

BY-LAW # 30

TOWN OF MULGRAVE

EMERGENCY MEASURES BY-LAW

(DATED FEBRUARY 6, 1997)

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 Town of Mulgrave under the authority vested in it by the Municipal Act, R.S.N.S. 1989, c.295, or the Towns Act, R.S.N.S. 1989, c.472 and the *Emergency Measures Act*, 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. In this By-Law,
 1. "Act" means the *Emergency Measures Act*, R.S.N.S 1990, c.8;
 2. "Council" means the Council of the Town of Mulgrave;
 3. "councilor" means a member of the Council;
 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 in Nova Scotia;
 6. "mayor" means a mayor of a town of the Municipality or an alderman or councilor acting in the stead of the mayor.
 7. "Minister" means the member of the Executive Council to whom is assigned the administration of the Act and regulations
 8. "Municipal Emergency Measures Plans" means plans, programs or procedures prepared by the municipality that are intended to mitigate the effects of an 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;
 9. "municipal emergency measures advisory committee" means the advisory committee established pursuant to this By-Law
 10. "municipal emergency measures co-ordinator" means the person appointed by Council pursuant to this By-Law
 11. "municipal emergency measures organization" means the organization established pursuant to this By-Law;

12. “municipal emergency measures planning committee” means the committee established pursuant to this By-Law;
13. “municipality” or “municipal” means the city, an incorporated town or a municipality of a county or district and in this By-Law specifically means The Town of Mulgrave
14. “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;
15. “state of local emergency” means a state of local emergency declared by a municipality of a county or district pursuant to the Act or renewed by the municipality pursuant to the Act and regulations made pursuant thereto and this By-Law;
16. “warden” means the warden of the municipality or an alderman or councilor acting in the stead of the warden.

MUNICIPAL EMERGENCY MEASURES ORGANIZATION

3. (1) The Council hereby established a Municipal Emergency Measures Organization.
2. The Municipal Emergency Measures Organization shall consist of the following persons and committees:
 - (i) a municipal emergency measures advisory committee
 - (ii) a municipal emergency measures co-ordinator
 - (iii) a municipal emergency measures planning committee

MUNICIPAL EMERGENCY MEASURES ADVISORY COMMITTEE

4. (1) The Municipal Emergency Measures Advisory Committee shall be appointed by Council from its members for such term as the Council deems necessary.
- (2) The Municipal Emergency Measures Advisory Committee shall at times consist of no fewer than two councilors.
3. The Municipal Emergency Measures Advisory Committee shall
 - (i) advise Council on the development of municipal emergency measures plans;
 - (ii) present municipal emergency measures plans to Council;
 - (iii) brief Council on developments during a local state of emergency; and
 - (iv) perform such other duties as may be required by the Council.

MUNICIPAL EMERGENCY MEASURES CO-ORDINATOR

5. (1) The Municipal Emergency Measures Co-ordinator shall be appointed for such term as the Council deems necessary.
2. The Municipal Emergency Measures Co-ordinator may be paid reasonable expenses for work incurred under this By-Law
3. The Municipal Emergency Measures Co-ordinator shall
 - (i) chair the Municipal Emergency Measures Planning Committee;
 - (ii) co-ordinate and prepare municipal emergency measures plans;
 - (iii) following a declaration of state of local emergency, prescribe, as necessary, duties to be fulfilled by employees, servants and agents of the municipality; and
 - (iv) perform such other duties as may be required by the Council.

MUNICIPAL EMERGENCY MEASURES PLANNING COMMITTEE

6. (1) The Municipal Emergency Measures Planning Committee shall be appointed by Council for such term as the Council may prescribe
- (2) The Municipal Emergency Measures Planning Committee shall consist of the chief or head of every municipal department or agency which is assigned emergency related functions under municipal emergency measures plans and, where no department or agency exists, a qualified person to represent that group.
- (3) The Municipal Emergency Measures Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide
 - (a) income assistance
 - (b) law enforcement
 - (c) fire-control services
 - (d) engineering services
 - (e) health services
 - (f) community services
 - (g) transportation
 - (h) communications
 - (i) public information
 - (j) utilities
 - (k) financial services
 - (l) legal services
- (4) The Municipal Emergency Measures Planning Committee shall
 - (i) assist the Municipal Emergency Measures Co-ordinator in the

preparation and co-ordination of municipal emergency measures plans;

- (ii) advise the Municipal Emergency Measures Advisory Committee on the development of municipal emergency measures plans
- (iii) upon request, assist the Municipal Emergency Measures Advisory Committee in the presentation of municipal emergency measures plans to Council; and
- (iv) perform such other duties as may be required by the Municipal Emergency Measures Advisory Committee or the Council.

AGREEMENTS

- 7. (1) Subject to preliminary approval of Council, the Municipal Emergency Measures Planning 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 Municipal Emergency Measures Advisory Committee.
- 2. The Council may specify additional duties to be fulfilled by the Municipal Emergency Measures Advisory Committee, the Municipal Emergency Measures Co-ordinator and the Municipal Emergency Measures Planning Committee
- 3. The Council may appropriate and expend monies
 - (i) to pay reasonable expenses of members of the Municipal Emergency Measures Advisory Committee, the Municipal Emergency Measures Co-ordinator and the Municipal Emergency Measures Planning Committee; and
 - (ii) to fulfill 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 mayor or warden, as the case may be, 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 Regulation*.
- (4) The Council may terminate a state of local emergency by completing Form & 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 9 and for the duration of the state of local emergency
 1. every councilor 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
 - (i) advise the Municipal Emergency Measures Co-ordinator of their whereabouts, and
 - (ii) fulfil such duties as may be prescribed by the Municipal Emergency Measures Co-ordinator.

