

BY-LAW NO. A-10

AN EMERGENCY MEASURES BY-LAW FOR CENTRAL YORK RURAL COMMUNITY

1.1 This By-law may be cited as the “Emergency Measures By-law”.

1.2 In this By-law

- (a) “Act” means the Emergency Measures Act, R.S.N.B. 2011, C.147;
- (b) “Council” means the Council of Central York Rural Community
- (c) “Councillor” means a member of Council
- (d) “Director” means the Provincial Director of the Municipal Emergency Measures Organization
- (e) “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 in New Brunswick
- (f) “Minister” means the Minister of Public Safety
- (g) “Emergency Measures Plans” means plans, programs or procedures prepared by the Municipality that are intended to mitigate the effects of the emergency or disaster and to provide for the safety, health or welfare of the civil population and the protection of property in the event of such an occurrence
- (h) “Emergency Measures Executive Committee” means the Committee of Council of the Whole
- (i) “Emergency Measures Coordinator” means the person appointed by Council pursuant to this By-law
- (j) “Emergency Measures Assistant Coordinator” means the person chosen by the Emergency Measures Coordinator and appointed by Council pursuant to this By-law
- (j) “Municipal Emergency Measures Organization” means the organization established pursuant to this By-law
- (k) “Emergency Measures Planning Committee” means the committee established pursuant to this By-law
- (l) “Emergency Measures Planning Committee Chairperson” means the Councillor appointed by the Mayor to oversee the Emergency Measures Planning Committee meetings.
- (m) “Municipality” or “municipal” in this By-law specifically means Central York Rural Community
- (n) “State of Emergency Regulations” means regulations approved by the Lieutenant Governor in council by Order in Council 83-377, Regulation 83-71, as amended from time to time
- (o) “State of local emergency” means a state of local emergency declared by Central York Rural Community pursuant to the Act or renewed by the Municipality pursuant to the Act and regulations made pursuant thereto and this By-law
- (p) “Mayor” means the Mayor of the Municipality, Deputy Mayor or Councillor acting instead of the Mayor

1.3 Municipal Emergency Measures Organization

The Council hereby establishes a Municipal Emergency Measures Organization.

The Municipal Emergency Measures Organization shall consist of the following persons and committees:

- (a) The Emergency Measures Executive Committee
- (b) An Emergency Measures Coordinator
- (c) An Emergency Measures Assistant Coordinator
- (c) An Emergency Measures Planning Committee

1.4 Emergency Measures Executive Committee

- (1) The Emergency Measures Executive Committee shall at all times consist of a quorum of not less than 5 (five) members
- (2) The Emergency Measures Executive Committee shall:
 - (a) advise Council on the development of Emergency Measures plans
 - (b) present 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

1.5 Emergency Measures Coordinator

- (1) The Emergency Measures Coordinator shall be appointed for such term as the Council deems necessary
- (2) The Emergency Measures Coordinator may be paid reasonable expenses for work incurred under this By-law
- (3) The Emergency Measures Coordinator shall:
 - (a) coordinate and prepare Emergency Measures Plans
 - (b) following a declaration of state of local emergency, prescribe, as necessary duties to be fulfilled by employees and agents or the Municipality and
 - (c) perform such other duties as may be required by the Council

1.6 Emergency Measures Assistant Coordinator

- (1) The Emergency Measures Assistant Coordinator shall be chosen by the Emergency Measures Coordinator and appointed by Council and shall act in the capacity of Coordinator during their absence.

1.7 Emergency Measures Planning Committee

(1) The Emergency Measures Planning Committee shall be appointed by Council for such term as the Council may prescribe.

(2) The Emergency Measures Planning Committee shall consist of a chairperson and the chief or head of every municipal department or agency which is assigned emergency related functions under Emergency Measures plans and where no department or agency exists, a qualified person to represent that group

(3) The Emergency Measures Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide;

- (a) law enforcement
- (b) fire control services
- (c) health services
- (d) community services
- (e) transportation
- (f) communications
- (g) public information
- (h) utilities
- (i) financial services; and
- (j) legal services

(4) The Emergency Measures Planning Committee shall:

- (a) assist the Emergency Measures Coordinator in the preparation and coordination of Emergency Measures plans;
- (b) advise the Emergency Executive Committee on the development of Emergency Measures Plans;
- (c) upon request, assist the Emergency Measures Executive Committee in the presentation of Emergency Measures plans to Council and;
- (d) perform such other duties as may be required by the Emergency Measures Executive Committee or the Council

1.8 Agreements

Subject to preliminary approval of Council, the Emergency Measures Planning Committee may, as part of the 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 New Brunswick, a municipality, city or town, or any other agency or any person. Any agreement negotiated under subsection (1) is not binding until it is approved by Council.

1.9 Duty of Council

The Council shall review and evaluate Emergency Measures plans presented to it by Emergency Measures Executive Committee. The Council may specify additional duties to be fulfilled by the Emergency Measures Executive Committee, the Emergency Measures Coordinator, and The Emergency Measures Planning Committee. The Council may appropriate and expend monies:

- (a) to pay reasonable expenses of the Emergency Measures Coordinator and/or emergency planning requirements.
- (b) to fulfil the terms and conditions of an agreement approved by the Council pursuant to Section 6.5.

1.10 Declaration of State of Local Emergency

- (1) The Council shall declare a state of local emergency by completing Form A.
- (2) The Council shall make a public announcement following the declaration of a state of local emergency by completing Form B.
- (3) With the approval of the Minister, the Council may renew a state of local emergency by completing Form C.
- (4) The Council may terminate a state of local emergency by completing Form D.
- (5) A copy of a declaration signed under this Section shall immediately be delivered or faxed to the Minister and the Director.

1.11 Notice Provision

- (1) Following the signature of a declaration, under Section 6.9, the Council shall immediately cause the details of the declaration 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.

1.12 Duties during a State of Local Emergency

Following the issuance of a declaration under section 6.9 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 and agent of the Municipality who has a key role in such emergencies as identified in the Municipal Emergency Measures Plans shall:
 - (a) advise the Emergency Measures Coordinator of their whereabouts, and
 - (b) fulfill such duties as may be prescribed by the Emergency Measures Coordinator.

Duly passed and enacted by the Council for Central York Rural Community on

Mayor David Duplessis

Duncan Walker, CAO/Clerk

First Reading:

Second Reading:

Third Reading: