

MUNICIPALITY OF THE COUNTY OF ANTIGONISH

A By-Law to Provide for a Prompt and Coordinated Response to a State of Local Emergency

Short Title

1. This By-Law shall be known and may be cited as the “*Emergency Management By-Law*”.

Interpretation

2. In this By-Law
 - a) “*Act*” means the Emergency Management Act, SNS 1990, c. 8, as amended;
 - b) “*Agreement*” means the inter-municipal emergency services agreement between the Municipality and the Town of Antigonish entered into pursuant to subsection 10(2) of the Act, dated January 30, 2002, and as amended from time to time;
 - c) “*Council*” means the Council of the Municipality;
 - d) “*Councillor*” means a member of the Council;
 - e) “*Emergency*” means a present or imminent event which requires the prompt coordination of action, or the regulation of persons or property to be undertaken to protect property or the health, safety or welfare of people;
 - f) “*Emergency Management Plans*” means plans, programs or procedures prepared by the Regional Emergency Management Organization (REMO) 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;
 - g) “*Minister*” means the member of the Executive Council of the Province of Nova Scotia to whom is assigned the administration of the Act and regulations promulgated thereunder;
 - h) “*Municipality*” means the Municipality of the County of Antigonish;
 - i) “*Regional Emergency Management Advisory Committee*” means the committee established by the agreement to plan and be responsible for the direction and management of emergency activities;
 - j) “*Regional Emergency Management Coordinator*” means the person appointed to serve as the staff person in accordance with the agreement;

- k) **“Regional Emergency Management Organization”** means the organization established pursuant to the agreement;
- l) **“Regional Emergency Management Planning Committee”** means the committee responsible to recommend policy to the Regional Emergency Management Advisory Committee;
- m) **“State Emergency Regulations”** means those regulations approved by the Governor In Council pursuant to section 25 of the Act, or to any provision replacing that section, and now known as Nova Scotia Regulations 17/92 (Order in Council 92-61);
- n) **“State of Local Emergency”** means a state of emergency as declared by the Warden or by the Mayor of the Town of Antigonish, or their designates, pursuant to the Act and this by-law;
- o) **“Warden”** means the Warden of the Municipality or that Councillor acting in the place of the Warden as permitted by the Act.

Regional Emergency Management Organization

3. Council hereby agrees to the establishment of a Regional Emergency Management Organization in accordance with the agreement.
4. The Regional Emergency Management Organization shall consist of the following person and committees:
- a) A Regional Emergency Management Advisory Committee;
 - b) A Regional Emergency Management Co-ordinator; and
 - c) A Regional Emergency Management Planning Committee.

Regional Emergency Management Advisory Committee

5. Council shall annually appoint representatives to the Regional Emergency Management Advisory Committee in accordance with the agreement.
6. Representation of the Municipality on the Regional Emergency Management Advisory Committee shall at all times be no fewer than two members of Council; or as required by the agreement.
7. The Regional Emergency Management Advisory Committee shall:
- a) be responsible for the development of regional emergency management plans, and brief Council on the development of such plans;
 - b) be responsible for the direction and management of emergency activities during a state of local emergency, and brief Council on developments during that state of emergency.

Regional Emergency Management Coordinator

8. The Regional Emergency Management Coordinator shall be appointed in accordance with the agreement.
9. The Regional Emergency Management Coordinator shall:
 - a) be the chairperson of the Regional Emergency Management Planning Committee;
 - b) coordinate and prepare regional emergency management plans;
 - c) following the declaration of a state of local emergency, prescribe and assign necessary duties to be performed by employees, servants or agents of the Municipality;
 - d) perform such other duties as may be required by the Regional Emergency Management Advisory Committee, or as provided by the agreement.
10. The Regional Emergency Management Coordinator shall be paid for services rendered under this By-Law in accordance with the agreement.

Regional Emergency Management Planning Committee

11. The Municipality shall appoint representatives to the Regional Emergency Management Planning Committee as provided in the agreement.
12. The Regional Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:
 - a) Community services
 - b) Law enforcement
 - c) Fire control
 - d) Engineering services
 - e) Health services
 - f) Public information
 - g) Transportation
 - h) Communications
 - i) Hospital services
 - j) Utilities
 - k) Financial services
 - l) Legal services
13. The Regional Emergency Management Planning Committee shall:
 - a) assist the Regional Emergency Management Coordinator in the preparation and coordination of regional emergency management plans;
 - b) advise the Regional Emergency Management Advisory Committee on the development of regional emergency management plans;
 - c) upon request, assist the Regional Emergency Management Advisory Committee in the briefing of Council on the development of regional emergency management plans;
 - d) perform such other duties as may be required by the Regional Emergency Management Advisory Committee, or by the agreement.

Agreements

14. Council, on the advise and recommendation of the Regional Emergency Management Advisory Committee, may enter into agreements with the Government of Canada, the Province of Nova Scotia, a municipal unit, or any other agency or person, for the purpose of carrying out its responsibilities under the Act, the agreement or this By-Law.

Expenditures

15. Subject to the Municipal Government Act, Council may appropriate and spend monies;
- a) to pay reasonable expenses of the Regional Emergency Management Coordinator and of members of the Regional Emergency Management Advisory Committee and the Regional Emergency Management Planning Committee; and
 - b) to fulfill the terms and conditions of agreements entered into pursuant to clause 14.

Declaration of State of Local Emergency

16. Council may declare a state of local emergency by completing Form 4 of the State of Emergency Regulations (or such other form as is prescribed for the purpose).
17. The Warden may declare a state of local emergency by completing Form 5 of the State of Emergency Regulations (or such other form as is prescribed for that purpose) if time does not permit Council to act promptly.
18. The Warden may renew a declaration of a state emergency by completing Form 6 of the State of Emergency Regulations (or such other form as is prescribed for that purpose), having received the authorization of the Minister under the Act.
19. The Warden may terminate a state of local emergency by completing Form 7 of the State of Emergency Regulations (or such other form as is prescribed for that purpose).
20. In the event that Council is unable to act promptly, and the Warden is unavailable, the Mayor of the Town of Antigonish may request the Minister to declare a state of local emergency in the Municipality.
21. In the event that Council of the Town of Antigonish is unable to act promptly, and the Mayor is unavailable, the Warden may request the Minister to declare a state of local emergency in the Town.
22. A copy of all declarations made under this part shall be provided to the Minister forthwith after they have been issued.

23. Following the issuance of a declaration of emergency in the Municipality, and for the duration of a state of emergency:
- a) every Councillor shall make his or her whereabouts known to the Clerk of the Municipality, and shall be available to attend all meetings held as a result of the emergency;
 - b) every employee, servant and agent of the Municipality who has an active role to play in an emergency, as identified by the regional emergency management plan, shall
 - a) advise the Regional Emergency Management Coordinator of his or her whereabouts; and
 - b) fulfill such duties as may be prescribed by the Regional Emergency Management Coordinator.
24. All previous By-Laws of the Municipality dealing with the response to states of local emergency are hereby repealed, effective as of the coming into force of this By-Law.

I CERTIFY this to be a true copy of “A By-Law to Provide for a Prompt Coordinated Response to A State of Local Emergency” as adopted on second reading by Council of the Municipality of the County of Antigonish at a meeting held on the 18th day of November, 2003.

Alan J. Bond
Municipal Clerk