

## VILLAGE OF DOAKTOWN

### A COMMUNITY EMERGENCY PLANNING BY-LAW NO. 2017-03

The Council of the Village of Doaktown, under the authority vested in it by the Municipalities Act of New Brunswick and the Emergency Measures Act of New Brunswick, enacts as follows:

#### DEFINITION

1. For the purpose of this By-Law,
  - a. “coordinator” means the Coordinator of the Municipal Emergency Measures Organization;
  - b. “emergency” means a present or imminent event in respect of which the Minister or municipality, as the case may be, believes prompt co-ordination of action or regulation of persons or property must be undertaken to protect property, the environment or the health, safety or welfare of the civil population;
  - c. “emergency planning committee” means the whole Committee that shall review matters pertaining to the municipality’s emergency preparedness and will oversee the planning and coordination of emergency measures through the Coordinator;
  - d. “emergency response plan” means a plan, program or procedure adopted by the municipality that is 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 and the environment in the event of such an occurrence;
  - e. “emergency operations centre (EOC)” means a building, structure, or place designated by the Committee as being the operations centre for administering, planning and coordinating emergency measures;
  - f. “minister” means the Minister of Justice and Public Safety;
  - g. “municipality” means the Village of Doaktown.
  - h. “state of local emergency” means a state of local emergency declared by the municipality pursuant to Section 10(2) of the Emergency Measures Act of New Brunswick or renewed pursuant to Section 18(2) of the Emergency Measures Act of New Brunswick.

#### EMERGENCY PLANNING COMMITTEE

2. An Emergency Planning Committee, hereinafter called “the Committee,” shall be appointed by Council, to consist of not fewer than two members of Council. A quorum will consist of a simple majority.
3. In addition to its others duties and powers under this by-law, the Committee shall be responsible for:
  - a. the appointment of a Coordinator of the Municipal Emergency Measures Organization and such others as may be required;
  - b. the preparation and approval of the Emergency Response Plan.
  - c. ensure that a continuous programme of training for local Emergency Measures Organization personnel is carried out either by local training classes or by attendance at Provincial or Federal training schools.

- d. ensure that the Emergency Response Plan is exercised annually, in full or in part, to ensure that all members of the Emergency Operations Group, support staff and others involved in the plan, understand the function and operating procedures of the Emergency Operations Centre.

## GENERAL

4. The Coordinator shall prepare all plans, programs and estimates of expenditures relating to the establishment, maintenance, and operation of the Emergency Response Plan, which shall be submitted to the Council for approval.
5. The municipality shall establish an Emergency Operations Centre and, as required, shall implement the Emergency Response Plan in accordance with the procedures outlined therein.
6. Subject to the approval of Council, the Committee may negotiate and on behalf of the municipality enter into agreements with other municipalities, with the Government of New Brunswick, with the Government of Canada, or with other agencies, or any or all of them, for the purpose of mutual aid, for the formation of joint organizations, or for the employment of their members or resources all within the terms of the Emergency Response Plan.
7. In the event of the declaration of an emergency, the Emergency Response Plan will be implemented by the Committee in full or in part according to the procedures outlined therein.
8. In the event that the declaration of an emergency, Council will be
  - a. automatically convened and shall not be adjourned until the emergency is declared to be over.
  - b. each member of Council will be advised by the Committee when an emergency has been declared and he/she advises the Emergency Operations Centre of his/her whereabouts during the continuation of the emergency.
  - c. before, upon the event of, or during the continuation of an emergency the Mayor or Deputy Mayor or any two Councillors may call members of Council to meet for the purpose of declaring a state of local emergency and of carrying out business pertaining thereto. As soon as a quorum is present, the meeting may be called to order. For purposes of this by-law only, any two members of Council shall constitute a quorum. At such meeting only matters directly pertaining to the emergency may be considered by Council and business will be conducted according to the by-laws of the municipality where they do not conflict with this by-law.
  - d. in case a quorum cannot be reached, the senior elected official present shall contact the New Brunswick Emergency Measures Organization requesting the Minister of Justice and Public Safety to declare a state of local emergency in the municipality.
9. In the event that a state of local emergency has been declared, all employees, servants and agents of the municipality will advise the Emergency Operations Centre of their whereabouts and will be required to carry out duties as ordered by the Coordinator.

10. Unless Council otherwise stipulates, for services performed during the continuation of the emergency:
  - a. Department heads will receive no additional remuneration.
  - b. Salaried persons, other than Department Heads, will receive a pro-rata hourly rate for each hour worked.
  - c. Hourly paid employees will receive time and one-half their regular hourly rate for time worked in excess of eight hours per day.
  - d. Casual employees as required during the emergency will be paid the usual set rate per hour.

#### Powers

11. When a state of local emergency is declared, under the authority of the *Emergency Measures Act*, the municipality may do everything necessary for the protection of property, the environment and the health or safety of persons therein, including, but not limited to, any or all of the following:
  - a. to cause an Emergency Response Plan to be implemented;
  - b. to acquire or utilize or cause the acquisition of or utilization of any personal property by confiscation or any means considered necessary;
  - c. to authorize or require any qualified person to render aid of such type as that person may be qualified to provide;
  - d. to control or prohibit travel to or from any area or of any street, road or highway;
  - e. to provide for the maintenance and restoration of essential facilities, the distribution of essential supplies and the maintenance and coordination of emergency medical, social and other essential services;
  - f. to cause the evacuation of persons and the removal of livestock and personal property threatened by a disaster or emergency, and make arrangements for the adequate care and protection thereof;
  - g. to authorize any person properly identified, as authorized by the municipality, to enter into any building or upon any land without warrant;
  - h. to cause the demolition or removal of any building, structure, tree or crop where the demolition or removal is necessary or advisable for the purposes of reaching the scene of a disaster, of attempting to forestall its occurrence or of combating its progress;
  - i. to procure or fix prices of food, clothing, fuel, equipment, medical or other essential supplies and the use of property, services, resources or equipment;
  - j. to order the assistance, with or without remuneration, of persons needed to carry out the provisions mentioned in this section; and
  - k. to appoint any other persons as it deems necessary.
12. For the duration of the emergency, Council may appoint as auxiliary police persons who are recommended to it by the Royal Canadian Mounted Police or his/her delegate.
13. For the duration of the emergency, Council may appoint as auxiliary firefighter persons who are recommended to it by the Fire Chief or his/her delegate.

14. For the duration of the emergency, Council may appoint any other persons as deemed necessary by the Coordinator.

Mutual Agreements

15. The municipality may from time to time enter into Mutual Aid Agreements with other municipalities. These are to be governed by the rules and regulations set out in the *Emergency Measures Act*.

Indemnity

16. No person shall have any claim against the municipality or its agents for any claims for damages of whatsoever nature or kind, which may be caused at any time in the carrying out of provisions of this by-law.

Repealed

17. By-Law 2003-1, "A Community Emergency Planning By-Law" and any amendments thereto are hereby repealed.

IN WITNESS WHEREOF the Village of Doaktown has caused the corporate seal of the said Village to be affixed to this By-Law the 21st day of February, 2018.

First Reading: December 20, 2017

Second Reading (in its Entirety): February 21, 2018

Third Reading and Enactment: February 21, 2018



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Mayor, Bev K. Gaston

Corporate Seal



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Village Clerk, Marilyn E. Price