

BYLAW NO. S-6

COMMUNITY EMERGENCY PLAN BYLAW

BE IT ENACTED BY THE COUNCIL OF THE TOWN OF ST. STEPHEN AS FOLLOWS:

1. AUTHORITY

The Council of the Town of St. Stephen, under the authority vested in it by the *Emergency Measures Act*, and the Regulations there under, and by the *Municipalities Act*, and amendments thereto.

2. In this Bylaw,

"Coordinator" means the Coordinator of the Municipal Emergency Measures Organization for the Town of St. Stephen,

"Emergency Operations Group" means the Emergency Operations Group established pursuant to the Emergency Response Plan, and will consist of not fewer than three members of Council, together with the Mayor.

"Emergency Response Plan" means a plan adopted by Council of the Town of St. Stephen providing for the amelioration of a state of local emergency,

"Organization" means the Municipal Emergency Measures Organization established pursuant to the Emergency Response Plan,

"State of Local Emergency" means a present or imminent event that endangers or is likely to endanger the health, safety or welfare of persons or property within the Town that cannot be controlled by the use of services and resources of the Town and is declared as such by the Council.

"Municipality" means the Town of St. Stephen.

3.01 The Council shall appoint a coordinator who shall chair the Emergency Operations Group of the Organization.

3.02 In addition to any other powers and duties set out in this bylaw, the coordinator, in cooperation with the Emergency Operations Group 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.

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3.03 The municipality shall establish an Emergency Operations Centre and, as required, shall implement the Emergency Response Plan in accordance with the procedures outlined therein.

4. Subject to the approval of the Council and within the terms of the Emergency Response Plan, the Emergency Operations Group may negotiate agreements on behalf of the Town with other municipalities, with the Government of the Province of New Brunswick, with the Government of Canada or other agencies or any of them for the purpose of mutual aid, for the formation of joint organizations, and for the employment of their members or resources.

5.01 Upon the occurrence of a local emergency, the Mayor or Deputy Mayor or the majority members of the Council may call members of the Council to meet for the purpose of declaring a state of local emergency.

5.02 Only such matters as pertain directly to the state of local emergency may be considered by the Council at a meeting under this section.

5.03 The Council may meet from time to time during the continuance of a state of local emergency as circumstances require, upon the call of the Mayor or the Deputy Mayor or majority members of the Council and the provisions of subsection 5.02 of section 5 shall apply in the same fashion to such meeting.

6. Upon the declaration of a state of local emergency, in addition to the powers and duties set out herein and without restricting the authority as set out, the coordinator and those persons authorized to carry out the duties assigned under the Emergency Response Plan shall have the express powers set out as follows:

- (a) to acquire or utilize or cause the acquisition or utilization of any personal property by confiscation or any means considered necessary,
- (b) to authorize or require any qualified person to render aid of such type as that person may be qualified to provide,
- (c) to control or prohibit travel to or from any area or on any road, street or highway,
- (d) 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,

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(e) 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,

(f) to authorize any person properly identified as authorized by the Minister, by the Emergency Measures Organization or by the Municipal Emergency Measures Organization to enter into any building or upon any land without warrant,

(g) 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,

(h) to procure or fix prices for food, clothing, fuel, equipment, medical or other essential supplies and the use of property, services, resources or equipment, and

(i) to order the assistance, with or without remuneration, of persons needed to carry out the provisions mentioned in this section.

7. Upon the declaration of a state of local emergency,

(a) every reasonable effort shall be made to notify all members of the Council and each member of Council shall keep the Emergency Operations Centre advised of his or her whereabouts during the continuance of the state of local emergency,

(b) all employees, servants and agents of the Town shall advise the Emergency Operations Centre of their whereabouts and shall carry out such duties as are, from time to time, ordered by the Coordinator of the Emergency Operations Group,

8. Upon the declaration of a state of local emergency, the municipality may forthwith procure food, clothing, medicines, equipment, goods and services of any nature or kind for use therein, the payment of which shall be made by the municipality.

9. The Council, upon the recommendation of staff, may for the duration of the state of local emergency, appoint members of the public to assist the emergency services of the municipality.

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10. **REMUNERATION**

- a. Management Staff and Department Heads will receive a pro-rated hourly rate for each hour worked.
- b. Hourly paid employees will receive time and one half their hourly rate for time worked in excess of eight hours per day.
- c. Casual employees, as required during the disaster will be paid the usual set rate per hour, as established by Council.

11. **REPEAL PROVISION**

10.01 Bylaw No. 83-3, A Community Disaster Planning Bylaw, passed by Town Council on February 20, 1984, and amendments thereto, is hereby repealed.

10.02 Bylaw No. 83-3, A Community Disaster Planning Bylaw, and amendments thereto, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

Read a first time this 16th day of February, 2004

Read a second time this 15th day of March 2004

Read a third time and passed this 19th day of April, 2004



W. Robert Brown, Mayor



Brenda Knight, Town Clerk