

**MUNICIPAL EMERGENCY MANAGEMENT
BY-LAW
M-061-07**

Effective Date:
Dec 14, 2007

**A BYLAW TO PROVIDE FOR A PROMPT AND COORDINATED RESPONSE
TO A STATE OF LOCAL EMERGENCY**

The Council of the *Municipality of the District of Yarmouth* under the authority vested in it by the Municipal Government Act, R.S.N.S. 1998, c. 295, and as amended from time to time, and the Emergency Management Act, S.N.S. 1990, c. 8, s. 10, and as amended from time to time, enacts as follows:

SHORT TITLE

1. This Bylaw may be cited as the "*Emergency Management Bylaw*".

INTREPRETATION

2. In this Bylaw,
 - (a) "Act" means the Emergency Management Act, R.S.N.S. 1990, c.8, and as amended from time to time;
 - (b) "Council" means the Council of the Municipality of the District of Yarmouth;
 - (c) "Councillor" means a member of the Council;
 - (d) "Director" means the Director of the Emergency Management Office;
 - (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 Nova Scotia;
 - (f) "Mayor" means a mayor of a town or the Municipality or an alderman 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 Management 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

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such an occurrence;

- (i) "Joint Emergency Management Executive Committee" means the advisory committee established pursuant to this bylaw;
- (j) "Municipal Emergency Management Co-ordinator" means the person appointed by Council pursuant to this bylaw;
- (k) "Joint Municipal Emergency Management Organization" means the organization established pursuant to this bylaw;
- (l) "Joint Municipal Emergency Management Planning Committee" means the committee established pursuant to this bylaw;
- (m) "Municipality" or "municipal" means a city, an incorporated town or a municipality of a county or district and in this bylaw specifically means The Municipality of the District of Yarmouth;
- (n) "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;
- (o) "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 bylaw;
- (p) "Warden" means the warden of the Municipality or an alderman or councillor acting in the stead of the warden.

MUNICIPAL EMERGENCY MEASURES ORGANIZATION

- 3. (1) The Council hereby establishes a Joint Municipal Emergency Management Organization.
- (2) The Joint Municipal Emergency Management Organization shall consist of the following persons and committees:
 - (a) a "Joint Emergency Management Executive Committee";
 - (b) a Municipal Emergency Management Co-ordinator; and

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- (c) a Joint Municipal Emergency Management Planning Committee.

JOINT EMERGENCY MANAGEMENT EXECUTIVE COMMITTEE

4. (1) The Joint Emergency Management Executive Committee shall consist of three members of each participating local government. Members shall be appointed by Council from its members for such term as the Council deems necessary.
- (2) The Municipality of the District of Yarmouth appointees to the Joint Emergency Management Executive Committee shall at all times consist of two councillors and the **Warden**.
- (3) The Joint Emergency Management Executive Committee shall:
- (a) advise Council on the development of municipal emergency management plans;
 - (b) present municipal emergency management plans to Council;
 - (c) submit to the Councils for inclusion in their annual estimates, estimates of expenditures for the operation and maintenance of the Joint Yarmouth Emergency Management Organization.
 - (d) brief Council on developments during a local state of emergency; and
 - (e) perform such other duties as may be required by the Council.

MUNICIPAL EMERGENCY MANAGEMENT CO-ORDINATOR

5. (1) The Municipal Emergency Management Co-ordinator shall be appointed for such term as the Council deems necessary.
- (2) The Municipal Emergency Management Co-ordinator may be paid reasonable expenses for work incurred under this bylaw.
- (3) The Municipal Emergency Management Co-ordinator shall
- (a) chair the Municipal Emergency Management Planning Committee;

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- (b) co-ordinate and prepare municipal emergency measures plans;
- (c) perform such other duties as may be required by the Council.

MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

6. (1) The Municipal Emergency Management Planning Committee shall be appointed by Joint Emergency Management Executive Committee for such term as the Joint Emergency Management Executive Committee may prescribe.
- (2) The Municipal Emergency 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 Management 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 and public works services;
 - (e) health services;
 - (f) community services;
 - (g) transportation;
 - (h) communications;
 - (i) public information;
 - (j) utilities;
 - (k) financial services; and

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- (l) legal services and administrative support.
- (4) The Municipal Emergency Management Planning Committee shall:
- (a) assist the Municipal Emergency Management Co-ordinator in the preparation and coordination of municipal emergency measures plans;
 - (b) advise the Joint Emergency Management Executive Committee on the development of municipal emergency measures plans;
 - (c) upon request, assist the Joint Emergency Management Executive Committee in the presentation of municipal emergency measures plans to Council; and
 - (d) perform such other duties as may be required by the Joint Emergency Management Executive Committee or the Council.

AGREEMENTS

7. (1) Subject to preliminary approval of Council, the Joint Municipal Emergency Management 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 local government, agency or any person.
- (2) Any agreement negotiated under sub-section (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 Joint Emergency Management Executive Committee.

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- (2) The Council may specify additional duties to be fulfilled by the Joint Emergency Management Executive Committee, the Municipal Emergency Management Co-ordinator and the Municipal Emergency Management Planning Committee.
- (3) The Council may appropriate and expend monies.
 - (a) to pay reasonable expenses of members of the Joint Emergency Management Executive Committee, the Municipal Emergency Management Co-ordinator and the Municipal Emergency Management Planning Committee; and
 - (b) 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 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.

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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 Management Co-ordinator of their whereabouts, and
 - (ii) fulfill such duties as may be prescribed by the Municipal Chief Administrative Officer.

Clerk's Annotation for Official By-Law Book

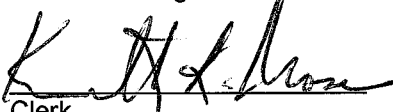
Date of First Reading: February 14, 2007

Date of advertisement of Notice of Intent to Consider: February 20, 2007

Date of Second Reading: March 14, 2007

*Date of advertisement of Passage of By-Law: January 8, 2008

Date of Mailing to Minister a Certified Copy of By-Law: July 17, 2007


Clerk

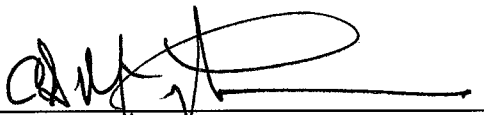
January 2, 2008
Date

*effective date of the By-Law unless otherwise specified in the text of the By-Law

Date of Last Review: March 14, 2007

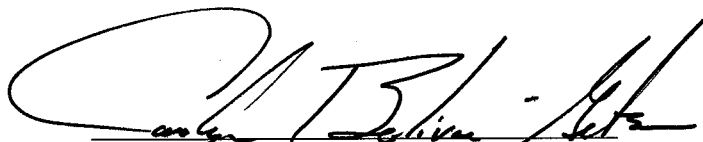
Date of last Amendment: March 14, 2007

Recommended for approval:



Craig D. MacLaughlan
CEO/Deputy Head
Emergency Management Office

Dated 07/12/05




The Honourable Carolyn Bolivar-Getson
Minister of Emergency Management


Dated Dec. 6, 2007

**Service Nova Scotia
and Municipal Relations**

Recommended for
approval of the Minister


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Department Solicitor

APPROVED this 14th day
of Dec, 2007.


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Minister of Service Nova Scotia and Municipal Relations