

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

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**BEING A BYLAW OF THE VILLAGE OF FORT SIMPSON, A MUNICIPAL CORPORATION IN THE NORTHWEST TERRITORIES, TO ESTABLISH OPERATIONS OF AN EMERGENCY RESPONSE AND PROTECTIVE SERVICE.**

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Pursuant to Sections 97, 98, 99, 100, 101 and 120 of the Cities, Towns and Villages Act, R.S.N.W.T. 2003, c.22.

**WHEREAS** the Village of Fort Simpson deems it desirable to establish and operate an emergency response and protective service;

**NOW, THEREFORE BE IT RESOLVED** That the Council of the Corporation of the Village of Fort Simpson enacts as follows:

**SHORT TITLE**

1. This By-law may be cited as the "Emergency Response and Protective Services By-law."

**DEFINITIONS**

2. In this By-law:
  - a) "Carrier" Means an individual, corporation, partnership or any other Commercial enterprise which uses large vehicles for the transportation of dangerous goods;
  - b) "Village" Means the Municipal Corporation of the Village of Fort Simpson;
  - c) "Council" Means the Council of the Municipal Corporation of the Village of Fort Simpson.
  - d) "Dangerous Goods" Means any material which presents an actual or Potential threat to human health and safety or to the environment, including, but not limited to any materials requiring placards or labels as identified by Transport Canada under the Transport of Dangerous Goods Regulations;
  - e) "Deputy Fire Chief" Means the person appointed pursuant to the Procedure described in Section (3) of this By-Law.
  - f) "Division" Means the emergency response and protection service of the Village;

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

---

- g) "Emergency"  
Means a situation that presents a threat or potential threat to persons, property or the environment or any other situation requiring the services of the division;
- h) "Emergency Medical Services"  
Means the provision of Ambulance and/or other Emergency pre-hospital care;
- i) "Equipment"  
Means any equipment, apparatus or appurtenances specialized or otherwise used by the Division to provide the services referred to in this by-law;
- j) "False Alarm"  
Means an occurrence in which the Division is called to a site and finds that no emergency exists or has existed;
- k) "Fire Chief"  
Means the person appointed pursuant to the procedure described in Section (3) of this by-law;
- l) "Fire Protection"  
Means all aspects of fire safety, including but not limited to, fire prevention, fire inspection, fire fighting or suppression, pre-fire planning, fire investigation, public education and member training and development;
- m) "Member"  
Means a person that is duly appointed as a member of the Division;
- n) "Member-In-Charge"  
Means the person appointed pursuant to Section (4) of this by-law;
- o) "Officer"  
Means a person who is appointed in accordance with the Cities, Towns and Villages Act to act as a Bylaw Officer to enforce the bylaws of the Village and any Peace Officer who is authorized to enforce the bylaws Of the Village;
- p) "Order"  
Means a written or verbal directive issued in accordance with the provisions of this bylaw, to or against a person to do any act or refrain from doing any act;
- q) "Permit"  
Means a burning permit issued pursuant to this bylaw in a form prescribed in Schedule B attached hereto;

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

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- r) "Property"  
Means real or personal property whether movable or immovable;
- s) "Person"  
Means an individual, corporation, partnership, society, cooperative or other incorporated legal entity;
- t) "Rescue"  
Means specialized physical removal of persons involved in emergencies; and
- u) "Structure"  
Means any building, plant, machinery, equipment, storage place or fixture of any kind whatsoever erected or placed on, in, over or under land.

**APPOINTMENT OF THE FIRE CHIEF AND OTHER OFFICERS**

- 3. The members of the emergency response and protection service shall prepare a procedure for the selection of a fire chief and other officers. This procedure will be provided to Council for review and consideration. When adopted by Council, this procedure will be attached to and form part of this bylaw as "Appendix A"

**RESPONSIBILITIES OF THE FIRE CHIEF**

- 4. The Fire Chief is responsible for the proper administration and operation of the Division.
  - a) In the absence of the Fire Chief, the Deputy Fire Chief shall possess all powers and perform all duties of the Fire Chief.
  - b) In the absence of the Deputy Fire Chief, the Fire Chief may appoint a member to act as a Fire Chief and this person shall be referred to as the Member-In-Charge.
  - c) The Fire Chief, Deputy Fire Chief, or the Member-In-Charge shall have control, direction and management of all members and equipment assigned to an emergency and, where a member has been appointed the Member-In-Charge, he shall continue to exercise control of the emergency until relieved by a member of higher rank.

