
**DISTRICT OF CHETWYND
BYLAW NO. 859/G/07**

WHEREAS

the Council is required by the provisions of the *Emergency Program Act*, to establish and maintain an emergency management organization to develop and implement emergency plans; and

WHEREAS

the Council wishes to provide a comprehensive emergency program to assist it to prepare for, respond to and recover from natural or man made emergencies or disasters with the goals of preserving life, property, the local economy and the environment, through a coordinated approach of the Council, officers, employees of the District of Chetwynd, volunteer services, external agencies and other public authorities; and

WHEREAS

the Council may appoint such committees as it considers necessary or desirable to assist it in meeting its obligations under the Act;

NOW THEREFORE

the Council of the District Chetwynd, in open meeting assembled, hereby enacts as follows:

1. CITATION

This Bylaw shall be cited as the "Emergency Measures Bylaw No. 859/G/07".

2. INTERPRETATION

The following words when used in this Bylaw will have the meaning ascribed to them in this section:

"**Act**" means the *Emergency Program Act* and includes any regulations made thereunder;

"**Administrator**" means the person appointed as the **Chief Administrative Officer** of the District or alternately his or her Deputy;

"**BCERMS**" means the BC Emergency Response Management System as endorsed by the Provincial Emergency Program;

"**Council**" means the Council of the District of Chetwynd, and which is referred to as the local authority in the Act;

"**Declaration of a state of local emergency**" means a bylaw or resolution of the Council or an order of the Mayor that an emergency or disaster exists or is imminent and which is made in accordance with section 12 of the Act;

"Disaster" means a calamity that

- a) is caused by accident, fire, explosion or technical failure or by the forces of nature, and
- b) has resulted in serious harm to the health, safety or welfare of people or in widespread damage to property;

"District" means all of the area within the boundaries of the District of Chetwynd, the entity of the District of Chetwynd; or the administration of the District of Chetwynd;

"Emergency" means a present or imminent event that

- a) is caused by accident, fire, explosion or technical failure or by the forces of nature, and
- b) 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;

"Emergency Program Coordinator" means the person appointed as the head of the District of Chetwynd Emergency Program and in that capacity is deemed to be the coordinator for the District's emergency measures organization pursuant to section 6 (3) of the Act;

"Emergency Executive Committee" or **"Emergency Planning Committee"** refers to the Committees constituted pursuant to section 3 of this Bylaw;

"EOC" means the District Emergency Operations Centre as defined in the District Emergency Program or such other facility as may be designated from time to time as the EOC by the Council;

"EOC Director" means the Chief Administrative Officer who provides overall direction in and is responsible for the operations in the District Emergency Operations Centre;

"Mayor" means the Mayor of the District or, in the event that Mayor is absent, ill or otherwise unable or unwilling to carry out or exercise his or her duties and powers under this Bylaw and the Act, the person designated as the Acting Mayor by Council;

"Minister" means the Minister of Public Safety and Solicitor General for the Province of British Columbia;

"Municipal" or the derivations of "Municipal" means all that related to and within the District of Chetwynd and its jurisdiction;

"Municipal Emergency Program" or the **"District Emergency Program"** means the Emergency Program for the District of Chetwynd as adopted or implemented from time to time and any amendment thereto;

"Order" refers to a written statement or instruction giving effect to a declaration of a state of local emergency by the Mayor, which Order must include the date of issuance and bear the name of the Mayor.

3. ADMINISTRATION

- 3.1 The Council must appoint an individual as the Emergency Program Coordinator and may establish a reporting structure for this position. The Emergency Program Coordinator shall act as the head of the Municipal Emergency Program and facilitate the development, maintenance and implementation of emergency preparedness, response and recovery measures through the Emergency Program.
- 3.2 A two-tier Emergency Measures Organization is hereby created:
- a) an Emergency Executive Committee; and
 - b) an Emergency Planning Committee.
- 3.3 An Emergency Executive Committee is hereby created and the following individuals may constitute the Committee:
- a) the Mayor, who may act as Chair;
 - b) one member of Council designated by the Mayor; and
 - c) the Chief Administrative Officer;
 - d) the Emergency Program Coordinator; and
 - e) such other individuals as may be appointed to this Committee by the Mayor from time to time.
- 3.4 The Emergency Planning Committee shall be chaired by the Emergency Program Coordinator. Membership may include the following:
- a) the Emergency Program Coordinator, as Chair,
 - b) the Chief Administrative Officer or designate,
 - c) District Department heads, and
 - d) Outside agency representatives may be included in this Committee from time to time as determined at the discretion of the Emergency Program Coordinator and/or the Chief Administrative Officer.
- 3.5 An Emergency Operations Centre (EOC) Management Team is hereby created to consist of the Chief Administrative Officer as the EOC Director, and the persons occupying or appointed to the positions referred to in Section 3.6.
- 3.6 The following EOC positions may be assigned by the EOC Director:
- a) the Information Officer;
 - b) the Risk Management Officer;
 - c) the Liaison Officer;
 - d) the Operations Section Chief;
 - e) the Planning Section Chief;
 - f) the Logistics Section Chief;
 - g) the Finance & Administration Section Chief, and

