

CITY OF FORT ST. JOHN

BYLAW NO. 1751, 2005

A Bylaw to Establish a Municipal Emergency Measures Program

WHEREAS, the Council for the City of Fort St. John is required by the provisions of the *Emergency Program Act*, R.S.B.C. 1996, c.111, to establish and maintain an emergency management organization to develop and implement emergency plans;

AND WHEREAS, the Council of the City of Fort St. John wishes to provide a comprehensive emergency program that will prepare for, respond to and recover from natural or man made emergencies or disasters with the goals of preserving life, property, the local economy and the environment, through a coordinated approach of Council, officers, employees of the City of Fort St. John, volunteer services and external agencies;

AND WHEREAS, the Council of the City of Fort St. John may appoint such committee(s) as it considers necessary or desirable to assist it in meeting its obligations under the Act;

NOW THEREFORE, the Council of the City Fort St. John in open meeting assembled, hereby enacts as follows:

SECTION 1 – CITATION

- 1.1 This Bylaw shall be cited as "City of Fort St. John Emergency Measures Bylaw No. 1751, 2005".

SECTION 2 – REPEAL

- 2.1 This Bylaw repeals and entirely replaces "City of Fort St. John Emergency Measures Bylaw No. 1324, 1997."

SECTION 3 – INTERPRETATION

- 3.1 The following words when used in this Bylaw will have the meaning ascribed to them in this section:
- (a) "Act" means the *Emergency Program Act*, R.S.B.C. 1996, c. 111, and any regulations made thereunder;
 - (b) "Administrator" means the appointed administration officer of the City of Fort St. John or alternately the City Manager;
 - (c) "BCERMS" means the BC Emergency Response Management System as endorsed by the Provincial Emergency Program;
 - (d) "Council" means the Municipal Council of the City of Fort St. John;
 - (e) "Declaration of a state of local emergency" means a bylaw or resolution of the Local Authority or an order of the Mayor that an Emergency or Disaster exists or is imminent and made in accordance with Section 12 of the Act;
 - (f) "Director of EOC" means the Administrator who provides overall direction in and responsible for the operations in the City Emergency Operations Centre;

SECTION 3 – INTERPRETATION (continued)

3.1 The following words when used in this Bylaw will have the meaning ascribed to them in this section:

- (g) “Disaster” means a calamity that:
 - (i) is caused by accident, fire, explosion or technical failure or by the forces of nature, and
 - (ii) has resulted in serious harm to the health, safety or welfare of people or in widespread damage to property;
- (h) “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 persons or property to protect the health, safety or welfare of people or to limit damage to property;
- (i) “Emergency Coordinator” means the person appointed to act as the head of the City of Fort St. John Emergency Program and in that capacity for the City is deemed to be the coordinator for the City's emergency measures organization pursuant to Section 6(3) of the Act;
- (j) “EOC” means the City Emergency Operations Centre as defined in the Municipal Emergency Program or such other facility as may be designated from time to time as the EOC by the Council;
- (k) “Emergency Planning Committee” means a Committee constituted pursuant to Section 4 of this Bylaw;
- (l) “Mayor” means the individual elected as Mayor of the City of Fort St. John or, in the event that Mayor is absent, ill or otherwise unable or unwilling to carry out or exercise his or her duties and powers under this Bylaw and the Act, the person designated by the City’s policy as the Acting Mayor at the relevant time;
- (m) “Minister” means the Solicitor General for the Province of British Columbia;
- (n) “Municipal Emergency Program” means the City of Fort St. John Emergency Program as adopted or implemented from time to time and any amendment thereto;
- (o) “Order” means a written statement or instruction giving effect to a Declaration of a state of local emergency by the Mayor, which Order must include the date of issuance and bear the name of the Mayor.

SECTION 4 – ADMINISTRATION

4.1 The Council must appoint an individual to the following position:

- (a) Emergency Coordinator

and may establish a reporting structure for such position.

The Emergency Coordinator shall act as the head of the Municipal Emergency Program and facilitate the development, maintenance and implementation of emergency preparedness, response and recovery measures through the Municipal Emergency Program.

4.2 A two tier Emergency Planning Committee is hereby created:

- (a) an Emergency Planning Steering Committee; and
- (b) an Emergency Planning and Working Committee.

4.3 The following individuals may constitute the Emergency Planning Steering Committee:

- (a) the Mayor, who may act as Chair;
- (b) three members of Council designated by the Mayor;
- (c) the City Manager;
- (d) the Emergency Coordinator; and
- (e) such other individuals as may be appointed to this Committee or Subcommittee(s) by the Mayor and/or Council and/or the City Manager from time to time.

4.4 The Emergency Planning and Working Committee shall serve as the EOC Management Team, chaired by the City’s Emergency Coordinator for planning, preparedness, coordination and implementation purposes of the Municipal Emergency Program.