**AUTHORITY OF THE FIRE CHIEF**

- 5. The Fire Chief is hereby authorized to take steps which he deems, in his absolute discretion, to be appropriate in the circumstances for the purposes of controlling or eliminating an emergency. Without limiting the generality of the foregoing, the Fire Chief may:

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

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- a) Cause property or other structures to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire;
- b) Enter structures or property where an emergency exists and to cause any member or equipment to enter the structures or property, as deemed, necessary, in order to combat, control or manage the emergency;
- c) Enter, pass through or over structures or property in the vicinity of an emergency and to cause members or equipment to enter or pass through or over the structures or property, as deemed necessary, in order to combat, control or manage the emergency;
- d) Order the evacuation of persons and establish boundaries or limits to prevent unauthorized persons from entering the area or vicinity where an emergency exists;
- e) Obtain assistance from other officials, agencies or organizations as deemed necessary in order to discharge his duties and responsibilities, pursuant to this bylaw, and
- f) Upon the instructions of the Mayor, provide assistance to other officials, agencies or organizations for emergencies outside the boundaries of the municipality.

**EMERGENCY MEDICAL SERVICES**

- 6. The Division shall provide all emergency services within the boundaries of the Village:
  - a) The following Exceptions apply:
    - (i) Employers who provide emergency medical services to their own employees;
    - (ii) Taxi companies , which provide transportation of ambulatory persons;
    - (iii) Any person, agency or organization located outside the Village, which transports persons to the hospital or other medical care facilities in the Village or transports persons from the Village's hospital or other medical care facilities to destinations outside the Village.
  - b) The Division shall be authorized to provide emergency medical services beyond the boundaries of the Village subject to the following:

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

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- (i) The Division only responds to medical calls or transfers beyond the Village boundaries with the verbal approval of the Fire Chief and/or his designated officer.
  - (ii) The Division are authorized to respond to motor vehicle accidents in an area beyond the Village boundaries that has been authorized by the Fire Chief and/or his designated officer.
  - (iii) One ambulance shall remain in service within Village at all times.
  - (iv) All emergency rescues requiring air support will be billed to the client or the third party acting on their behalf.
- c) The fees for emergency medical service are set out as Schedule "C" to this Bylaw are hereby established.
- d) The fee for service for Volunteer Ambulance Attendance are set out in Schedule "C" to this Bylaw is hereby established.
- e) That 25% of all monies raised from the Rescue Services Fees be deposited in the Ambulance & Emergency Equipment Reserve Fund as established by Bylaw 371.

**RESCUE SERVICES**

7. The Division may provide rescue services in accordance with the provisions of this bylaw.

**REMEDIES OF THE VILLAGE**

8. a) If any person, owner, occupant or tenant responsible for any property, Structure or carrier has been issued an order as provided herein, and that Person neglects or refuses to comply with the order within the time Specified, the Village may take the steps it deems reasonable in the Circumstances to remedy the situation.
- b) All expenses incurred by the Village pursuant to Subsection (a) are recoverable from such persons and shall be in addition to and not a substitute for any fine or penalty to which the person may be subject to under this bylaw. Any sums owing to the Village shall be paid within thirty (30) days following the receipt of notice.

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

- c) All expenses incurred by the Village for the repair of damages to equipment shall be recoverable from against any person creating an emergency or receiving the services of the Division.
- d) The Village shall be entitled to levy reasonable charges for the use of Division equipment in accordance with rates set out in Schedule C, attached hereto.

**OFFENCES**

9. Without limiting the generality of the provisions herein, the following shall constitute an offence under this bylaw:
- a) Interfering with, obstructing or hindering a member or other person assisting or acting under the direction of the Fire Chief;
  - b) Damaging, destroying or interfering with the use of the Division equipment;
  - c) Driving a vehicle over any equipment without the permission of the Fire Chief;
  - d) Making a false alarm
  - e) Creating an emergency
  - f) Failing to comply with an order
  - g) Creating a dangerous goods incident through improper storage, release, spill, disposal or ignition of any dangerous goods.
  - h) Providing Unauthorized Emergency Medical Services
  - i) Setting an unapproved outside fire
  - j) Causing damages while in possession of a burning permit
  - k) Endangering persons while in possession of a burning permit or;
  - l) Causing a nuisance

**BURNING PERMITS**

10. No person shall set an outdoor fire within the municipal boundaries of the Village

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**

**Bylaw #2016-007**

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Except upon prior written approval of the Fire Chief or authorized designate as evidenced by a burning permit as prescribed in Schedule B, attached hereto.

- a) The above does not apply to fires contained by metal barbeques or similar masonry containers which use gas, charcoal or wood.
- b) A person who has obtained a burning permit shall exercise utmost care and take all necessary steps to ensure that they do not create an emergency or cause a nuisance to persons or property in the vicinity.


**PENALTIES**


- 11. a) Any person violating any provision of this bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding:
  - i) Two Thousand Dollars (\$2000.00) for an individual
  - ii) Then Thousand Dollars (\$10,000.00) for a corporation; or
  - iii) Imprisonment for a period not exceeding six (6) months in default Of payment of fine.
- b) An officer may issue a summary offence ticket information in the form prescribed by the Summary Conviction Procedures Act; to any person who violates any provision of this bylaw and such person may, in lieu of prosecution, pay the Village the voluntary penalty for the offence listed in Schedule A, attached hereto, prior to the court date specified on the ticket.