- h) any other individuals as deemed necessary by the EOC Director.

The Chief Administrative Officer shall chair the EOC Management Team for EOC operations purposes.

4. DUTIES AND RESPONSIBILITIES

4.1 The Emergency Executive Committee will be responsible for the following:

- a) providing direction and authority for policies and budgets to establish, maintain and operate the Municipal Emergency Program;
- b) authorizing the District to negotiate and enter agreements with other Municipalities or governments for the purpose of mutual aid or the formation of joint organizations;
- c) authorizing the District to negotiate with individuals, societies, corporations or other legal entities other than government bodies for the engagement of one or more of their members deemed qualified to provide services necessary to achieve the objectives of this Bylaw;
- d) meeting no less than once a year to stay informed of the status of the Municipal Emergency Program and related initiatives and activities; and
- e) reporting to and obtaining approvals from the Council as appropriate.

4.2 The Emergency Planning Committee has authority in relation to the following:

- a) making and amending practices and procedures to regulate its activities and meetings;
- b) establishing such sub-committees or working groups as it deems necessary to carry out its duties and obligations;
- c) subject to the final approval of the Council
 - i) negotiating and entering agreements with other municipalities or governments for the purpose of mutual aid or the formation of joint organizations,
 - ii) negotiating with individuals, societies, corporations or other legal entities other than government bodies for the engagement of one or more of their members deemed qualified to provide services necessary to achieve the objectives of this Bylaw;
- d) submitting annually to Council for approval estimates of expenditures and/or policies required to establish, maintain and operate the Municipal Emergency Program;

- e) preparing the Municipal Emergency Program, which program must
 - i) provide a general direction and framework that covers prevention, mitigation, preparedness, response and recovery programs to deal with a Disaster or Emergency in the District, and
 - ii) formulate roles and responsibilities for all officials appointed pursuant to this Bylaw (whose roles and responsibilities are not otherwise defined herein), for District officers, employees and as needed, volunteers; and
- f) meeting no less than twice a year to plan, coordinate and implement emergency program related activities and services.

4.3 The Emergency Program Coordinator will report directly to the Chief Administrative Officer and will be responsible for the following:

- a) serving as a member of the Emergency Executive Committee, the Emergency Operations Centre Management Team, and the Emergency Planning Committee;
- b) in the event of a declaration of a state of local emergency, coordinating operations with the Emergency Operations Centre Management Team, which may include scheduling regular briefings of the Emergency Operations Centre Management Team respecting response to and recovery from the emergency or disaster that prompted the declaration of a state of local emergency;
- c) making such minor amendments to the Municipal Emergency Program as are necessary to ensure that the information contained in such Program remains current at all times, including, without limitation, updating telephone numbers, addresses, locations of equipment and response teams;
- d) providing day to day administration of the Municipal Emergency Program, including coordinating staff involvement in emergency management, encouraging community preparedness and liaising with external organizations for emergency management purposes;
- e) maintaining information on potential natural and man-made hazards and the impact that such hazards could have on the District;
- f) coordinating, equipping and/or training the District's volunteer services;
- g) ensuring all District departments develop and keep updated departmental or functional emergency plans that are consistent with and support the Municipal Emergency Program;
- h) providing liaison on behalf of the District with other external support organizations;
- i) selecting and processing candidates for Federal or Provincial emergency program courses and training;
- j) conducting studies and exercises within the District to ensure that the Municipal Emergency Program is understood, effective and in a state of readiness;

- k) acting as the point of contact for the District with the Provincial Emergency Program and other governments or agencies concerning emergency planning and operations; and
- l) when a declaration of a state of local emergency exists, acting as the District's liaison person between the EOC Director and such other person the Minister may appoint pursuant to section 10 (2) of the Act and the Council.

