

THE RURAL MUNICIPALITY OF ABERDEEN No. 373

BYLAW NO. 2019-04

**A BYLAW FOR THE AUTHORIZATION AND ADMINISTRATION
OF THE USE OF PRIVATE VEHICLES FOR THE PURPOSES OF
EMERGENCY RESPONSE BY FIRE FIGHTERS AND FIRST RESPONDERS.**

WHEREAS pursuant to Section 238 of *The Traffic Safety Act* a municipality may designate private vehicles as emergency vehicles for the purpose of emergency response by fire fighters and First Responders,

WHEREAS it is deemed advisable to grant such designation for the purpose of improving the provision of fire suppression and emergency services and increasing the safety of emergency responders and of the public;

THE COUNCIL OF THE RURAL MUNICIPALITY OF ABERDEEN NO. 373 IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

1. **SHORT TITLE**

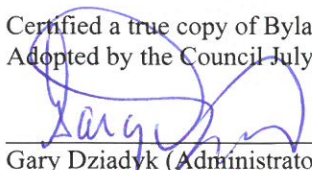
This bylaw may be cited as the “Emergency Response Vehicle Designation Bylaw.”

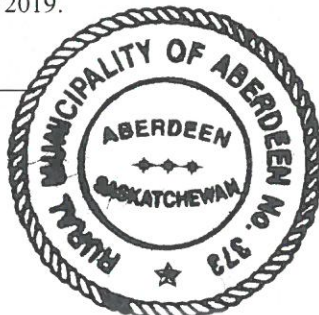
2. **INTERPRETATION**


2.1 In this bylaw:

- (a) **“authorization”** means an authorization granted by The Rural Municipality of Aberdeen No. 373 to selected members of a Fire Department and of a First Responders Unit to operate their private vehicles as emergency vehicles in accordance with the provisions of this bylaw
- (b) **“designation”** means an authorization granted by The Rural Municipality of Aberdeen No. 373 to selected members of a Fire Department and of a First Responders unit to operate a designated private vehicle as an emergency vehicle in accordance with the provisions of this bylaw;


Certified a true copy of Bylaw 2019-04
Adopted by the Council July 11th, 2019.


Gary Dziadyk (Administrator)



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- (c) “**emergency**” means any situation when lives and property are at risk, or likely to placed at risk, by:
 - (i) health conditions;
 - (ii) the unexpected or uncontrolled occurrence of fire, explosion, release of hazardous materials, environmental extremes;
 - (iii) any other occurrence or situation dangerous to life and public safety; and
 - (iv) any situation designated by Council or by a Fire Chief or a Head of the First Responders Unit as an emergency;
- (d) “**emergency response**” means travel to an emergency services facility such as a fire hall or first responders’ station or to the location of an emergency as directed by a Fire Chief or Head of a First Responders Unit;
- (e) “**emergency warning devices**” means visible and auditory warning equipment installed on a vehicle in accordance with the provisions of the *Traffic Safety Act*, as amended and revised from time to time;
- (f) “**emergency vehicle**” means any vehicle complying with the requirements of *The Traffic Safety Act*, as amended and revised from time to time, to be designated as an emergency vehicle;
- (g) “**Fire Chief**” means the member of a Fire Department appointed by Council as the head of a Fire Department and includes:
 - (i) in the Fire Chief’s absence, the Deputy Fire Chief,
 - (ii) any member of the Department appointed by the Fire Chief to temporarily act on his/her behalf; or
 - (iii) any other person so appointed by Council;
- (h) “**Fire Department**” means a fire department of which Council solely appoints the Fire Chief, or of which Council appoints the Fire Chief jointly with another municipality;
- (i) “**First Responder’s Unit**” means a unit of First Responders authorized, established or appointed solely by Council or where the appointment thereof is made jointly with another municipality
- (j) “**Head of First Responders**” means the head of a unit of First Responders as solely or jointly appointed by or otherwise approved or recognized by resolution of Council;
- (k) “**member**” means any person appointed by the responsible Fire Chief or by Council as a member in good standing of a Fire Department or any person appointed by the responsible Head of the First Responders as a member in good standing of the First Responders Unit.

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- (l) **“Standard Operating Procedures”** means the set of procedures and polices governing the operation of the Fire Department or First Responder’s Unit to which a member belongs as required by the provisions of The *Occupational Health and Safety Regulations, 1996* as amended and revised from time to time.
- (m) **“Supervising Chief”** means the Fire Chief for the Aberdeen and District Fire Department.

