TOWN OF BERWICK BYLAW

EMERGENCY MEASURES

The Council of the Town of Berwick under the authority vested in it by 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 bylaw may be cited as the "Emergency Measures Bylaw".

INTERPRETATION

2. In this bylaw,
   (a) "Act" means the Emergency Measures Act, R.S.N.S. 1990, c.8;

   (b) "Council" means the Council of the Town of Berwick;

   (c) "Councillor" means a member of the Council;

   (d) "Director" means the Director of the Emergency Measures Organization;

   (e) "Emergency" means a present or imminent event in respect of which the Town 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;

   (f) "Mayor" means the mayor of the Town or councillor acting in the stead of the mayor;

   (g) "Minister" means the member of the Executive Council to whom is assigned the administration of the Act and regulations;

   (h) "Municipal Emergency Measures Plans" means plans, programs or procedures prepared by the Town 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;

   (i) "Municipal Emergency Measures Advisory Committee" means the advisory committee established pursuant to this bylaw;

   (j) "Municipal Emergency Measures Coordinator" means the person appointed by Council pursuant to this bylaw;

   (k) "Municipal Emergency Measures Organization" means the organization established pursuant to this bylaw;

(l) "Municipal Emergency Measures Planning Committee" means the committee established pursuant to this bylaw;

(m) "State of Emergency Regulations" means regulations approved by the Governor in Council by Order in Council 92-61, Regulation 17/92, amended from time to time;

(n) "State of local emergency" means a state of local emergency declared by a municipality pursuant to the Act or renewed by the municipality pursuant to the Act and regulations made pursuant thereto and this bylaw;

(o) "Town" means the Town of Berwick.

MUNICIPAL EMERGENCY MEASURES ORGANIZATION

3. (1) The Council hereby establishes a Municipal Emergency Measures Organization.

(2) The Municipal Emergency Measures Organization shall consist of the following persons and committees:
(a) A Municipal Emergency Measures Advisory Committee;
(b) A Municipal Emergency Measures Coordinator;
(c) A Municipal Emergency Measures Planning Committee.

MUNICIPAL EMERGENCY MEASURES ADVISORY COMMITTEE

4. (1) The Municipal Emergency Measures Advisory Committee shall be appointed by Council for such term as the Council deems necessary.

(2) The Municipal Emergency Measures Advisory Committee shall at all times consist of no fewer than two councillors.

(3) The Municipal Emergency Measures Advisory 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 Municipal Emergency Measures Coordinator shall be appointed for such term as the Council deems necessary.

(2) The Municipal Emergency Measures Coordinator may be paid reasonable expenses for work incurred under this bylaw.

(3) The Municipal Emergency Measures Coordinator shall

(a) chair the Municipal Emergency Measures 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 Town; and
(d) 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) law enforcement;
(b) fire-control services;
(c) public works;
(d) health services;
(e) emergency social services;
(f) transportation;
(g) communications;
(h) public information;
(i) utilities; and
(j) financial services.

(4) The Municipal Emergency Measures Planning Committee shall

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

(b) advise the Municipal Emergency Measures Advisory Committee on the development of municipal emergency measures plans;

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

(d) 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 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 Coordinator and the Municipal Emergency Measures Planning Committee.

(3) The Council may appropriate and expend monies

(a) to pay reasonable expenses of members of the Municipal Emergency Measures Advisory Committee, the Municipal Emergency Measures Coordinator and the Municipal Emergency Measures 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 mayor 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 9 and for the duration of the state of local emergency

(a) every councillor shall keep the Council posted respecting their whereabouts; and

(b) 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 Coordinator of their whereabouts, and
(ii) fulfill such duties as may be prescribed by the Municipal Emergency Measures Coordinator.

<u>History of this Bylaw</u>:

Enacted - April 12, 1988

Amended - July 12, 1994
May 8, 2001