The Emergency Planning and Working Committee may include other representatives from time to time as determined at the discretion of the Emergency Coordinator and/or the City Manager.

4.5 An Emergency Operations Centre (EOC) Management Team is hereby created based on adaptation of the BCERMS model and principles. The following EOC Positions may be assigned at the discretion of the Council to suit its needs:

- a) the EOC Director;
- b) the Emergency Information Officer;
- c) the Risk Management Officer;
- d) the Liaison Officer;
- e) the Operations Section Chief;

SECTION 4 – ADMINISTRATION (continued)

4.5 An Emergency Operations Centre (EOC) Management Team is hereby created based on adaptation of the BCERMS model and principles. The following EOC Positions may be assigned at the discretion of the Council to suit its needs:

- f) the Planning Section Chief;
- g) the Logistics Section Chief;
- h) the Finance & Administration Section Chief, and
- i) any other individuals as deemed necessary by the EOC Director.

The City Manager or designate shall act as the EOC Director and shall chair the EOC Management Team for EOC operations purposes.

SECTION 5 – DUTIES AND RESPONSIBILITIES

5.1 The Emergency Planning Steering Committee will be responsible for the following:

- (a) providing direction and authority for policies and budgets to establish, maintain and operate the Municipal Emergency Program;
- (b) subject to the final approval of Council, negotiating and entering into agreements with other governments for the purpose of mutual aid or the formation of joint organizations;
- (c) subject to the final approval of Council, negotiating with individuals, societies, corporations or other legal entities other than government bodies for the engagement of one or more of their members deemed qualified to provide services necessary to achieve the objectives of this Bylaw;
- (d) meeting no less than two times a year to stay informed of the status of the Municipal Emergency Program and related initiatives and activities;
- (e) reporting out to the rest of the Council at large as appropriate.

5.2 The Emergency Planning and Working Committee will be responsible for the following:

- (a) making and amending practices and procedures to regulate its activities and meetings;
- (b) establishing such sub-committees or working groups as it deems necessary to carry out its duties and obligations;
- (c) subject to the final approval of Council:
 - (i) negotiating and entering agreements with other municipalities or governments for the purpose of mutual aid or the formation of joint organizations;
 - (ii) negotiating with individuals, societies, corporations or other legal entities other than government bodies for the engagement of one or more of their

SECTION 5 – DUTIES AND RESPONSIBILITIES (continued)

- 5.2 The Emergency Planning and Working Committee will be responsible for the following:
- (c) (ii) members deemed qualified to provide services necessary to achieve the objectives of this Bylaw;
 - (d) submitting annually to Council for approval estimates of expenditures and/or policies required to establish, maintain and operate the City's Emergency Program;
 - (e) preparing the Municipal Emergency Program, which program must:
 - (i) provide a general direction and framework that covers prevention, mitigation, preparedness, response and recovery programs to deal with a Disaster or Emergency in the municipality, and
 - (ii) must formulate roles and responsibilities for all officials appointed pursuant to this Bylaw (whose roles and responsibilities are not otherwise defined herein), for municipal officers, employees and as needed, volunteers.
 - (f) meeting no less than six times a year for planning, coordinating and implementing emergency program related activities.
- 5.3 The Emergency Coordinator will report directly to the City Manager and will be responsible for the following:
- (a) serving as a member of the Emergency Planning Steering Committee and the Emergency Operations Centre Management Team (also the Emergency Planning and Working Committee);
 - (b) in the event of a Declaration of a state of local emergency, coordinating operations under the Emergency Operations Centre Management Team, which may include scheduling regular briefings of the Emergency Operations Centre Management Team respecting response to and recovery from the Emergency or Disaster that prompted the Declaration of a state of local emergency;
 - (c) making such minor amendments to the Municipal Emergency Program as are necessary to ensure that the information contained in such Program remains current at all times, including, without limitation, updating telephone numbers, addresses, locations of equipment and response teams;
 - (d) providing day to day administration of the Municipal Emergency Program, including coordinating staff involvement in emergency management, encouraging community preparedness and liaising with external organizations for emergency management purposes;
 - (e) maintaining information on potential natural and man-made hazards and the impact that such hazards could have on the municipality;
 - (f) coordinating, equipping and/or training the municipality's volunteer services;

SECTION 5 – DUTIES AND RESPONSIBILITIES (continued)

- 5.3 The Emergency Coordinator will report directly to the City Manager and will be responsible for the following:
- (g) ensuring all municipal departments develop and keep updated departmental or functional emergency plans that are consistent with and support the Municipal Emergency Program;
 - (h) providing liaison on behalf of the Council with other external support organizations;
 - (i) selecting and processing candidates for Federal or Provincial Emergency Program courses;
 - (j) conducting studies and exercises within the municipality to ensure that the Municipal Emergency Program is understood, effective and in a state of readiness;
 - (k) acting as the point of contact for the City with the Provincial Emergency Program and other governments or agencies concerning emergency planning and operations; and
 - (l) when a Declaration of a state of local emergency is made, acting as the Council’s liaison person between the director or such other person as the Minister may appoint pursuant to section 10(2) of the Act.
- 5.4 The EOC Management Team will be responsible for the coordination and direction of overall operations undertaken in the EOC in support of field responders and in accordance with the Municipal Emergency Program.