3. ADMINISTRATION OF BYLAW

- 3.1 The provisions of this bylaw shall be administered by the Supervising Chief in consultation and cooperation with the Chief of any other Fire Department appointed in whole or in part, solely or jointly by Council.
- 3.2 The Supervising Chief shall securely maintain all records, forms and documentation required by the provisions of this bylaw.

4. AUTHORITY OF SUPERVISING CHIEF

- 4.1 The Supervising Chief may grant and may suspend or terminate authorization to operate a designated personal vehicle as an emergency vehicle to eligible fire department members and first responder members.
- 4.2 The Supervising Chief may designate and may suspend or terminate the designation of a personal vehicle as an emergency vehicle for the purposes of this bylaw to eligible fire department members and first responder members.
- 4.3 Any such action by the Supervising Chief shall take place in accordance with the provisions of this bylaw.

5. ELIGIBILITY

- 5.1 A member may be authorized to operate a designated personal vehicle as an emergency vehicle where the member:
 - (a) is in good standing;
 - (b) holds a current certification in Emergency Vehicle Operation from the Saskatchewan Emergency Management and Fire Safety (or any successor agency);
 - (c) possess a current valid Saskatchewan driver’s license authorizing the member to operate the designated vehicle.
- 5.2 A personal vehicle is eligible to be designated an emergency vehicle within the provisions of this bylaw a where that vehicle:
 - (a) Is validly and currently registered in the name of the member applying to designate, within the Province of Saskatchewan as a Light Vehicle, and



- (b) Is the subject of a valid light vehicle stage 2 inspection station certificate issued within the previous 12 months pursuant to *The Vehicle Inspection Procedures Regulations, 2007*.

6. GRANT OF AUTHORIZATION

6.1 A member may request authorization by the Supervising Chief to operate a designated personal vehicle as an emergency vehicle upon submitting:

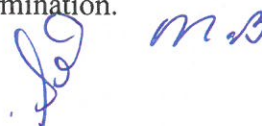
- (a) A written request in the form designated by the Supervising Chief from time to time;
- (b) Proof that the member meets the eligibility requirements set forth in section 5.1;
- (c) Where applicable, written permission (and any terms and conditions thereof) from another person who is the registered owner of a designated vehicle for the member to operate that vehicle as an emergency vehicle;
- (d) In the event that the member is a firefighter appointed to a department other than that of the Supervising Chief, or is a first responder, authorization from that member's Fire Chief or Head of First Responders.

6.2 The Supervising Chief may, upon receiving a request for authorization grant written authorization to the member in such form as the Supervising Chief shall employ from time to time. Any such authorization shall extend to and permit the member to operate as an emergency vehicle:

- (a) a designated vehicle registered in the name of the member; or
- (b) any designated vehicle referenced in the authorization with respect to which the member has provided particulars pursuant to section 6.1(c)

6.3 Written authorization granted pursuant to section 6.2 shall:

- (a) Expire upon authorized member no longer being authorized to drive in Saskatchewan, pursuant to a valid and subsisting driver's licence;
- (b) Be suspended for so long as the member's driver's license shall be suspended;
- (c) Expire, with respect to:
 - (i) Any designated vehicle upon the expiry of that designation;
 - (ii) A designated vehicle registered in the name of someone other than the member upon that person delivering a written withdrawal of permission to the authorized member and the Supervising Chief;
- (d) Terminate forthwith in the event that the member should resign or should be terminated as a member of their Fire Department or First Responders Unit.
- (e) Terminate forthwith upon the Supervising Chief delivering notice of termination.

Handwritten signature and initials in blue ink, including a stylized signature and the initials 'M.B.'