I, Nathan Gorall, Clerk Treasurer for the Town of Mulgrave, in the Province of Nova Scotia, do hereby certify this Municipal Emergency Measures By-Law as a true copy adopted by a majority of the whole Council of the Town of Mulgrave at a meeting duly called and held on the 3rd day of February, A.D., 1997; and hereby certify the

attached Notice of Publication.

Dated at Mulgrave, February 6, 1997

Nathan Gorall

Clerk-Treasurer for the

Town of Mulgrave

RESOLVED by the Town Council of the Town of Mulgrave that the following By-Law be and the same is hereby enacted, and that the Town Clerk be and is hereby instructed to forward same to the Minister of Municipal Affairs with a request for this approval thereof.

TOWN OF MULGRAVE CIVIL EMERGENCY PLANNING BY-LAW

A By-Law to establish and maintain an Emergency Measures Organization in and for the Town of Mulgrave and to authorize the Town of Mulgrave to participate, to the full extent of its capabilities, in the said Organization.

WHEREAS, the Government of Canada has deemed it necessary to create a branch of government, in the form of an Emergency Measures organization, to co-ordinate the duties and functions of those government departments and agencies which would have a responsibility in a civil disaster or war emergency;

AND WHEREAS the Government of Nova Scotia accordingly has deemed it desirable to co-operate with the Government of Canada in carrying out in respect of Nova Scotia its responsibility for the security, defence, peace, order, and welfare of Canada in the event of real or apprehended war, invasion or insurrection, and as a consequence, has established a branch of government known as the Emergency Measures Branch, and is making provision for the continued functioning of civil government and government services in Nova Scotia in the event of an emergency caused by a real or apprehended war, invasion or insurrection, or by natural causes;

AND WHEREAS it is deemed expedient to establish an Emergency Measures Organization as a branch of Municipal government to serve the Town of Mulgrave

THEREFORE the Council of the Town of Mulgrave enacts as follows:

1. Emergency Measures Organization is hereby established to be known as Mulgrave Emergency Measures Organization Committee hereinafter referred to as Mulgrave Emergency Measures Organization.
2. Purpose and Objects of the Mulgrave Emergency Measures Organization with

the co-operation of the Provincial Emergency Measures Organization, are as follows;

- a. to plan for the continuity of the physical operation of government of the municipal unit and to establish plans for the co-operation and mutual assistance between municipal governments in the event of a civil disaster or war emergency;
 - b. to co-ordinate the emergency plans of the municipal unit for departments and services having immediate responsibilities in the event of a civil disaster or war emergency, and to prepare plans for public survival;
 - c. to work closely with other authorities of the municipal unit, neighbouring municipal units and Provincial authorities who has been assigned to comparable duties;
 - d. to conduct emergency measures familiarization courses for the training of personnel who have an emergency role;
 - e. to conduct a public self-help education program related to nuclear and other types of warfare and natural emergencies;
 - f. to carry out other similar work within the geographical area encompasses by the municipality.
3. The Mulgrave Emergency Measures Organization shall consist of two branches to be known as:
- a. The Executive Committee
 - b. The Planning Committee
4. The Executive Committee shall consist of the Mayor and all members of the Council.
5. The Executive Committee shall have the following duties, powers and responsibilities:
- a. to establish policy for the Mulgrave Emergency Measures Organization;
 - b. to appoint an Emergency Measures Co-ordinator for the Mulgrave Emergency Measures Organization and such other employees as may be required to assist the Emergency Measures Co-ordinator from, wherever possible within the municipal administration;
 - c. to name or assign such persons as it may deem advisable to provide key personnel to perform duties related to continuity of municipal government and public survival in the case of an emergency or disaster;

- d. include in its annual estimates, estimates of expenditures of the operation and maintenance of the Mulgrave Emergency Measures Organization;
- 6. co-ordinator shall be Chairman of the Planning Committee and be responsible for;
 - a. the implementation of the policy as formulated by the Executive Committee;
 - b. the fulfillment of the "Purpose and Objects" as more particularly set out in Section 2 of this by-Law;
 - c. The performance of other related duties as directed by the Executive Committee;
- 7. 1. The Planning Committee shall consist of the following officers of the municipal unit:

Chairman - the Emergency Measures Co-ordinator

Members

Fire Chief

Port Hawkesbury Detachment - RCMP

Medical Health Officer

Representative from Social Services

Representative from Regional Assessment

Representative from the Town Public Works Department

Clerk Treasurer

- 2. The Planning Committee may appoint one of its members or an employee of the Organization to act as secretary.
- 3. When a member of the Planning Committee is the employee of a statutory Board or Commission, the consent of such Board or Commission shall be requested to make the appointment effective.
- 8. 1. The Planning Committee shall be responsible for co-ordinating or integrating plans for the continued functioning of municipal services which would be required in the event of emergency;
- 2. The Planning Committee shall, when policy decisions are required, submit the matter to the Executive Committee in the form of recommendations.

I, David R. Smith, Town Clerk of the Town Of Mulgrave do hereby certify that foregoing is a true copy of the Town of Mulgrave Civil Emergency Planning By-Law passed at a duly called meeting of the Town Council of the Town of Mulgrave duly convened and held on the 2nd day of February, 1987, A.D.

Given under the hand of the Town Clerk and under the of the *seal of the said Town the 23rd day of February, 1987, A.D.

David R. Smith
Town Clerk