

**A BY-LAW TO PROVIDE FOR A PROMPT AND COORDINATED
RESPONSE TO A STATE OF LOCAL EMERGENCY**

The Council of the Town of Stellarton, under the authority vested in it by the Towns Act, R.S.N.S. 1989, C.472 and the Emergency Measures Act, R.S.N.S. 1990 C.8, s. 10, enact as follows:

SHORT TITLE

1. 1. This by-law may be cited as the "Emergency Measures By-Law".

2. 2. In this by-law,
 - a) "Act" means the Emergency Measures Act, R.S.N.S. 1990, c.8.
 - b) "Council" means the Council of the Town of Stellarton.
 - c) "Councillor" means a member of the Council.
 - d) "Director" means the Director of the Emergency Measures Organization.
 - e) "Emergency" means a present or imminent event in respect of which the Municipality believes prompt co-ordination 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) “Minister” means the member of the Executive Council to whom is assigned the administration of the Act and regulations.
- g) “Municipal Emergency Measures Plan” 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 such an occurrence.
- h) “Municipal Emergency Measures Advisory Committee” means the advisory committee established pursuant to this by-law.
- i) “Municipal Emergency Measures Co-ordinator” means the person appointed by the Council pursuant to this by-law.
- j) “Municipal Emergency Measures Organization” means the organization established pursuant to this by-law.
- k) “Municipal Emergency Measures Planning Committee” means the committee established pursuant to this by-law.
- l) “Municipality” or “municipal” means a city, an incorporated town or municipality of a county or district and in this by-law specifically means the Town of Stellarton.
- m) “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.

- n) "State of Local Emergency" means a state of local emergency declared by a municipality or a county or district pursuant to the Act or renewed by the Municipality pursuant to the Act and regulations made pursuant thereto and by this by-law.
- o) "Mayor" means the Mayor of the Town of Stellarton or Councillor acting in the stead of the Mayor.

MUNICIPAL EMERGENCY MEASURES ORGANIZATION

- 3.
 - 1. The Council hereby establishes a Municipal Emergency Measures Organization.
 - 2. The Municipal Emergency Measures Organization shall consist of the following persons and committees:
 - a) a Municipal Emergency Measures Advisory Committee.
 - b) a Municipal Emergency Measures Co-ordinator.
 - c) a Municipal Emergency Measures Planning Committee.

MUNICIPAL EMERGENCY MEASURES ADVISORY COMMITTEE

4. 1. The Municipal Emergency Measures Advisory Committee shall consist of the Mayor and two Councillors appointed at the annual meeting.
2. The Municipal Emergency Measures Advisory Committee shall:
 - a) advise Council on the development of municipal emergency measures plans.
 - b) present municipal emergency measures plans to Council.
 - c) brief Council on developments during a local state of emergency.
 - d) perform such other duties as may be required by the Council.

EMERGENCY MEASURES CO-ORDINATOR

5. 1. The Municipal Emergency Measures Co-ordinator shall be appointed for such term as the Council deems necessary.
2. The Municipal Emergency Measures Co-ordinator shall:
 - a) chair the Municipal Emergency Measures Planning Committee.

- b) co-ordinate and prepare Municipal Emergency Measures Plans.
 - c) following a declaration of a state of local emergency, prescribe, as necessary, duties to be fulfilled by employees, servants and agents of the Municipality.
 - d) perform such other duties as may be required by the Council.
3. The Emergency Measures Co-ordinator shall be paid an annual stipend of \$500 or such sum as may be approved by Town Council.

MUNICIPAL EMERGENCY MEASURES PLANNING COMMITTEE

6. 1. The Municipal Emergency Measures Planning Committee shall be appointed by Council for such terms as the Council 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 a department or agency exists, a qualified person to represent that group.

3. The Municipal Emergency Measures 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 services
 - e) health services
 - f) community services
 - g) transportation services
 - h) communication services
 - i) public information
 - j) utilities
 - k) financial services
 - l) legal services

 4. The Municipal Emergency Measures Planning Committee shall:
 - a) Assist the Municipal Emergency Measures Co-ordinator in the preparation and co-ordination of municipal emergency measures plans.
 - b) Advise the Municipal Emergency Measures Advisory Committee on the development of Municipal Emergency Measures Plans.
 - c) Upon request, assist the Municipal Emergency Measures Advisory Committee in the presentation of Municipal Emergency Measures Plans to Council.
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- d) Perform such other duties as may be required by the Municipal Emergency Measures Advisory Committee or the Council.

AGREEMENTS

7. 1. Subject to preliminary approval of Council, the Municipal Emergency Measures Planning 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 agency or any person.
2. Any agreement negotiated under subsection (1) is not binding until it is approved by Council.

DUTY OF COUNCIL

8. 1. The Council shall review and evaluate Municipal Emergency Measures Plans presented to it by the Municipal Emergency Measures Advisory Committee, and shall approve a Municipal Emergency Measures Plan or Plans.

2. The Council may specify additional duties to be fulfilled by the Municipal Emergency Measures Advisory Committee, the Municipal Emergency Measures Co-ordinator and the Municipal Emergency Measures Planning Committee.
3. The Council may appropriate and expend monies:
 - a) To pay reasonable expenses of members of the Municipal Emergency Measures Advisory Committee, the Municipal Emergency Measures Co-ordinator, and the Municipal Emergency Measures Planning Committee.
 - b) To fulfill the terms and conditions of an agreement approved by the Council pursuant to Section 7.

DECLARATION OF STATE LOCAL EMERGENCY

9.
 1. The Council shall declare a state of emergency by completing Form 4 attached to the State of Emergency Regulations, or such other form as may, from time to time, be prescribed for that purpose.
 2. The Mayor acting under Section 12(3) of the Act shall complete Form 5 attached to the State of Emergency Regulations, or such other form as may, from time to time, be prescribed for that purpose.

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, or such other form as may, from time to time, be prescribed for that purpose.
4. The Council may terminate a state of local emergency by completing Form 7 attached to the State of Emergency Regulations, or such other form, as may, from time to time, be prescribed for that purpose.
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. 1. Following the signature of a declaration under Section 9 of this by-law, the Council shall immediately cause the details of the declaration or termination to be communicated for 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.** 1. 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.
 - b) every employee, servant, and agent of the Municipality who has a key role to plan in such emergencies as identified in the municipal emergency measures plan, shall:
 - i) advise the Municipal Emergency Measures Co-ordinator of their whereabouts.
 - ii) fulfill such duties as may be prescribed by the Emergency Measures Co-ordinator.

REPEAL

- 12.** 1. The by-law to provide for a prompt and co-ordinate response to a state of local emergency, approved by the Minister of EMO Nova Scotia on July 19, 1984, and by the Municipal Affairs on September 5, 1984, is repealed, the repeal to take effect on and not before the time this by-law comes into effect.

**THIS IS TO CERTIFY, that the foregoing
is a true copy of a by-law duly adopted by
the Town Council of the Town of Stellarton
a duly called meeting held on the 20th day
of April, 1998.**

**GIVEN, under the hands of the Mayor and
Town Clerk and under the corporate seal of
the Town this 21st day of April, 1998.**

Art Fitt, Mayor

Adrian Pearson, Town Clerk