7. GRANT OF DESIGNATION

- 7.1 A member may request that the Supervising Chief designate for the purposes of this bylaw a private vehicle registered in the name of that member as an emergency vehicle upon submitting:
- (a) A written request in the form designated by the Supervising Chief from time to time;
 - (b) Proof that the personal, vehicle meets the eligibility requirements set forth in section 5.2; and
 - (c) In the event that the member is firefighter appointed to a department other than that of the Supervising Chief, or is a first responder, authorization from that member's Fire Chief or Head of First Responders.
- 7.2 The Supervising Chief may, upon receiving a request for designation, grant such designation for a one-year term in such form as the Supervising Chief shall employ from time to time.
- 7.3 Designation granted pursuant to section 7.2 shall, subject to any provision herein for the termination thereof, be renewed at the end of the first and each successive one-year term, provided that 30 days before expiry of the term, the registered owner of that vehicle shall deposit with the Supervising Chief current proof that the vehicle meets the eligibility requirements set out in section 5.2.
- 7.4 Designation granted pursuant to section 7.2 shall:
- (a) Expire at the end of any on-year term, in the event that the registered owner has not complied with section 7.3;
 - (b) Terminate upon the vehicle being the subject of an accident causing in excess of \$1,000.00 in damage to the designated vehicle, with the registered owner being authorized to re-apply under s. 7.1 for designation upon providing proof of eligibility including an inspection station certificate issued after the date of the accident;
 - (c) Terminate on the written request of the registered owner;
 - (d) Terminate forthwith in the event that the registered owner should resign or should be terminated as a member of their Fire Department or First Responders Unit.
 - (e) Terminate forthwith upon the Supervising Chief delivering notice of termination.
- 7.5 Any authorized member shall forthwith inform the Supervising Chief in the event that they are no longer authorized to drive in Saskatchewan or in the event that their driver's licence is suspended.
- 7.6 Any member who is the registered owner of a designated vehicle shall inform the Supervising Chief and any person authorized to operate the designated vehicle forthwith upon the vehicle being the subject of an accident.

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- 7.7 The Supervising Chief may terminate authorization or designation for any reason that the Supervising Chief shall consider appropriate, including but not being limited to the following:
- (a) In the opinion of the Fire Chief, the member has operated an emergency vehicle in an unsafe manner during an emergency response;
 - (b) The member has operated emergency warning devices at any time other than during an authorized emergency response;
 - (c) The member has operated emergency warning devices in a manner contrary to the Standard Operating Procedures of the Fire Department; or First Responders Unit;
 - (d) The RM should inform the Supervising Chief that the RM's liability insurer has given notice that it will not provide liability coverage for the authorized member, or for the designated vehicle.
- 7.8 Notice of any authorization or designation, and the expiry, suspension or termination thereof and of the termination or expiry of an Indemnity granted hereunder shall be delivered by the Supervising Chief to the Fire Chief or Head of First Responders for the Fire Department or First Responders Unit to which the member belongs and to the member.

8. WARNING DEVICES AND VEHICLE OPERATION

- 8.1 The registered owner of a designated vehicle may install such warning devices as may be approved for use by the Supervising Chief from time to time.
- 8.2 An authorized member shall only operate a designated vehicle for which they are authorized as an emergency vehicle, and shall only operate warning devices on that designated vehicle except in accordance with:
- (a) The provisions of the *Traffic Safety Act*, and any regulations pursuant thereto and
 - (b) the Standard Operating Procedures for an emergency vehicle as approved by the Fire Department or First Responder's Unit for which the vehicle is operated, from time to time.
- 8.3 Any designated vehicle operated by an authorized member under this bylaw shall be operated in a safe manner and while being operated as an emergency vehicle, shall carry no passengers except members of the Fire Department or First Responders Unit to which the member is appointed.

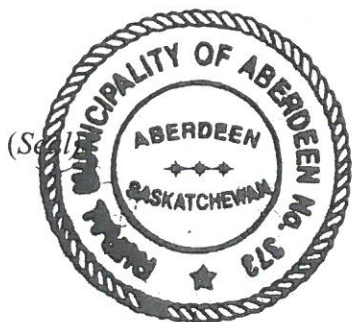
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9. INDEMNITY

- 9.1 A signed Indemnity in the form appended as Schedule "A", attached to and forming a part of this bylaw, shall be issued by the Supervising Chief to each Fire Department member and First Responder Unit member who is the registered owner of a personal vehicle designated as an emergency vehicle for the purposes of a Fire Department or First Responders Unit appointed solely by Council.
- 9.2 A signed Indemnity in the form appended as Schedule "B", attached to and forming a part of this bylaw, shall be issued to each Fire Department member and First Responder Unit who is the registered owner of a personal vehicle designated as an emergency vehicle for the purposes of a Fire Department or First Responders Unit appointed jointly by Council and by Council of another municipality.
- 9.3 The aforementioned Indemnity shall expire on the earlier of:
 - (a) Termination of the designation of the vehicle referenced therein;
 - (b) Expiry of the designation of the vehicle referenced therein;
 - (c) The issuance of a new indemnity by the Supervising Chief.

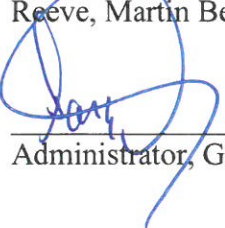
10. COMING INTO FORCE

- 10.1 This Bylaw shall come into force upon passing third reading.





Reeve, Martin Bettker



Administrator, Gary Dziadyk

Read a 3rd time and adopted this
11th day of July, 2019.