SECTION 6 – DECLARATION OF A STATE OF LOCAL EMERGENCY

- 6.1 Subject to Section 6.3, the Council may, when satisfied that an Emergency or Disaster exists, make a Declaration of a state of local emergency either by resolution or bylaw, provided that the Mayor has used his or her best efforts to obtain the consent of all other members of the Council to a Declaration of a state of local emergency.
- 6.2 Subject to Section 6.3 and, the Mayor may, by Order, make a Declaration of a state of local emergency.
- 6.3 A Declaration of a state of local emergency, whether made by the Council or the Mayor must:
- (a) identify the nature of the Disaster or Emergency;
 - (b) identify whether the Disaster or Emergency affects all of the municipality or only a portion thereof and, in the latter case, clearly identify the affected portion of the City; and
 - (c) be made in the form such as that annexed as Schedule “A” to this Bylaw.

SECTION 6 – DECLARATION OF A STATE OF LOCAL EMERGENCY (continued)

- 6.4 If a Declaration of a state of local emergency is made in accordance with this Bylaw, Council or Mayor, as applicable, must immediately:
- (a) forward a copy of the Declaration of a state of local emergency to the Minister; and
 - (b) cause details of the Declaration of a state of local emergency to be published by a means of communication that the Council or Mayor, as the case may be, considers most likely to make the contents of the declaration known to the population of the affected area of the municipality.

SECTION 7 – POWERS ASSOCIATED WITH THE DECLARATION OF A STATE OF LOCAL EMERGENCY

- 7.1 Once a Declaration of a state of local emergency has been made, the municipality will immediately assume responsibility for the Disaster or Emergency which prompted the Declaration of a state of local emergency in accordance with the division of responsibilities set out in Section 5 of this Bylaw, the Act and the Municipal Emergency Program. In carrying out its duties and responsibilities the municipality may exercise any or all of the following powers of the Council pursuant to the delegation provisions of Section 6(4) of the Act, subject only to an order from the Minister directing the Council and, through it to its delegates, to refrain or desist from exercising any one or more of the powers enumerated in paragraphs (a) through to and including (i) below:
- (a) acquire or use any land or personal property considered necessary to prevent, respond to or alleviate the effects of the Emergency or Disaster;
 - (b) authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to or alleviate the effects of the Emergency or Disaster;
 - (c) control or prohibit travel to or from any area of the municipality;
 - (d) 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 municipality;
 - (e) cause the evacuation of persons and the removal of livestock, animals and personal property from any area of the municipality that is or may be affected by the Emergency or Disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and personal property;
 - (f) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing the Municipal Emergency Program or if otherwise considered necessary to prevent, respond to or alleviate the effects of the Emergency or Disaster;
 - (g) cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary or appropriate in order to prevent, respond to or alleviate the effects of the Emergency or Disaster;
 - (h) construct works considered necessary or appropriate to prevent, respond to or alleviate the effects of the Emergency or Disaster;

SECTION 7 – POWERS ASSOCIATED WITH THE DECLARATION OF A STATE OF LOCAL EMERGENCY (continued)

7.1 Once a Declaration of a state of local emergency has been made, the municipality will immediately assume responsibility for the Disaster or Emergency which prompted the Declaration of a state of local emergency in accordance with the division of responsibilities set out in Section 5 of this Bylaw, the Act and the Municipal Emergency Program. In carrying out its duties and responsibilities the municipality may exercise any or all of the following powers of the Council pursuant to the delegation provisions of Section 6(4) of the Act, subject only to an order from the Minister directing the Council and, through it to its delegates, to refrain or desist from exercising any one or more of the powers enumerated in paragraphs (a) through to and including (i) below:

- (i) procure, fix prices for or ration, 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 municipality for the duration of the Declaration of a state of local emergency under this Bylaw.

7.2 The Council may, during or within 60 days after the Declaration of a state of local emergency, by bylaw ratified by the Minister of Community, Aboriginal and Women’s Services, borrow any money necessary to pay expenses caused by the Disaster or Emergency.

SECTION 8 – CANCELLATION OF A DECLARATION OF A STATE OF LOCAL EMERGENCY

8.1 The Council or Mayor, as the case may be, must, when of the opinion that the Emergency or Disaster no longer exists in the municipality or part thereof for which a Declaration of a state of local emergency was made, cancel the Declaration by means of a bylaw or resolution of the Council or Order of the Mayor, as appropriate, and promptly notify the Minister of the cancellation of the Declaration of a state of local emergency.

