BY-LAW NO. 17

A BY-LAW TO PROVIDE FOR A PROMPT AND COORDINATED RESPONSE TO A STATE OF LOCAL EMERGENCY

A MUNICIPAL EMERGENCY MEASURES BY-LAW

The Council of the Municipality of the district of Barrington under the authority vested in it by the Municipal Act, R.S.N.S. 1989, and the Emergency Measures Act. R.S.N.S. 1990, c.8, s.10, enacts as follows:

SHORT TITLE

1. This by-law may be cited as the **"Emergency Measures By-law".**

INTERPRETATION

2. (1) "Act" means the Emergency Measures Act, R.S.N.S. 1990, c.8

(2) "Agreement" means the agreement between the town of Clark's Harbour and the Municipality of the District of Barrington pursuant to Section 10 (2) (c) of the Acts, as amended from time to time.

(3) "Council" means the Council of the Municipality of the District of Barrington.

(4) "Director" means the Director of the Emergency Measures Organization.

(5) "Emergency" means a present or imminent event in respect of which the Municipality believes prompt coordination of action or regulation of persons or property must be undertaken to protect property or the health, safety or welfare of people.

(6) "Minister" means the member of the Executive Council to whom is assigned the administration of the Act and Regulations.

(7) "Municipal Emergency Measures Plans" means plans, programs or procedures prepared by the Town and the Municipality that are intended to mitigate the effects of an emergency or disaster and to provide for safety, health or welfare of the civil population and the protection of the property in the event of such an occurrence.

(8) "Executive Committee" means the Municipal Emergency Measures Executive Committee established pursuant to the by-law.

(9) "Coordinator" means the person appointed as the Municipal Emergency Measures Coordinator by Council pursuant to this by-law.

(10) "Organization" means the Municipal Emergency Measures Organization established pursuant to this by-law.

(11) "Planning Committee" means the Municipal Emergency Measures Planning Committee established pursuant to this by-law.

(12) "Municipality" means the Municipality of the District of Barrington.

(13) "State of Emergency Regulations" means regulations approved by the governor in council by Order in Council 92-61, Regulation 17/92, as amended from time to time.

(14) "State of Emergency" means a state of local emergency declared by the Municipality pursuant to the Act or renewed by the Municipality pursuant to the Act and Regulations made pursuant thereto and this by-law.

(15) "Town" means the Town of Clark's Harbour.

MUNICIPAL EMERGENCY MEASURES ORGANIZATION

3. (1) The Council hereby establishes a Municipal Emergency Measures Organization in accordance with the agreement.

(2) the Organization shall consist of the following persons and committees:

(a) an Executive Committee;

(b) a Coordinator; and

(c) a Planning Committee.

MUNICIPAL EMERGENCY MEASURES EXECUTIVE COMMITTEE

4. (1) Council shall appoint representatives to the Executive Committee in accordance with the agreement from its members for such term as the agreement provides.

(2) Council's representative on the Executive Committee shall be the Warden or as required by the agreement.

(3) The Executive committee shall:

(a) advise Council on the development of municipal emergency measures plans;

(b) present municipal emergency measures plans to council;

(c) brief Council on developments during a local state of emergency and

(d) perform such other duties as may be required by the Council.

MUNICIPAL EMERGENCY MEASURES COORDINATOR

5. (1) The Coordinator shall be appointed by the Councils for such term as the agreement provides.

(2) The Coordinator may be paid reasonable expenses for work incurred under this by-law.

(3) The Coordinator shall:

(a) chair the Planning Committee;

(b) coordinate and prepare municipal emergency measures plans;

(c) following a declaration of state of local emergency, prescribe, as necessary, duties to be fulfilled by employees, servants and agents of the Municipality; and

(d) perform such other duties as may be required by the Council.

MUNICIPAL EMERGENCY MEASURES PLANNING COMMITTEE

6. (1) Council shall appoint representatives to the Planning Committee as the agreement provides.

(2) The Planning committee may include, but not necessarily limited to, person responsible during an emergency for:

(a) social assistance;

(b) R.C.M.P. policing;

(c) firefighting;

(d) engineering services;

(e) health services;

(f) community services;

(g) transportation;

(h) communications;

(i) public information;

(j) utilities;

(k) financial services; and

(l) legal services;

(m) marine services;

(n) ground search & rescue;

(o) air search & rescue.

(3) The Planning Committee shall:

(a) assist the Coordinator in the preparation and coordination of municipal emergency measures plans;

(b) advise the Executive Committee on the development of municipal emergency measures plans;

(c) upon request, assist the Executive Committee in the presentation of municipal emergency measures plans to Council; and

(d) perform such other duties as may be required by the Executive Committee of the Council.

AGREEMENTS

7. (1) Subject to preliminary approval of council, the Executive Committee may, as part of municipal emergency measures plans, negotiate an agreement to be approved by the Council or person designated by the Council with the government of Canada, the Province of Nova Scotia, a municipality, city or town or any other agency or any person.

(2) Any agreement negotiated under subsection (1) is not binding until it is approved by Council.

DUTY OF COUNCIL

8. (1) The Council shall review and evaluate municipal emergency plans presented to it by the Executive committee.

(2) The Council may specify additional duties to be fulfilled by the Executive Committee, the Coordinator and the Planning committee.

(3) The Council may appropriate and expend monies:

(a) to pay reasonable expenses of members of the Executive committee, the Coordinator and the Planning Committee; and

(b) to fulfil the terms and conditions of an agreement approved by the Council, pursuant to Section 7.

DECLARATION OF STATE OF LOCAL EMERGENCY

9. (1) The Council shall declare a state of local emergency by completing Form 4 attached to the State of emergency Regulations.

(2) The Warden, acting under Section 12 (3) of the Act, shall complete Form 5 attached to the State of emergency Regulations.

(3) With the approval of the Minister, the Council may renew a state of local emergency by completing Form 6 attached to the State of Emergency Regulations.

(4) The Council may terminate a state of local emergency by completing Form 7 attached to the State of Emergency Regulations.

(5) A copy of a declaration signed under this Section shall immediately be delivered or faxed to the Minister and the Director.

NOTICE PROVISION

10. Following the signature of a declaration under Section 9, the Council shall immediately cause the details of the declaration or termination to be communicated or published by such means as the Council considers the most likely to make the contents of the declaration or termination known to the people of the area affected.

DUTIES DURING A STATE OF LOCAL EMERGENCY

11. Following the issuance of a declaration under Section and for the duration of the state of local emergency:

    (1) every Councillor shall keep the Council posted respecting their whereabouts; and

    (2) every employee, servant and agent of the Municipality who has a key role to play in such emergencies as identified in the municipal emergency measures plans shall:

        (a) advise the Coordinator of their whereabouts; and

        (b) fulfill such duties as may be prescribed by the Coordinator.

MINUTES OF MEETING

12. Minutes of all meetings of the Executive committee and Planning Committee shall be taken and a copy shall be forwarded to the Town and the Municipality within ten (10) days of each meeting.

REPEAL

13. This Emergency Measures By-law of the Municipality of the District of Barrington replaces and supersedes all previous Emergency Measures By-laws of the Municipality.

Council Approval October 29, 2997