MUNICIPALITY OF THE COUNTY OF VICTORIA
EMERGENCY MANAGEMENT BY-LAW

A By-Law to Provide for a Prompt and Coordinated Response to a State of Local Emergency

Short Title
1. This By-Law shall be known and may be cited as the "Emergency Management By-Law".

Interpretation

2. In this By-Law

a) "Act" means the Emergency Management Act, SNS 1990, c. 8, as amended;

b) "Council" means the Council of the Municipality of the County of Victoria;

c) "Councillor" means a member of the Council;

d) "Emergency" means a present or imminent event which the Municipality believes requires the prompt coordination of action, or the regulation of persons or property to be undertaken to protect property or the health, safety or welfare of people;

e) "Emergency Management Plans" means plans, programs or procedures prepared by the Municipality that are intended to mitigate the effect 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;

f) "Minister" means the member of the Executive Council of the Province of Nova Scotia to whom is assigned the administration of the Act and regulations promulgated thereunder;

g) "Municipality" means the Municipality of the County of Victoria;

h) "Emergency Management Advisory Committee" means the committee established by by-law to plan and be responsible for the direction and management of emergency activities within the Municipality;

i) "Emergency Management Coordinator" means the person appointed to serve as the staff person in accordance with the agreement;

j) "Emergency Management Organization" means the organization established
pursuant to this by-law;

k) "Emergency Management Planning Committee" means the committee responsible to recommend and implement policy to the Emergency Management Advisory Committee of Council on EMO:

l) "Emergency Preparedness Planning Committee" means the committee as established by the Victoria County Emergency Plan.

m) "State Emergency Regulations" means those regulations approved by the Governor in Council pursuant to section 25 of the Act, or to any provision replacing that section, and now known as Nova Scotia Regulations 17/92 (Order in Council 92-61);

n) "State of Local Emergency" means a state of local emergency as declared by the Warden of the Municipality of the County of Victoria, or their designates, or the renewal thereof, pursuant to the Act and this by-law;

o) "Warden" means the Warden of the Municipality of the County of Victoria or Councillor acting in the place of the Warden as permitted by the Act.

**Emergency Management Organization**

3. Council hereby agrees to the establishment of an Emergency Management Organization in accordance with this by-law.

4. The Emergency Management Organization shall consist of the following person and committees:

   a) An Emergency Management Advisory Committee (Council, CAO, EMC)

   b) An Emergency Management Coordinator (EMC); and

   c) An Emergency Management Planning Committee. (See Section 11)

**Emergency Management Advisory Committee of Council on EMO**

5. Council shall annually appoint representatives to the Emergency Management Advisory Committee in accordance with the policy and by-law.

6. Representation of the Municipality on the Emergency Management Advisory Committee shall at all time be members of Council.
7. The Emergency Management Advisory Committee shall be responsible for reviewing and approving emergency management plans, and brief Council and the public on the development of such plans;

**Emergency Management Coordinator**

8. The Emergency Management Coordinator shall be appointed by Council.

9. The Emergency Management Coordinator shall:

a) prepare and maintain emergency management plans within the Municipality;

b) perform such other duties as may be required by the Emergency Management Planning Committee.

**Emergency Management Planning Committee**

10. The Municipality shall appoint representatives to the Emergency Management Planning Committee as provided in the agreement.

11. The Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:

a) Chief Administrative Officer

b) EMC

c) Director of Public Works

d) Community services

e) Law enforcement

f) Fire control

g) Engineering services

h) Health services

i) Public information

j) Transportation

k) Communications
l) Hospital services
m) Utilities
n) Financial services
o) Legal services

12. The Emergency Management Planning Committee shall:

a) assist the Emergency Management Coordinator in the preparation and coordination of emergency management plans;

b) advise the Emergency Management Advisory Committee on the development of emergency management plans;

c) upon request, assist the Emergency Management Advisory committee in the briefing of council on the development of emergency management plans;

d) perform such other duties as may be required by the Emergency Management Advisory Committee, of by the agreement.

Agreements

13. Council, on the advice and recommendation of the Emergency Management Advisory Committee, may enter into agreements with the Government of Canada, the Province of Nova Scotia, a municipal unit, or any other agency or person, for the purpose of carrying out its responsibilities under the Act, the agreement or this by-law.

Expenditures

14. Subject to the Municipal Government Act, Council may appropriate and spend monies:

a) to pay reasonable expenses of the Emergency Management Coordinator and of members of the Emergency Management Advisory Committee and the Emergency Management Planning Committee; and

b) to fulfill the terms and conditional of agreements entered into pursuant to clause 14.

Declaration of State of Local Emergency
15. Council may declare a state of local emergency by completing Form 4 of the State of Emergency Regulations (or such other form as is prescribed for the purpose).

16. The Warden may declare a state of local emergency by completing Form 5 of the State of Emergency Regulations (or such other form as is prescribed for the purpose) if time does not permit Council to act promptly.

17. The Warden may renew a declaration of a state of emergency by completing Form 6 of the State of Emergency Regulations (or such other form as is prescribed for that purpose), having received the authorization of the Minister under the Act.

18. The Warden may terminate a state of local emergency by completing form 7 of the State of Emergency Regulations (or such other form as is prescribed for that purpose).

19. In the event that Council is unable to act promptly, and the Warden is unavailable, the Deputy Warden may request the Minister to declare a state of local emergency in the Municipality.

20. A copy of all declarations made under this part shall be provided to the Minister forthwith after they have been issued.

21. Following the issuance of a declaration of emergency in the Municipality, and for the duration of a state of emergency:

   a) every Councillor shall make his or her whereabouts known to the CAO of the Municipality, and shall be available to attend all meetings held as a result of the emergency;

   b) every employee, servant and agent of the Municipality who has an active role to play in an emergency, as identified by the emergency management plan, shall {a} advise the Emergency Management Coordinator of his or her whereabouts, and {b} fulfill such duties as may be prescribed by the Emergency Management Coordinator.

22. All previous By-Laws of the Municipality dealing with the response to states of local emergency are hereby repealed, effective as of the coming into force of this By-Law.
I CERTIFY this to be a true copy of the "Emergency Management By-Law" as adopted on second (final) reading by the Council of the Municipality of the County of Victoria at a meeting held on the 29th day of May, 2017.

A. W. (Sandy) Hudson  
Chief Administrative Officer

Clerk’s Annotation For Official By-Law Book

Date of First Reading: April 10, 2017  
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