**REPEALS**


- 12. Bylaw No. 504, 515 and 640 is hereby repealed.

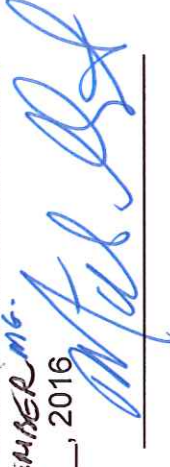
Read a first time this 6<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

Read a second time this 21 day of NOVEMBER, 2016

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

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Read a third time and passed this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Senior Administrative Officer

**CERTIFICATION:**

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 Village of Fort Simpson.

\_\_\_\_\_  
Senior Administrative Officer



**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON  
Bylaw #2016-007**

**SCHEDULE "A"**

A person who has received notice under Section 11 in respect of an offence, may, after receipt of such notice, pay to the Village the following:

<b>OFFENCE</b>	<b>SECTION</b>	<b>PENALTY</b>
1. Impeding, obstructing or hindering A member of Officer	9 a)	\$100.00
2. Damaging or destroying division Equipment	9 b)	\$100.00
3. Driving a vehicle over division Equipment	9 b) or 9 c)	\$100.00
4. Making a false alarm	9 d)	\$200.00
5. Creating an emergency	9 e)	\$500.00
6. Failing to comply with an order	9 f)	\$100.00
7. Creating a dangerous goods incident	9 g)	\$200.00
8. Providing unauthorized emergency Medical services	9 h)	\$500.00
9. Setting an unapproved outside Fire	9 i)	\$50.00
10. Causing damages while in Possession of a burning permit	9 j)	\$100.00
11. Endangering a persons while in Possession of a burning permit	9 k)	\$200.00
12. Causing a nuisance	9 l)	\$50.00

**SCHEDULE "B"**

MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON  
Bylaw #2016-007

PERMIT TO BURN

NAME OF PERMITTEE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

SPECIFIC SITE OF BURNING: \_\_\_\_\_

( ) GRASS/LEAVES

( ) OTHER (SPECIFY) \_\_\_\_\_

THIS PERMIT IS ONLY VALID AS TIMES SHOWN:

COMMENCE: TIME: \_\_\_\_\_ DAY: \_\_\_\_\_ MONTH: \_\_\_\_\_ YEAR: \_\_\_\_\_

EXPIRES: TIME: \_\_\_\_\_ DAY: \_\_\_\_\_ MONTH: \_\_\_\_\_ YEAR: \_\_\_\_\_

SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- 1) Permit holder must be on site at all times during burning process.
- 2) Permit holder must have immediate access to garden hose and/or fire extinguisher.
- 3) No burning shall take place if wind conditions exceed 20 kilometers per hour.
- 4) Special Conditions: \_\_\_\_\_

AUTHORIZED BY THE FORT SIMPSON VOLUNTEER FIRE DEPARTMENT

ISSUING OFFICER: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNEE SHALL PAY THE DIVISION COSTS IF SUPPRESSION IS REQUIRED. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS PERMIT MAY RESULT IN THE LAYING OF CHARGES UNDER THE VILLAGE'S EMERGENCY RESPONSE AND PROTECTION SERVICE BYLAW.

DECLARATION OF PERMITTEE:

I understand the conditions under which this permit is issued and agree to abide thereby.

SIGNATURE OF PERMITTEE: \_\_\_\_\_

FIRE EMERGENCY PHONE NUMBER IS 695-2222

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

**SCHEDULE " C "**

<b>FEE FOR SERVICE SCHEDULE</b>	
<b>TYPE OF SERVICE</b>	<b>FEE</b>
1. Municipal Call Out – In Town	\$ 300.00
2. Municipal Call Out – Outside Boundaries	\$ 450.00 + 2.50 per km
3. Motor Vehicle Accident	\$ 600.00 + 2.50 per km
4. Medi-Vac Pickup	\$ 425.00
5. Medi-Vac Drop Off	\$ 475.00
6. Patient Transfer – In Town Airport	\$ 400.00
7. Patient Transfer – Hay River	\$ 3,000.00
8. Patient Transfer – Yellowknife	\$ 4,000.00
9. Patient Transfer - Jean Marie River	\$ 1,800.00
10. Patient Transfer – Wrigley	\$ 2,500.00
11. Air Transport Support – Min. 2 Attendants	\$ 150.00 per hr/attendant

\* Two Attendants are included in basic rate, cost for each additional attendant \$ 250.00

<b>VOLUNTEER REIMBURSEMENT</b>
Volunteer Ambulance staff involved in calls where they are out of the Village for a period in excess of six (6) hours will be reimbursed at a rate of 200.00 per day, plus expenses. This reimbursement will only apply for

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON**  
**Bylaw #2016-007**

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Volunteer Ambulance Staff not receiving any remuneration from their employer, such as civic leave.