

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

EMERGENCY MEASURES BYLAW

BYLAW No. RMEMB1

A bylaw to establish and maintain an Emergency Measures Organization, Plan and Program 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 *Municipal Government Act*, R.S.P.E.I. 1988 Cap. M-12.1.

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

1. Title

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

2. Definitions

2.1 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) "Chief Administrative Officer" means the person appointed to that position by Council under the *Municipal Government Act*;
- (c) "Committee" means the municipal emergency measures committee established pursuant to this Bylaw;
- (d) "Coordinator" means the person appointed to act as the municipal emergency measures coordinator pursuant to this Bylaw;
- (e) "Council" means the Council of the Resort Municipality;
- (f) "Councillor" means a member of the Council of the Resort Municipality, but excludes the Mayor;
- (g) "Deputy Coordinator" means the person approved to act as the municipal emergency measures deputy coordinator pursuant to this Bylaw;
- (h) "Deputy Mayor" means the Council member who is appointed by the Mayor to act as Mayor in the absence or illness of the Mayor;
- (i) "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;

- (j) "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;
- (k) "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;
- (l) "Mayor" means the Mayor of the Resort Municipality's Council;
- (m) "Minister" means the member of Executive Council charged by the Lieutenant Governor in Council with the administration of the Act;
- (n) "Municipal Government Act" means the *Municipal Government Act*, R.S.P.E.I. 1988 Cap. M-12.1, as amended from time to time, or any successor act;
- (o) "Province" means the Province or Government of Prince Edward Island;
- (p) "Resort Municipality" means the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico;
- (q) "Resort Municipality Emergency Measures Organization" means the organization established pursuant to this Bylaw;
- (r) "State of Emergency" means a state of emergency declared by the Minister pursuant to the Act;
- (s) "State of Local Emergency" means a state of emergency declared by Council or the Mayor pursuant to the Act.

3. Resort Municipality Emergency Measures Organization

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

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

4. Emergency Measures Coordinator and Deputy Coordinator

- 4.1 The Council will appoint a Coordinator who reports to, and receives direction from, the Council.
- 4.2 The Council will appoint a Deputy Coordinator who reports to, and receives direction from, the Council and the Coordinator.

4.3 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.

4.4 The Deputy Coordinator shall:

- (a) assist with the duties prescribed for the Coordinator under section 4.3, above, as directed by the Coordinator and/or the Council; and
- (b) undertake the duties of the Coordinator in the event the Coordinator is unable to perform the duties assigned to the Coordinator under this Bylaw.

5. The Committee

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

- (a) the Mayor or Deputy Mayor;
- (b) no fewer than two Councillors;
- (c) the Coordinator;
- (d) the Deputy Coordinator; and
- (e) the Chief Administrative Officer.

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 – the Province’s Department of Transportation, Infrastructure and Energy or any successor department of transportation;
- (d) water/wastewater service –Cavendish Sewer Utility; and
- (e) Parks Canada.

5.3 The Committee shall:

- (a) develop an Emergency Measures Plan and, if the Province’s emergency measures organization is of the opinion that the Emergency Measures Plan is adequately and properly integrated with the Province’s emergency measures plan, 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 the Resort Municipality’s government in the case of an Emergency or Disaster;
- (d) 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;
- (e) cooperate with authorities of the municipality, neighbouring municipalities and provincial authorities who have been assigned comparable duties; and
- (f) 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.

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.

- 6.3 The Emergency Measures Plan shall include an exercise work plan that, at a minimum, provides for:
- (a) an annual discussion-based exercise to be commenced by the Resort Municipality not later than one year after approval of the Emergency Measures Plan by the Province's emergency measures organization; and
 - (b) an operational-based exercise, which includes participation by the appropriate response agencies referred to in the Emergency Measures Plan, to be undertaken by the Resort Municipality once every five years, commencing not later than five years after the approval of the Emergency Measures Plan by the Province's emergency measures organization.
- 6.4 Council shall review the Emergency Measures Plan on an annual basis and, where necessary, make revisions.
- 6.5 The first annual review shall take place no later than one year after the Province's emergency measures organization approves the Emergency Measures Plan.
- 6.6 Council shall provide any revised Emergency Measures Plan to the Province's emergency measures organization within 60 days of making such revisions.

7. State of Local Emergency

- 7.1 Council may declare a State of Local Emergency when satisfied that an Emergency 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 Mayor 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.
- 7.5 When a State of Emergency or State of Local Emergency is declared, the Council may authorize the Chief Administrative Officer to:
- (a) purchase supplies, equipment and facilities not otherwise approved by the operating budget of the Resort Municipality; and
 - (b) hire additional personnel not otherwise approved by the operating budget of the Resort Municipality.
- 7.6 The Chief Administrative Officer is responsible for keeping records of the expenditures made and the equipment used in implementing the Resort Municipality's Emergency Measures Plan or in responding to a declared Emergency.

8. Penalties

- 8.1 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

- 9.1 This Bylaw comes into effect on January 24, 2022.

10. Repeal

- 10.1 Any and all emergency measures bylaws passed previous to this Bylaw, by a Council of the Resort Municipality, are hereby repealed.

First Reading:

This Bylaw was read a first time at the Council meeting held on the 17th day of January, 2022.

This Bylaw was approved by a majority of Councillors present at the Council meeting held on the 17th day of January, 2022.

Second Reading:

This Bylaw was read a second time at the Special Council meeting held on the 24th day of January, 2022.

This Bylaw was approved by a majority of Councillors present at the Special Council meeting held on the 24th day of January, 2022.

Adoption and Approval by Council:

This Bylaw was adopted by a resolution of Council at the Special Council meeting held on the 24th day of January, 2022.

The Emergency Measures Bylaw is declared to be passed on the 24th day of January, 2022.

WITNESS the corporate seal of the Resort Municipality.



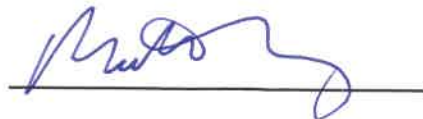
Mayor



Chief Administrative Officer

BE IT RESOLVED THAT: Bylaw No. RMEMB1, being a bylaw related to the establishment of an emergency measures organization, plan and program for the Resort Municipality, is hereby enacted as a bylaw of the Resort Municipality and the Mayor and Chief Administrative Officer be and they are hereby authorized to sign the Bylaw and apply the Resort Municipality's seal thereto.

Dated the 24th day of January, 2022.



Mayor



Chief Administrative Officer