

RESORT MUNICIPALITY OF STANLEY BRIDGE, HOPE RIVER, BAYVIEW, CAVENDISH
AND NORTH RUSTICO

EMERGENCY MEASURES BYLAW

BYLAW No. 2015-3

A bylaw to establish and maintain an Emergency Measures Organization and Plan for the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico.

This Bylaw is made under the authority of the *Emergency Measures Act*, R.S.P.E.I. 1988, Cap. E-6.1 and the *Municipality Act*, R.S.P.E.I. 1988 Cap. M-13.

BE IT ENACTED BY THE COUNCIL OF THE RESORT MUNICIPALITY OF STANLEY BRIDGE, HOPE RIVER, BAYVIEW, CAVENDISH AND NORTH RUSTICO as follows:

1. Title

This Bylaw may be cited and referred to as the "Emergency Measures Bylaw".

2. Definitions

In this Bylaw:

- (a) "Act" means the *Emergency Measures Act*, R.S.P.E.I. 1988, Cap. E-6.1, as amended from time to time, or any successor act;
- (b) "Administrator" means the person appointed to that position by Council under the *Municipalities Act*;
- (c) "Chairperson" means the chairperson of the Resort Municipality Council;
- (d) "Committee" means the municipal emergency measures committee established pursuant to this Bylaw;
- (e) "Coordinator" means the person appointed to act as the municipal emergency measures coordinator pursuant to this Bylaw;
- (f) "Council" means the Council of the Resort Municipality;
- (g) "Councillor" means a member of the Council of the Resort Municipality, but excludes the Chairperson;
- (h) "Disaster" means any real or anticipated occurrence such as disease, pestilence, fire, flood, tempest, explosion, enemy attack, or sabotage, which endangers the health, safety or welfare of the Resort Municipality's population, property or environment;
- (i) "Emergency" means a present or imminent event in respect of which the Council believes prompt coordination of action or special regulation of persons or property must be undertaken to protect the health, safety or welfare of people or to limit damage to property in the Resort Municipality;

- (j) "Emergency Measures Plan" means any plan, program or procedure prepared by the Resort Municipality that is intended to mitigate the effects of an emergency and to provide for the safety, health and welfare of the Resort Municipality's population and the protection of property and the environment in the event of such occurrence;
- (k) "Minister" means the member of Executive Council charged by the Lieutenant Governor in Council with the administration of the Act;
- (l) "Municipalities Act" means the *Municipalities Act*, R.S.P.E.I. 1988 Cap. M-13, as amended from time to time, or any successor act;
- (m) "Resort Municipality Emergency Measures Organization" means the organization established pursuant to this Bylaw;
- (n) "State of Emergency" means a state of emergency declared by the Minister pursuant to the Act;
- (o) "State of Local Emergency" means a state of emergency declared by Council pursuant to the Act;
- (p) "Vice Chairperson" means the Council member who is appointed by the Chairperson to act as chairperson in the absence or illness of the Chairperson.

3. Resort Municipality Emergency Measures Organization

The Resort Municipality Emergency Measures Organization is hereby established, and shall consist of the following:

- (a) the Coordinator; and
- (b) the Committee.

4. Emergency Measures Coordinator

- 4.1 The Council will appoint a Coordinator who reports to, and receives direction from, the Council.
- 4.2 The Coordinator shall:
 - (a) be the chairperson of the Committee;
 - (b) coordinate and be responsible for the day to day emergency operations of the Committee;
 - (c) coordinate plans for the continued functioning of Resort Municipality services which would be required in the event of an emergency;
 - (d) coordinate and conduct, on an annual basis, training and exercises to test the Emergency Measures Plan and for the training of personnel who have an emergency role;
 - (e) be the liaison person between the Committee and the Council;

- (f) coordinate public education programs related to emergency management;
- (g) in the event of a potential Emergency or Disaster, immediately advise the Council of the potential Disaster or Emergency, and seek from Council the direction and authority to take all necessary steps to prepare and be ready to implement the Emergency Measures Plan in the event an Emergency is declared; and
- (h) coordinate and manage the Resort Municipality's operational response for an Emergency upon activation of all or part of the Emergency Measures Plan or a declaration of a State of Emergency or a State of Local Emergency.

5. The Committee

5.1 Council shall appoint the members of the Committee, which members shall include:

- (a) the Chairperson or Vice Chairperson;
- (b) no fewer than two Councillors;
- (c) the Coordinator; and
- (d) the Administrator.

5.2 The Committee may also include the person(s) responsible for each municipal department under the Emergency Measures Plan and, where no department exists, a person to represent the functions of:

- (a) law enforcement - RCMP;
- (b) fire protection – Representatives from each of New London, New Glasgow and North Rustico Fire Departments;
- (c) transportation – Department of Transportation and Infrastructure Renewal, Province of PEI;
- (d) water/wastewater service –Cavendish Sewer Utility; and
- (e) Parks Canada.

