

Municipality of Cumberland By-Law 13-02

Regional Emergency Management By-Law

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

The Council of the Municipality of the County of Cumberland, under the authority vested in it by the *Municipal Government Act*, R.S.N.S. 1999, and the *Emergency Management Act*, R.S.N.S. 1990, C.8, s. 10, enacts as follows:

SHORT TITLE

1. This By-Law may be cited as the "*Regional Emergency Management By-Law*."

INTERPRETATION

2. In this By-Law,
 - a. "Act" means the *Emergency Management Act*, R.S.N.S. 1990, c.8;
 - b. "Agreement" means the inter-municipal emergency services agreement among the Municipality of the County of Cumberland, Town of Springhill, Town of Parrsboro, Town of Amherst, and the Town of Oxford pursuant to Section 10 (2) of the *Act*, dated July 31, 1990, and as amended from time to time.
 - c. "Council" means the Council of the Municipality of the County of Cumberland;
 - d. "Councils" means the councils of the Municipality of the County of Cumberland, Town of Springhill, Town of Parrsboro, Town of Amherst, and the Town of Oxford;
 - e. "Councillor" means a member of the Council;
 - f. "Deputy Head/CEO" means the Deputy Head/CEO of the Nova Scotia Emergency Management Office;
 - g. "Emergency" means a present or imminent event which requires the prompt co-ordination of action or regulation of persons or property to be undertaken to protect property or the health, safety or welfare of people;
 - h. "Minister" means the member of the Executive Council to whom is assigned the

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administration of the *Act* and Regulations;

- i. "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;
- j. "Regional Emergency Management Advisory Committee" means the committee established by the Agreement to plan for and be responsible for the executive direction and management of emergency activities;
- k. "Regional Emergency Management Coordinator" (REMC) means the person appointed to serve as the staff person in accordance with the Agreement;
- l. "Regional Emergency Management Organization" (REMO) means the Organization established as per the Agreement;
- m. "Regional Emergency Management Planning Committee" (REMPC) means the Committee responsible to recommend policy to the Regional Emergency Management Advisory Committee;
- 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 the Council of a participating municipality pursuant to the *Act* by a Mayor or Warden in the event Council cannot be assembled in a timely manner or renewed pursuant to the *Act* and Regulations made pursuant thereto and this By-Law.

REGIONAL EMERGENCY MANAGEMENT ORGANIZATION

- 3. The 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 persons and Committees:
 - a. a Regional Emergency Management Advisory Committee;
 - b. a Regional Emergency Management Coordinator; and
 - c. a Regional Emergency Management Planning Committee.

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REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE

5. Council shall appoint representatives to the Regional Emergency Management Advisory Committee in accordance with the Agreement from its members for such term as the Agreement provides.
6. Council's representation on the Regional Emergency Management Advisory Committee shall at all times be no fewer than two members of the Council or as required by the Agreement.
7. The Regional Emergency Management Advisory Committee shall:
 - a. be responsible for directing and overseeing the development of the regional emergency management plans;
 - b. brief Council(s) on the development of these plans;
 - c. recommend the declaration of a State of Local Emergency to the Council(s) of participating municipalities, as required, or in the event such Council(s) cannot be assembled in a timely manner, the senior elected official of the affected municipality(s) may declare such a state in accordance with the *Act*;
 - d. be responsible for the executive direction and management of emergency activities during a State of Local Emergency;
 - e. with the approval of the Minister, recommend the renewal of a State of Local Emergency;
 - f. brief Council(s) on developments during a State of Local Emergency;
 - g. recommend the termination of a State of Local Emergency;
 - h. ensure a copy of any signed declaration of a state of local emergency is delivered to the Minister and the Deputy Head/CEO.

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 be paid for work incurred under this

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by-law in accordance with the Agreement.

10. The Regional Emergency Management Coordinator shall:
 - a. chair 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 necessary duties to be fulfilled by employees, servants and agents of the municipalities;
 - d. perform such duties as may be required by the Regional Emergency Management Advisory Committee or as provided for in the Agreement.

REGIONAL EMERGENCY MANAGEMENT PLANNING COMMITTEE (REMPC)

11. Each municipality shall appoint representatives to the Regional Emergency Management Planning Committee as outlined in the Agreement.

12. The provision of appropriate representatives and their alternates to the REMPC will be coordinated by the REMC. The Regional Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:

- i. community services;
- ii. law enforcement;
- iii. fire-control;
- iv. engineering services;
- v. health services;
- vi. public information;
- vii. transportation;
- viii. communications;
- ix. hospital/health centre services;
- x. utilities;
- xi. financial services; and
- xii. 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, as required, on the development of regional emergency management plans;
 - c. upon request, assist the Regional Emergency Management Advisory Committee in the briefing of Councils on the development of regional emergency management plans;
 - d. perform such other duties as may be required by the Regional Emergency Management

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Advisory Committee or the Agreement.

AGREEMENTS

14. The Council hereby agrees that the Regional Emergency Management Advisory Committee may enter into agreements with the Government of Canada, the Province of Nova Scotia, a municipality, city or town, or any other agency or any person. In the event that any such agreement may involve financial costs, the agreement will require approval by all participating REMO municipalities.

DUTY OF COUNCIL

15. The Council may appropriate and expend monies:
- a. "to pay reasonable expenses of members of the Regional Emergency Management Advisory Committee, the Regional Emergency Management Coordinator and the Regional Emergency Management Planning Committee; and
 - b. to fulfill the terms and conditions of any agreements as per Section 14.

DUTIES DURING A STATE OF LOCAL EMERGENCY

16. Following the issuance of a declaration under Section 7.c, and for the duration of the State of Local Emergency:
- a. every Councillor shall keep the Mayor/Warden apprised respecting their whereabouts;
 - b. Every employee, servant and agent of the municipality who has a key role to play in such emergencies as identified in the regional emergency management plans shall:
 - i. advise the Regional Emergency Management Coordinator of their whereabouts; and
 - ii. fulfill such duties as may be prescribed by the Regional Emergency Management Coordinator.

REPEAL

17. The EMERGENCY MEASURES BY-LAW of the **Municipality of the County of Cumberland** passed on March 17, 2006 is hereby repealed.

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Clerk's Annotation For Official By-Law Book

Date of first reading: October 2, 2013

Date of advertisement of Notice of Intent to Consider: October 23, 2013

Date of final reading: November 13, 2013

*Date of advertisement of Passage of By-Law:

Date of mailing to Minister a certified copy of By-Law: November 19, 2013

I certify that this Regional Emergency Management By-Law was adopted by Council and published as indicated above.

Brenda Moore, Clerk

Date

Minister Responsible for the
Emergency Management Act

Date

*Effective Date of the By-Law unless otherwise specified in the text of the By-Law