 7 replaced

7 Section 7 is replaced with the following:

Emergency response outside City limits

7 *The Chief may provide emergency response services outside the boundaries of the City of Winnipeg only*

(a) in accordance with an agreement for the provision of emergency response services duly approved and executed by the City of Winnipeg; or

(b) in an emergency, at the request of a representative of the Government of Canada or the Government of Manitoba, or an agency of either of those governments, a municipal government, or a band as defined in the Indian Act (Canada), on condition that the body requesting the emergency response services agrees to provide payment upon demand for the emergency response services, including any personnel and equipment considered by the Chief to be

necessary in order to respond to the emergency, in accordance with fees established by or on behalf of Council.

Section 8 amended

8 Section 8 is amended by

(a) adding *"Emergency Medical Responses and Other Emergencies"* in the heading;

(b) replacing the stem with "*The Chief or designate at the scene of a fire, emergency medical response or other emergency, may*";

(c) adding *"emergency medical response, or other emergency"* immediately after *"fire"* in clause (b);

(d) adding the following immediately after clause (c):

(d) order individuals who are not members of the department to evacuate or leave the site of a fire, emergency medical response or other emergency or to take other actions in order to facilitate the fighting of a fire or dealing with the emergency;

(e) take other actions or measures that are necessary to meet emergencies and to eliminate or reduce their effects.

Section 9 repealed

9 Section 9 is repealed.

Section 10 replaced

10 Section 10 is replaced with the following:

Recognition of valour

10. Council may, by resolution, recognize especially heroic, gallant or courageous actions by members of the Department by the presentation of a medal or some other appropriate gesture or declaration.

Section 11 amended

11 Section 11 is amended by

(a) striking out "*wantonly or maliciously*" in subsection (1);

(b) replacing *"appliance"* with *"equipment"* in subsection (5);

(c) replacing subsection (6) with the following:

(6) No person shall in any way impede the Department, a member of the Department or a person providing assistance to a member of the

Department from providing an emergency response service.

(d) replacing subsection (8) with the following:

(8) No person shall, without authorization,

(a) enter past the limits of an area prescribed by the Chief or designate in charge of a fire or other emergency under clause 8(b);

(b) enter into portions of streets or lanes that have been closed off under clause 8(c);

(c) refuse to comply with an order issued by the Chief or designate in charge at a fire or other emergency under clause 8(d);

(d) refuse to comply with an order issued by the Chief or designate in charge at a fire or other emergency under clause 8(e).

Section 11.1 added

12 The following is added immediately after section 11:

11.1 A person who contravenes a provision of this By-law is guilty of an offence and is subject, upon summary conviction, to a fine not exceeding $50,000.00 or, in the case of an individual, to imprisonment for a term of not more than six months, or to both a fine and imprisonment.

DONE AND PASSED, this day of , 2013.

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Mayor

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City Clerk

Approved as to content:

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Fire and Paramedic Chief

Approved as to form:

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For Director of Legal Services/City Solicitor