5.3 The Committee shall:

- (a) develop an Emergency Measures Plan and present it to Council for review and approval;
- (b) submit emergency measures policy recommendations to Council, including budgetary and human resource requirements;
- (c) recommend to the Council for appointment such persons, as it may deem advisable, to perform duties related to the continuity of Resort Municipality government in the case of an Emergency or Disaster;
- (a) establish plans, including the development of memorandums of understanding or mutual aid agreements for cooperation and mutual assistance between municipal

governments in the event of a Disaster or Emergency, for Council's review and approval;

- (b) cooperate with authorities of the municipality, neighbouring municipalities and provincial authorities who have been assigned comparable duties;
- (c) inform and update Council on developments during an activation of all or part of the Emergency Measures Plan upon a declaration of a State of Emergency or a State of Local Emergency;
- (d) When a State of Emergency or State of Local Emergency is declared, the Committee is authorized to:
 - (i) purchase supplies, equipment and facilities not otherwise approved by the operating budget of the Resort Municipality; and
 - (ii) hire additional personnel not otherwise approved by the operating budget of the Resort Municipality.

6. Emergency Measures Plan

- 6.1 Council shall approve an Emergency Measures Plan and may do so under the authority of this Bylaw.
- 6.2 Council may approve agreements with, and payments to, persons and organizations for the provision of services in the development and implementation of the Emergency Measures Plan.

7. State of Local Emergency

- 7.1 Council may declare a State of Local Emergency when satisfied that an Emergency or a Disaster exists in all or any areas of the Resort Municipality. Where the Council is unable to act promptly in declaring a State of Local Emergency in the Resort Municipality, the Chairperson may, pursuant to the Act, after consulting a majority of the members of Council where practicable, declare a State of Local Emergency in all or part of the Resort Municipality.
- 7.2 The declaration referenced in section 7.1, above, shall be made and published in accordance with the provisions of the Act.
- 7.3 When a Local State of Emergency is declared by Council, the Council shall have all of the powers granted to it under the Act.
- 7.4 A State of Local Emergency will be terminated in accordance with the provisions of the Act.

8. Penalties

Every person who obstructs the Council, the Committee, or any person in the performance of any action, matter or thing authorized by this Bylaw commits an offence and is liable on summary conviction to the penalties imposed by the Act.

9. Effective Date

This Bylaw comes into effect on May 1, 2015.

10. Repeal

All previous bylaws of the Resort Municipality pertaining to Emergency Measures are hereby repealed.



Communities
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Brenda MacDonald
Resort Municipality
R.R. #2
Hunter River, PE
C0A 1N0

June 26, 2015

Dear Ms. MacDonald,

Re: Resort Municipality – Emergency Measures Bylaw (adopted April 20, 2015)

I wish to acknowledge receipt of the following bylaw:

- Resort Municipality, Emergency Measures Bylaw, adopted April 20, 2015.

A copy of the above noted bylaw has been filed in accordance with the *Municipalities Act*. Enclosed is a dated and signed copy of the resolution sheet for your files.

Please be advised that it is the responsibility of the municipality passing a bylaw to both ensure that the subject area covered by the bylaw is within the jurisdiction of the municipality and that the procedures for the passage of a bylaw are in compliance with the *Municipalities Act*.

Please feel free to contact the undersigned should you have any questions regarding this matter.

Regards,


Wendy Melsaac
Senior Policy Analyst

FIRST READING:

This Bylaw was read a first time at the Council meeting held on the 13th day of April, 2015.

This Bylaw was approved by a majority of Councillors present at the Council meeting held on the 13th day of April, 2015.

SECOND READING:

This Bylaw was read a second time at the Council meeting held on the 20th day of April, 2015.

This Bylaw was approved by a majority of Councillor present at the Council meeting held on the 20th day of April, 2015.

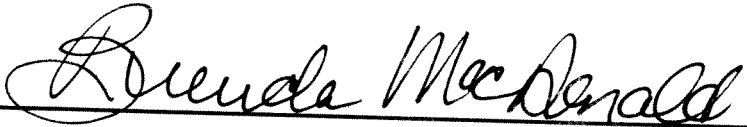
ADOPTION AND APPROVAL BY COUNCIL:

This Bylaw was adopted by a resolution of Council at the Council meeting held on the 20th day of April, 2015.

The Emergency Measures Bylaw is declared to be passed on the 20th day of April, 2015.

WITNESS the corporate seal of the Resort Municipality


Matthew Jelley, Chair


Brenda MacDonald, Administrator

Filed on behalf of the Minister of Communities, Land and Environment according to s. 60(C) of the Municipalities Act.

Signed

Dated

Filed on behalf of the Minister of Finance, Energy and
Municipal Affairs in accordance with s. 60(c) of the
Municipalities Act.

 June 26, 2015
Signed Dated