

# CITY OF PRINCE RUPERT

## EMERGENCY MANAGEMENT PROGRAM BYLAW NO. 3392, 2016

### A BYLAW TO ESTABLISH AN EMERGENCY MANAGEMENT PROGRAM WITHIN THE CITY OF PRINCE RUPERT

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WHEREAS, the City of Prince Rupert Council is required to prepare a local emergency plan respecting preparation for, response to, and recovery from emergencies and disaster,

AND WHEREAS, the City of Prince Rupert wishes to provide a comprehensive management program to prepare for, respond to, and recover from emergencies and disasters,

NOW THEREFORE, the Council of the City of Prince Rupert in open meeting assembled enacts as follows:

#### **1. CITATION**

1.1. This Bylaw shall be cited as “**Emergency Management Program Bylaw No. 3392, 2016.**”

#### **2. INTERPRETATION**

2.1. In this Bylaw, “Act” means the Emergency Program Act.

2.2. Unless otherwise specifically stated, the words used in this bylaw shall have the same meaning as the words in the Act.

- a) “Council” means the municipal council of the City of Prince Rupert;
- b) “Mayor” means that person elected by the City of Prince Rupert, and includes the person designated as acting mayor at the relevant time when the Mayor is absent, or otherwise unable to act or when the office of the Mayor is vacant;
- c) “Declaration of a state of local emergency” means a declaration of the Council or the Mayor that an emergency exists or is imminent in the regional district;
- d) “Disaster” means a calamity that:
  - i. Is caused by accident, fire, explosion or technical failure or by the forces of nature, and;
- e) has resulted in serious harm to the health, safety or welfare of people, or in widespread damage to property.
- f) “Emergency” means a present or imminent event that:
  - i. Is caused by accident, fire, explosion or technical failure or by the forces of nature, and;
  - ii. Requires prompt coordination of action or special regulation of person

or property, to protect the health, safety or welfare of people or to limit damage to property.

- g) “Prince Rupert Emergency Management Organization” means the Emergency Management Program Committee, Emergency Coordinator, and such other persons appointed and functional groups established, and which are charged with emergency preparedness, response and recovery measures.

### **3. EMERGENCY MANAGEMENT PROGRAM**

3.1. In accordance with the provisions of the Act, an Emergency Management Program, comprising:

- a) The Council;
- b) An Emergency Management Program Coordinator, and;
- c) An Emergency Management Program Committee;

is hereby established.

### **4. THE COUNCIL**

4.1. The Council is at all times responsible for the general direction and control of the response of the City of Prince Rupert to an emergency or disaster, and in particular to:

- a) Declare a State of Local Emergency;
- b) Delegate powers available under the Emergency Program Act, as required, and to monitor the use of such powers;
- c) Establish any emergency policy and legislation necessary to facilitate the response to an emergency or disaster, and;
- d) Prepare an emergency plan respecting preparation for, response to, and recovery from an emergency or disaster.

4.2. Notwithstanding the provisions of subsection 4.1, the Mayor may carry out the responsibilities specified in clauses (a) and (b) where, because of the circumstances of an emergency or disaster, it is not possible to assemble a quorum of the Council, and provided the Mayor has made every effort to obtain the consent of the other members of the Council.

4.3. The Council will appoint an Emergency Management Program Coordinator to facilitate emergency preparedness, response and recovery measures.

4.4. The Council will ensure that sufficient budget and staff are provided to maintain an essential level of emergency program preparedness.

4.5. The Council will regularly report on the status of the Emergency Management Program to the Provincial Emergency Program.

## **5. EMERGENCY MANAGEMENT PROGRAM COORDINATOR**

5.1. The Coordinator is accountable to the City Manager.

5.2. The Coordinator is responsible for:

- a) Providing leadership and administration of the emergency program;
- b) Coordinating and/or supervising any sub-committees or work groups;
- c) Developing a Strategic Plan, action plans, and budget;
- d) Maintaining all emergency plans and documentation;
- e) Providing regular status reports on the level of preparedness;
- f) Coordinating with other governments, non-government agencies, First Nations, and the private sector;
- g) Establishing and maintaining an Emergency Operations Centre, and;
- h) Establishing, coordinating, and supporting volunteer programs.

## **6. EMERGENCY MANAGEMENT PROGRAM COMMITTEE**

6.1. The Emergency Management Program Committee is accountable to the City Manager.

6.2. The Management Committee must comprise, at minimum:

- a) The Emergency Management Program Coordinator, as Chair, and;
- b) Representatives of agencies having direct operational responsibilities during a major emergency.

6.3. The responsibilities of the Management Committee include:

- a) Developing and implementing the emergency program and plans as directed by Mayor and Council;
- b) On-going assessment of hazards, risks and vulnerability;
- c) Evaluating progress of the emergency program annually;
- d) Developing the Strategic Plan including recommending emergency program priorities, specifying procedures for implementation, budget and resource requirements;
- e) Maintaining a staffing and support plan for the Emergency Operations Centre (EOC), and;
- f) Maintaining a training and exercise program.

6.4. The Management Committee may strike such sub-committees and work groups as deemed necessary.

## **7. EMERGENCY RESPONSE**

7.1. The Emergency Management Program will conform to the “B.C. Emergency Response Management System” (BCERMS).

7.2. The City Manager is designated as the Emergency Operations Centre (EOC) Director.

- a) The EOC Director is authorized to expend Municipal funds which are not included in the financial plan of the Municipality, required for the preservation of life, health and the protection of property during an emergency or disaster, on the following basis:
  - i. up to and including \$250,000, at the discretion of the EOC Director, and;
  - ii. \$250,000 and above, at the discretion of the Council.
  
- b) Any expenditures made in accordance with subsection 7.2.a) must be presented to the Council in a report under the signature of the Mayor.

## **8. LIABILITY**

8.1. As enabled by the Act, no person, including, without limitation, the Council, the Mayor, members of the City of Prince Rupert Emergency Management Organization, employees of the City of Prince Rupert, a volunteer and any other persons appointed, authorized or requested to carry out measures relating to emergencies or disasters, is liable for any loss, cost, expense, damages or injury to persons or property that result from:

- a) The person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this bylaw, unless, in doing or omitting to do the act, the person was grossly negligent, or;
- b) Any acts done or omitted to be done by one or more of the persons who were, under this bylaw, appointed, authorized or required by the person to do the acts, unless in appointing, authorizing or requiring those persons to do the acts, the person was not acting in good faith.

Read a First time this 30<sup>th</sup> day of May, 2016.

Read a Second time this 30<sup>th</sup> day of May, 2016.

Read a Third time this 30<sup>th</sup> day of May, 2016.

Finally Considered and Adopted this 13<sup>th</sup> day of June, 2016.

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Mayor

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Corporate Administrator