READ A FIRST TIME this 28th day of February, 2005

READ A SECOND TIME this 28th day of February, 2005

READ A THIRD TIME this 28th day of February, 2005

RECONSIDERED AND FINALLY ADOPTED this 14th day of March, 2005

Steve Thorlakson
Mayor

Carol Susak
Director of Corporate Administration

SCHEDULE A

DECLARATION OF A STATE OF LOCAL EMERGENCY

TO: Minister, Solicitor General and Public Safety FAX: (250) 356-8270
Provincial Emergency Program (NE Region) FAX: (250) 612-4171
Provincial Emergency Program (Victoria HC) FAX: (250) 952-4888

FROM: City of Fort St. John Phone:
Contact Name: Title:

RE: State of Local Emergency

It is hereby declared, under the authority of the British Columbia Emergency Program Act and the City of Fort St. John Emergency Measures Bylaw No. 1751, 2005 that a State of Local Emergency exists in the City of Fort St. John, British Columbia, as the result of

(name the emergency and state the date / time of occurrence)

Temporary emergency powers to effectively respond to this disaster are now deemed to be required.

The area(s) affected by this disaster, and to which this Declaration applies, is identified on the attached. The nature of this emergency is as follows: (include a short narrative description explaining the scope and nature of the emergency)

Municipal officials have been delegated the authority to implement powers that are set out in the Emergency Program Act. The titles of these officials and the specific powers that they may exercise in connection with this emergency are attached.

For the duration of this State of Local Emergency, the City of Fort St. John Emergency Measures Bylaw No. 1751, 2005 and the British Columbia Emergency Program Act will prevail in any instance where there may be a conflict with any other bylaw, act or regulation.

As required under the BC Emergency Program Act and the City's Emergency Measures Bylaw, the municipality hereby officially informs the Minister of Solicitor General and Public Safety of the Government of British Columbia and also the population within the affected area that a State of Local Emergency now exists.

This Declaration will remain in force for seven days from the date noted below at which time the need for either a renewal or cancellation will be considered. This Declaration is Ordered by the Mayor of Fort St. John or by Resolution of the Fort St. John City Council.

Mayor Steve Thorlakson

Certified by Carol Susak, Director of Corporate Administration

Date / Time:

Attachments:

- Affected area(s) / Maps
Delegation of Powers
Resolution

SCHEDULE A
Delegation of Powers
under Section 10 of the BC Emergency Program Act
authorized to City of Fort St. John officials

Attached as part of the Declaration of a State of Local Emergency issued on Date / Time:

Delegated Powers To	Y / N	City Officials' Titles
a) Acquire or use any land or personal property considered necessary to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
b) Authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
c) Control or prohibit travel to or from any area of the Municipality.		
d) 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 Municipality.		
e) Cause the evacuation of persons and the removal of livestock, animals and personal property from any area of the Municipality that is or may be affected by the Emergency or Disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and personal property.		
f) Authorize the entry into any building or on any land, without warrant, by any person in the course of implementing the Municipal Emergency Program or if otherwise considered necessary to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
g) Cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary or appropriate in order to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
h) Construct works considered necessary or appropriate to prevent, respond to or alleviate the effects of the Emergency or Disaster.		
i) Procure, fix prices for or ration, 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 Municipality for the duration of the Declaration of a State of Local Emergency under this Bylaw.		

SCHEDULE A
RENEWAL / CANCELLATION OF A STATE OF LOCAL EMERGENCY

TO: **Minister, Solicitor General and Public Safety** **FAX: (250) 356-8270**
Provincial Emergency Program (NE Region) **FAX: (250) 612-4171**
Provincial Emergency Program (Victoria HC) **FAX: (250) 952-4888**

FROM: **City of Fort St. John** **Phone:** _____
Contact Name: _____ **Title:** _____

RE: Renewal / Cancellation of a State of Local Emergency

A State of Local Emergency declared on _____
(date and time)

by the City of Fort St. John is hereby

- renewed or cancelled
- in its entirety or for the following affected areas only:

This Renewal will remain in force for seven days from the date noted below.

Or

This Cancellation will remain in force from the date noted below unless otherwise notified.

This Renewal or Cancellation is

- Ordered by the Mayor of Fort St. John or
- By Resolution of the Fort St. John City Council.

Mayor Steve Thorlakson

Certified by Carol Susak, Director of
Corporate Administration

Date / Time: _____

Attachments:

- Declaration of a State of Local Emergency (original)
- Previous Renewal(s) of a State of Local Emergency dated _____
- Delegation of Powers
- Affected area(s) / Maps
- Resolution _____
- Other _____