

EMERGENCY MEASURES ORGANIZATION BYLAW

PUBLISHED BY AUTHORITY

Pursuant to the powers vested in it under and by virtue of Section 6 of the *Emergency Measures Act of Newfoundland and Labrador, RSNL 1990*, Chapter E-8, the Town Council of the Town of Conception Bay South in regular session on this 5th day of September, A.D. 2007, hereby passes and enacts the following Bylaw to provide for the establishment of an Emergency Measures Organization.



WOODROW FRENCH
MAYOR

1. TITLE

This Bylaw may be cited as the "Town of Conception Bay South Emergency Measure Organization Bylaw".

2. DEFINITIONS

In this Bylaw:

- a) "**Town**" means Town of Conception Bay South.
- b) "**Municipality**" means Conception Bay South.
- c) "**Council**" means Council for the Town of Conception Bay South.
- d) "**Disaster**" means a calamity caused by accident, by an act of war or insurrection or by forces of nature, that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property, that is beyond the scope of the resources normally available to the Town.
- e) "**Emergency**" means a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.
- f) "**State of Emergency**" means a state of civil disaster or state of war emergency as defined by the *Emergency Measures Act*.

- g) **“Co-ordinator”** means the person appointed by the Council of the Town of Conception Bay South to organize Emergency Measures in the Town of Conception Bay South.

3. **BYLAW**

WHEREAS the Emergency Measures Act of Newfoundland and Labrador, pursuant to Section 6 provides that the local authority of each municipality may appoint a Committee of members of the local authority area, to advise on the development of emergency plans and programs and shall fix the expenses of the committee members;

AND SHALL establish and maintain a municipal emergency measures organization;

AND MAY, borrow, levy, appropriate and expand, without the consent of the electors, all sums required for the operation of the municipal agency;

AND SHALL appoint a Co-ordinator of the municipal agency and prescribe his or her duties, which shall include the preparation and co-ordination of emergency plans and programs for the municipality;

AND SHALL prepare and approve emergency plans and programs;

NOW THEREFORE the Town Council of the Town of Conception Bay South enacts as follows;

1. The Emergency Measure Organization of the Town of Conception Bay South shall comprise of the Emergency Operations Control Group the Emergency Measures Planning Committee, municipal departments and voluntary organizations within the municipality.
2. The responsibility for the emergency measures control will be vested in the Emergency Operations Control Group.
3. The Emergency Operations Control Group shall be responsible for:
 - a. Exercise of overall responsibility of planning and coordinating of emergency measures in the Town of Conception Bay South;
 - b. Submission to Council of estimates of expenditures for the maintenance and operation of the Emergency Measures Organization;
 - c. Submission to Council at least once per year of a progress report of activities;
 - d. Submission to Council, for approval, of a municipal emergency plan.

4. Subject to Section 5 of this Bylaw and subject to any directions of the Town Council, the Emergency Operations Control Group shall be responsible for the carrying out of any emergency measures or emergency activities or works in furtherance of the Emergency Measures Act of Newfoundland and Labrador or this Bylaw, and to that end, shall have and is hereby granted and delegated to it the duties and powers of the Town Council, except the power to borrow money, to pass Bylaw or enter into any contracts. Provided however, such delegation of the duties and powers of the Town Council is expressly limited to only the powers of the Town Council necessary to carry out its rights, responsibilities, or duties under the Emergency Measures Act of Newfoundland and Labrador.

5. The Emergency Measures Co-ordinator shall have the following duties and responsibilities:
 - a. Act as Chairman of the Emergency Measures Planning Committee established under this Bylaw;
 - b. Stimulates and co-ordinates the development of an emergency plan for the community in cooperation with the departments and agencies of the municipality;
 - c. Provides emergency plans from guidelines laid down by the Emergency Operations Control Group;
 - d. Submits regular reports to the Emergency Operations Control Group to keep them fully informed of progress;
 - e. Correlates all activities of those persons and/or organizations involved within the Town of Conception Bay South and designated for Emergency Measures Organizations;
 - f. Ensures that a continuous program of training for local Emergency Measures Organization personnel is carried out, either by local training classes or attendance at Provincial or Federal training schools;
 - g. Cooperates with the Mutual Aid Area and the Emergency Measures Organization on all matters pertaining to planning and operation;
 - h. Submits a projected budget to cover costs of emergency measures operations within the municipality;
 - i. Acts as advisor to the Municipal Government during emergencies or disasters.

