

BY-LAW NO. 60A
A COMMUNITY EMERGENCY PLANNING BY-LAW

WHEREAS the Emergency Measures Act and Section 7(1) of the Municipalities Act provide that the local authority of each municipality shall appoint a Standing Committee of Council to advise on the development of emergency measures plans and programs and may fix the expenses of the committee members;

AND SHALL establish and maintain a municipal Emergency Measures Organization;

AND MAY borrow, levy, appropriate, and expend all sums approved by it for the operation of this organization;

AND SHALL appoint an Emergency Measures Coordinator of the municipal Emergency Measures Organization and prescribe his or her duties, which shall include the preparation and the coordination of emergency measures plans and programs for the municipality;

AND MAY enter into agreements with and make payments to persons and organizations for the provision of services in the development and the implementation of emergency measures plans or programs; and

NOW THEREFORE, the Council of the Town of Sackville enacts as follows:

1. For the purposes of this By-Law,

Emergency

- a. "emergency" means a present or imminent event in respect of which the Minister of Municipal Affairs or the Town of Sackville, as the case may be, believes will require immediate action or special regulation of persons or property to ensure the protection of property, the environment, or the health, safety, or welfare of the civil population.

Emergency Measures Plan

- b. "emergency measures plan" means any plan, program, or paradigm prepared by the Town of Sackville that is intended to mitigate the effects of an emergency 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.

Standing Committee of Council

2. The Standing Committee of Council, herein after called "the Committee", shall be appointed by Council to consist of not fewer than three members of Council together with the Mayor. For the purposes of this By-Law only, any three members of the Committee shall constitute a quorum.

Emergency Measures Planning Committee

3. The Emergency Measures Planning Committee shall consist of the Coordinator and representatives appointed by the Coordinator of the Town of Sackville from municipal services and voluntary organizations within the municipality.

Emergency Measures Coordinator

4. The term "Emergency Measures Coordinator" shall mean the person appointed by the Council of the Town of Sackville to organize emergency measures in the Town of Sackville.

5. Terms of reference for the Emergency Measures Coordinator are at appendix A.

6. Each municipal department or voluntary organization of the Town of Sackville shall be responsible to develop and to execute the emergency plan of the service he or she represents, to train municipal employees and volunteers, and to compile a comprehensive list of existing resources.

7. Subject to the approval of Council, the Committee may negotiate on behalf of the Town of Sackville to enter into agreements with other municipalities, with other provinces, with the Government of the Province of New Brunswick, with the Government of the Dominion of Canada, or with any other agency for the purpose of jointly establishing mutual aid, the formation of a consolidated organization, or for the employment of their members or organization, or for the use of their resources all within the terms of a municipal emergency response plan.

8. In the event of an emergency being declared, the Town of Sackville Emergency Response Plan will be implemented by the Committee in whole or in part according to the procedures outlined therein.

9.
 - a. In the event that an emergency has been declared, Council will automatically be 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 or she shall keep advised the Emergency Operations Centre of his or 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 an emergency and of carrying out the business pertaining thereto. As soon as a quorum is meeting, only matters pertaining to the emergency may be considered by Council; and business will be conducted according to the By-Laws of the Town of Sackville where they do not conflict with this By-Law.

10. In the event that an emergency has been declared, all employees, servants, and agents of the municipality will advise the Emergency Operations Centre as to their whereabouts and will be required to carry out duties as ordered by the Emergency Measures Coordinator. In this connection, 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 as per the collective agreement.
 - d. casual employees as required during the emergency will be paid the usual rate per hour as per the collective agreement.

11. On the making of the declaration of a state of local emergency, the Mayor, or in his or her absence, the Deputy Mayor, or in his or her absence, Liaison Councillor for Public Safety or in his or her absence the Emergency Measures Coordinator may carry out all necessary actions 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 Sackville.
 - c. expropriate or acquire any real or personal property considered necessary to prevent, combat, or alleviate the

effects of an emergency.

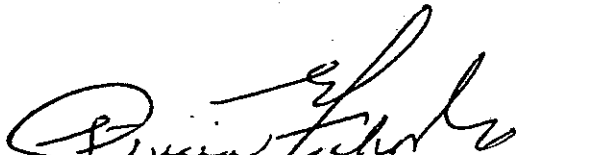
- d. authorize or require any qualified person to render aid of a type he is qualified to provide.
- e. control or prohibit travel to and from an area of the Town of Sackville.
- f. provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain, and coordinate emergency medical, welfare, and other essential services in any part of the Town of Sackville.
- g. cause the evacuation of persons and the removal of livestock and personal property from any area of Sackville that is or may be affected by an emergency and make arrangements for the adequate care and protection of those persons or livestock and of 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 of any structures, trees, or crops if the demolition or the removal is necessary or appropriate in order to reach the scene of an emergency or in order to forestall or to combat the emergency situation.
- 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 part of the Town of Sackville for the duration of the state of local emergency.
- k. for the duration of the emergency, Council may appoint, as auxiliary police, persons who are recommended to it by the Chief of Police.
- l. for the duration of the emergency, Council may appoint, as auxiliary firemen, persons who are recommended to it by the Fire Chief.
- m. for the duration of the emergency, Council may appoint any other persons as deemed necessary by the municipal Emergency Measures Coordinator.

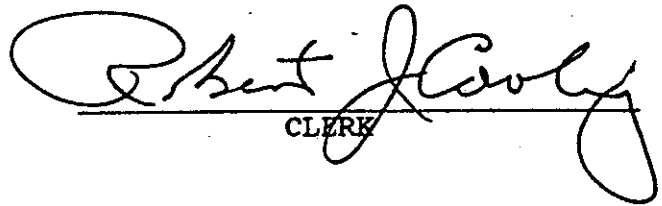
12. This By-Law shall come into force and take effect on the day of the final passing thereof.

Read a first time this 8th day of November A.D., 1993.

Read a second time this 13th day of December A.D., 1993.

Read a third time and passed this 13th day of December A.D., 1993.


MAYOR


CLERK