4.4 The EOC Management Team will be responsible for the coordination and direction of overall operations undertaken in the EOC in support of field responders and in accordance with the Municipal Emergency Program.

5. DECLARATION OF A STATE OF LOCAL EMERGENCY

5.1 Subject to subsection (5.3), the Council, when satisfied that an emergency or disaster exists, may by resolution or bylaw, make a declaration of a state of local emergency.

5.2 Subject to subsection (5.3), the Mayor may, by Order, make a declaration of a state of local emergency provided that the Mayor has used his or her best efforts to obtain the consent of the other members of the Council to a declaration of a state of local emergency.

5.3 A declaration of a state of local emergency, whether made by the Council or the Mayor must:

- a) identify the nature of the disaster or emergency; and
- b) identify whether the disaster or emergency affects all of the District or only a portion thereof and, in the latter case, clearly identify the affected portion of the District; and
- c) be made in the form such as the sample annexed as Schedule "A" to this Bylaw.

5.4 If a declaration of a state of local emergency is made in accordance with this Bylaw the Council or Mayor, as applicable, must immediately:

- a) forward a copy of the declaration of a state of local emergency, to the Minister; and
- b) cause details of the declaration of a state of local emergency to be published by a means of communication that the Council or Mayor, as the case may be, considers most likely to make the contents of the declaration known to the population of the affected area of the District.

6. POWERS ASSOCIATED WITH THE DECLARATION OF A STATE OF LOCAL EMERGENCY

6.1 Once a declaration of a state of local emergency has been made, the District will immediately assume responsibility for the disaster or emergency which prompted the declaration of a state of local emergency in accordance with the division of responsibilities set out in section 4 of this Bylaw, the Act and the Municipal Emergency Program.

In carrying out its duties and responsibilities the District may exercise any or all of the following powers of the Council pursuant to the delegation provisions of section 6 (4) of the Act, subject only to an order from the Minister directing the Council and, through it to its delegates, to refrain or desist from exercising any one or more of the powers enumerated in paragraphs (a) through to and including (i) below:

- a) acquire or use any land or personal property considered necessary to prevent, respond to or alleviate the effects of the emergency or disaster;
- b) authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to or alleviate the effects of the emergency or disaster;
- c) control or prohibit travel to or from any area of the District;
- d) 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 District;
- e) cause the evacuation of persons and the removal of livestock, animals and personal property from any area of the District that is or may be affected by the emergency or disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and personal property;
- f) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing the Municipal Emergency Program or if otherwise considered necessary to prevent, respond to or alleviate the effects of the emergency or disaster;
- g) cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary or appropriate in order to prevent, respond to or alleviate the effects of the emergency or disaster;
- h) construct works considered necessary or appropriate to prevent, respond to or alleviate the effects of the emergency or disaster;
- i) procure, fix prices for or ration, food, clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources or equipment, within any part of the District for the duration of the declaration of a state of local emergency under this Bylaw.

6.2 The Council may, during or within 60 days after the declaration of a state of local emergency, by bylaw ratified by the Minister of Community, Aboriginal and Women's Services, borrow any money necessary to pay expenses caused by the disaster or emergency.

7. RENEWAL AND CANCELLATION OF A DECLARATION OF A STATE OF LOCAL EMERGENCY

7.1 The Council or Mayor, as the case may be, must, when of the opinion that the emergency or disaster no longer exists in the District or part thereof for which a declaration of a state of local emergency was made, cancel the declaration by means of a bylaw or resolution of the Council or an Order of the Mayor, as appropriate, and promptly notify the Minister of the cancellation of the declaration of a state of local emergency.

7.2 The Council or Mayor, as the case may be, must, when of the opinion that the emergency or disaster continues to affect the District or part thereof for which a declaration of a state of local emergency was made, renew the declaration by means of a bylaw or resolution of the Council or an Order of the Mayor, as appropriate, and promptly notify the Minister of the renewal of the declaration of a state of local emergency.

8. REPEAL

8.1 "District of Chetwynd Emergency Measures Bylaw No. 756/G/01" and all amendments thereto are hereby repealed in their entirety.

Read for a first time on this	16 th day of January, 2007
Read for a second time on this	16 th day of January, 2007
Read for a third time on this	16 th day of January, 2007
Adopted on this	6 th day of February, 2007

Director of Corporate Administration

Mayor

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 859/G/07 cited as the "District of Chetwynd Emergency Measures Bylaw No. 859/G/07" as adopted by Council on the 6th day of February, 2007.