6.
 - a. There shall be an Emergency Measures Planning Committee comprised of the Emergency Measures Co-ordinator, the Fire Chief, and the Director of Engineering and Public Works (or their delegates who are hereby empowered to act on their behalf), and such other person or organizations when required, that may be deemed necessary to formulate a municipal emergency plan.
 - b. There shall be a minimum of one joint meeting of the Emergency Operations Control Group and the Emergency Measures Planning Committee annually.
7. The Emergency Measures Planning Committee, as a whole, under the co-ordination of the Chairman will coordinate the municipal and voluntary emergency services emergency plans to ensure business continuity.
8. Each municipal department or voluntary organization of the municipality shall be responsible to develop and execute the emergency plan, specific hazard plans and business continuity of the service he or she represents, train municipal employees and volunteers and make a comprehensive study of existing resources.
9. The Council may, from time to time, appropriate and expend monies required to meet the ordinary operating expenses of said organization.
10. The Town of Conception Bay South may enter into agreement with the Province or any other governmental agency as authorized by the provisions of the Emergency Measures Act of Newfoundland and Labrador or Regulations there under.
11. In the case of an emergency or disaster, the Mayor, or in his/her absence, the Deputy Mayor, is hereby authorized to declare a state of local emergency in the Town of Conception Bay South. Upon such declaration being made, the Town of Conception Bay South Emergency Measures Organization shall exercise all powers conferred upon him/her and it by the Emergency Measures Act of the Province of Newfoundland and Labrador.
12. On the making of the declaration and for the duration of the state of local emergency, the Mayor, or in his/her absence, the Deputy Mayor, may do all acts and take all necessary proceedings including the following:
 - a. Put into operation an emergency plan or program;
 - b. Authorize or require a local authority to put into effect an emergency plan or program for the Town of Conception Bay South;
 - c. Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;

- d. Authorize or require any qualified person to render aid of a type he/she is qualified to provide;
 - e. Control or prohibit travel to or from an area of the Town of Conception Bay South.
 - f. Provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare, and other essential services in any part of the Town of Conception Bay South.
 - g. Cause the evacuation of people and the removal of livestock and personal property from any area of Conception Bay South that is or may be affected by an emergency or disaster and make arrangements for the adequate care and protection of those people or livestock and or the personal property;
 - h. Authorize the entry into any building or onto any land, without warrant, by any person in the course of implementing an emergency plan or program;
 - i. Cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the scene of an emergency or disaster, or to attempt to forestall its occurrence or to combat its progress;
 - j. Procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within any property, services, resources or equipment within any part of the Town of Conception Bay South for the duration of the state of local emergency.
 - k. Authorize the recruitment of persons needed to meet an emergency.
13. In the absence of the Mayor and Deputy Mayor, a majority of the members of the Town Council present are hereby authorized to declare a state of local emergency in the Town of Conception Bay South under this Bylaw.

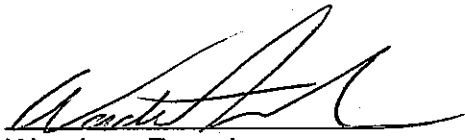
4. COMPLIANCE WITH OTHER ACTS

Nothing in this Bylaw serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other regulation of the Town or any statute or regulation of the Province of Newfoundland and Labrador, and in such cases where more than one regulation or statute applies the more restrictive regulation or statute shall apply.

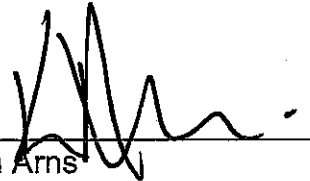
5. EFFECTIVE DATE

This Bylaw shall come into force on 5th day of September, 2007.

In witness whereof the Seal of the Town of Conception Bay South has been affixed hereto and this Bylaw has been signed by the Mayor and the Town Manager/Clerk on behalf of Council on this 5th day of September, 2007.



Woodrow French
Mayor



Keith Arns
Town Manager/Clerk