



OFFICE CONSOLIDATION

BYLAW NUMBER 8118

Being a Bylaw of the City of Calgary
to Provide for an Ambulance Service
Operated by the City and to Repeal
Bylaw Number 5417.

(Amended by Bylaw Number 42M85, 25M94, 52M99)

WHEREAS Section 166 of the Municipal Government Act provides that the Council of a municipality may by Bylaw acquire and equip a motor vehicle or vehicles for the purposes of providing an ambulance service in the municipality;

AND WHEREAS the Lieutenant-Governor in Council by Order-in-Council 2354/70 approved December 29, 1970 Regulations governing the establishment of commercial ambulance services within municipalities which Regulations were filed December 30, 1970 as Alberta Regulation 407/70;

AND WHEREAS Alberta Regulation 407/70 aforesaid provides in addition to the provisions of Section 166 of the Municipal Government Act aforesaid that the Council may by Bylaw prohibit any other person from providing a commercial ambulance service to the public in all or part of the municipality but also provides that when this requires a licensed ambulance service to be discontinued the Council shall acquire the assets and pay compensation for the loss of anticipated profit plus the value of vehicles and equipment to the person who previously operated such service;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

CITATION

1. This Bylaw may be cited as the "City Ambulance Bylaw".

DEFINITIONS

2. In this Bylaw including this Section:
 - (a) "ambulance" means a motor vehicle designed for or used for the purposes of regularly transporting persons who are sick, injured, or otherwise incapable of being safely and satisfactorily transported in ordinary passenger vehicles, but excluding a vehicle operated as a handibus by the Calgary Handibus Association or a vehicle operated as a part of a special needs taxi service;

- (b) "City" means the Corporation of the City of Calgary or the area contained within the boundaries of the City as the context requires;
- (c) "commercial ambulance" means an ambulance available for the use of the public for compensation;
- (d) REPEALED BY B/L 52M99, 1999 OCTOBER 4;
- (d1) "hospital" means a hospital or an auxiliary hospital as defined in the Hospitals Act, Chapter H-11, R.S.A. 1980, as amended, and located within the municipal boundaries of the City;
- (d2) "hospital district" means a hospital district as defined in the Hospitals Act, Chapter H-11, R.S.A. 1980, as amended, having jurisdiction within the municipal boundaries of the City;
- (e) "licensed operator" means a person who was in possession of a valid and subsisting license issued pursuant to Bylaw Number 5417 on the 31st day of December, A.D. 1970 and who would have been qualified to obtain a renewal of such license in 1971;
- (f) "private ambulance" means an ambulance which is not available to the public for compensation but is maintained for the use of a restricted group;
- (g) "qualified attendant" means a person who accompanies a commercial ambulance on a call and who is qualified as such under the Regulations;
- (g1) "transfer ambulance" means an ambulance vehicle utilized for the purposes of the non-emergency transport of hospital in-patients;
- (h) "Regulations" means the ambulance regulations contained in Sections 11.1.0 to 11.4.2 of the Regulations made under the Public Service Vehicles Act and includes the Regulations governing the establishment of commercial ambulance services within municipalities made pursuant to the Municipal Government Act by Alberta Regulation 407/70.
 - (B/L 42M85, 1985 October 21)
 - (B/L 25M94, 1994 April 25)
 - (B/L 52M99, 1999 October 4)

ACQUISITION OF AMBULANCES

- 3. (1) The Chief Executive Officer of The City of Calgary or his designate shall acquire and equip ambulances either by:
 - (a) Purchasing vehicles and equipping them; or

- (b) Purchasing new ambulances built for that purpose; or
- (c) Acquiring ambulances from present owners or operators; or
- (d) Acquiring the assets of existing licensed operators; or
- (e) Acquiring shares or otherwise obtaining control of existing licensed operators;

as may be directed or approved by Council.

- (2) REPEALED BY B/L 52M99, 1999 OCTOBER 4
(B/L 52M99, 1999 October 4)

OPERATION OF AMBULANCES BY THE CITY

4. (1) When the City has obtained sufficient ambulances and qualified staff to operate them the City shall operate such ambulances as a commercial service.
- (2) The City shall furnish a sufficient number of drivers and qualified attendants for the operation of the ambulances acquired by the City.

EXCLUSIVE OPERATION OF AMBULANCE SERVICE

5. (1) Except as otherwise herein provided after the City has commenced to furnish ambulance service pursuant to this Bylaw and has notified licensed operators no other person shall operate a commercial ambulance in the City.
- (2) The City shall by notice in writing to each of the licensed ambulance operators announce the effective date of the prohibition contained in Subsection (1).
- (3) The Crown in the Right of Canada or of the Province of Alberta may operate a commercial ambulance notwithstanding the provisions of this Section.
6. This Bylaw does not apply to:
- (a) A private ambulance used exclusively by employees of the owner or operator of the ambulance;
 - (b) A transfer ambulance or ambulances owned and operated by a hospital

district, a hospital or hospitals.

(B/L 42M85, 1985 October 21)

RATES AND EQUIPMENT

7. Council shall by Resolution establish the rates to be charged for the ambulance service and may vary the rates from time to time.
8. All ambulances operated by the City shall be equipped and staffed as required by the Regulations.

PENALTY

9. Any person who contravenes a provision of this Bylaw is liable upon Summary Conviction to a fine not exceeding Five Hundred Dollars (\$500.00) or in default of payment of the fine to imprisonment for a period not exceeding Sixty (60) Days or until such time as the fine and costs including the cost of committal are sooner paid.
10. Bylaw Number 5417 is hereby repealed as of the 28th day of February, A.D. 1971 but no further license shall be issued under Bylaw Number 5417 aforesaid after the passage of this Bylaw.

DONE AND PASSED IN COUNCIL THIS 11TH DAY OF JANUARY, A.D. 1971.

(Sgd.) R. Sykes
MAYOR

(Sgd.) H. S. Sales
CITY CLERK