Director of Corporate Administration

SCHEDULE A

DECLARATION OF A STATE OF LOCAL EMERGENCY

TO: Minister, Public Safety and Solicitor General FAX: 250-952-4872
Provincial Emergency Program (Victoria) FAX: 250-952-4888
Provincial Emergency Program (NE Region) FAX: 250-612-4171

FROM: District of Chetwynd Phone: _____
Contact Name: _____ Title: _____

RE: State of Local Emergency

It is hereby declared, under the authority of the British Columbia Emergency Program Act and the District of Chetwynd Emergency Measures Bylaw No.859/G/07 that a State of Local Emergency exists in the District of Chetwynd, British Columbia, as the result of

(name the emergency and state the date / time of occurrence)

The area(s) affected by this disaster, and to which this Declaration applies, (Choose one:
the entire area of the District; or
that part of the District identified on the attached).

The nature of this emergency is as follows: (include a short narrative description explaining the scope and nature of the emergency)

This Declaration will remain in force for seven days from the date noted below at which time the need for either a renewal or cancellation will be considered. This Declaration is Ordered by: [*specify which*]
the Mayor of District of Chetwynd, or
by Resolution of the Council of the District of Chetwynd.

Mayor

Certified by Director of Corporate Administration

Date / Time: _____

Attachments:

- Affected area(s) / Maps
- Resolution _____

As required under the B.C. Emergency Program Act and the District of Chetwynd's Emergency Measures Bylaw, the District of Chetwynd must inform the Minister of Public Safety and Solicitor General of the Government of British Columbia and also the population within the affected area that a State of Local Emergency now exists.

EMERGENCY POWERS AUTHORIZATION
(Emergency Program Act)

WHEREAS a state of local emergency has been declared within the District of Chetwynd on the ____ day of _____, _____;

WHEREAS powers under the *Emergency Program Act* are required to address the emergency pursuant to the *Emergency Program Act*.

The Council of the District of Chetwynd has resolved as follows:

District of Chetwynd officials listed in Column 3 of Appendix 1 attached to this Order are authorized to implement powers that are set out in the *Emergency Program Act* as listed in Column 1 in connection with this emergency.

Mayor

Certified by Director of Corporate Administration

Attachments:

Delegation of Powers

APPENDIX 1

**Delegation of Powers
under Section 10 of the B.C. Emergency Program Act
authorized to District of Chetwynd officials**

Attached as part of the Emergency Powers Authorization issued on
Date / Time: _____

Column 1	Column 2	Column 3
Delegated Powers To	Y / N	District of Chetwynd Officials' Titles
a) Acquire or use any land or personal property considered necessary to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
b) Authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
c) Control or prohibit travel to or from any area of the Municipality.		
d) 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 Municipality.		
e) Cause the evacuation of persons and the removal of livestock, animals and personal property from any area of the Municipality that is or may be affected by the Emergency or Disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and personal property.		
f) Authorize the entry into any building or on any land, without warrant, by any person in the course of implementing the Municipal Emergency Program or if otherwise considered necessary to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
g) Cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary or appropriate in order to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
h) Construct works considered necessary or appropriate to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
i) Procure, fix prices for or ration, food, clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources or equipment, within any part of the Municipality for the duration of the Declaration of a State of Local Emergency under this Bylaw.		

RENEWAL / CANCELLATION OF A STATE OF LOCAL EMERGENCY

TO: Minister, Public Safety and Solicitor General FAX: 250-952-4872
Provincial Emergency Program (Victoria) FAX: 250-952-4888
Provincial Emergency Program (NE Region) FAX: 250-612-4171

FROM: District of Chetwynd Phone: _____
Contact Name: _____ Title: _____

RE: Renewal / Cancellation of a State of Local Emergency

A State of Local Emergency declared on _____
(date and time)

by the District of Chetwynd is hereby

- renewed or cancelled
 in its entirety or for the following affected areas only:

This Renewal will remain in force for seven days from the date noted below.

Or

This Cancellation will remain in force from the date noted below unless otherwise notified.

This Renewal or Cancellation is

- Ordered by the Mayor of District of Chetwynd or
 By Resolution of the Council of the District of Chetwynd.

Mayor

Certified by Director of Corporate Administration

Date / Time: _____

Attachments:

- Declaration of a State of Local Emergency (original)
 Previous Renewal(s) of a State of Local Emergency dated _____
 Delegation of Powers
 Affected area(s) / Maps
 Resolution _____
 Other _____