

## CITY OF TERRACE

### BYLAW NO. 1915 – 2008

#### **"A BYLAW TO ESTABLISH AN EMERGENCY PROGRAM WITHIN THE CITY OF TERRACE"**

**WHEREAS** the Council for the City of Terrace is required by the Emergency Program Act, as amended from time to time, to establish an Emergency Plan to prepare for, respond to and recover from emergencies and disasters;

**AND WHEREAS** Council may appoint such Committees as it considers necessary or desirable to assist it in meeting its obligations under the Act;

**NOW THEREFORE** the Council of the City of Terrace, in open meeting assembled, enacts as follows:

#### **1.0 DEFINITIONS**

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

- 1.1 **"Act"** means the Emergency Program Act, RSBC 1996, c.111, as amended or replaced from time to time, and any regulations thereto;
- 1.2 **"Chief Administrative Officer"** means the person appointed by Council as the Chief Administrative Officer pursuant to s.147 of the Community Charter and City of Terrace Management Staff Bylaw No. 1900-2007 or his/her designate;
- 1.3 **"City"** means the City of Terrace;
- 1.4 **"Council"** means the Council of the City of Terrace;
- 1.5 **"Declaration of a State of Local Emergency"** means a declaration made by Council or the Mayor pursuant to s. 12 of the Act that an emergency or disaster exists or is imminent;
- 1.6 **"Department Heads"** means those persons established as Officers and Department Heads under City of Terrace Management Staff Bylaw No. 1900-2007 and amendments thereto;
- 1.7 **"Disaster"** means a calamity that:
  - .1 is caused by accident, fire, explosion or technical failure or by the forces of nature, and
  - .2 has resulted in serious harm to the health, safety or welfare of the people, or in widespread damage to property;

- 1.8 **“Emergency”** means a present or imminent event or circumstance that:
- .1 is caused by accident, fire, explosion or technical failure or the forces of nature, and
  - .2 requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
- 1.9 **“Emergency Management Committee”** means those persons specified under s. 3.1 of this Bylaw;
- 1.10 **“Emergency Management Organization”** means the Emergency Management Committee, and such other persons appointed and functional groups established, and which are charged with emergency preparedness, response and recovery measures;
- 1.11 **“EOC”** means the Emergency Operations Centre as defined in the Emergency Program, or other such facility as may be designated from time to time as the EOC;
- 1.12 **“EOC Director”** means the Chief Administrative Officer for the City of Terrace, or his/her designate;
- 1.13 **“Emergency Plan”** means the Emergency Plan prepared under s. 6(2) of the Act;
- 1.14 **“Emergency Program”** means that program which encompasses all aspects of preparedness, response and recovery measures of the City for combating emergencies and disasters;
- 1.15 **“Emergency Program Co-ordinator”** means the person appointed by the Chief Administrative Officer to act in that capacity for the City who is deemed to be the Co-ordinator for the Emergency Management Organization of the City pursuant to s. 6(3) of the Act;
- 1.16 **“Mayor”** means that person elected Mayor for the City of Terrace, or a person designated by the Municipal Council to act in the capacity of Mayor in the Mayor’s absence;
- 1.17 **“Municipality”** means all of the area within the boundaries of the Corporation of the City of Terrace;

1.18 **“Order”** means a written statement of instruction, bearing the printed name and title of the issuer, and the date of the issuance.

## **2.0 DELEGATION**

2.1 In accordance with s. 6(4) of the Act, Council hereby delegates the responsibilities placed upon it by the Act, except for the Declaration of a State of Local Emergency, to the Emergency Management Organization.

## **3.0 EMERGENCY MANAGEMENT COMMITTEE**

3.1 The Emergency Management Committee shall consist of:

- .1 Chief Administrative Officer/EOC Director; and
- .2 Department Heads; and
- .3 Emergency Program Co-ordinator; and
- .4 Other individuals, or representatives from agencies or City Departments deemed by the EOC Director and/or Emergency Program Co-ordinator to be required for the purposes of emergency planning and management.

3.2 The Emergency Management Committee shall meet to develop and implement Emergency Plans and other preparedness, response and recovery measures for emergencies and disasters.

3.3 The Emergency Management Committee will be responsible for the following:

- .1 Preparing an Emergency Plan Manual based on the principles of the British Columbia Emergency Response Management System (BCERMS). Such manual shall provide a general direction and framework that covers preparedness, response and recovery plans within which the Emergency Management Committee can formulate roles and responsibilities to deal with emergencies and disasters. Minor amendments, such as names, addresses and telephone numbers in the Emergency Plan Manual may be approved by the Emergency Program Co-ordinator.
- .2 Subject to City of Terrace Delegation Bylaw No. 1895-2007, negotiating agreements with other municipalities, agencies or governments for the purpose of mutual aid, or for the formation of joint organizations, or to provide services necessary to achieve the objectives of this Bylaw.
- .3 Establishing such sub-Committees or working groups as it deems necessary to carry out its duties and obligations.
- .4 Submitting annual estimates to Council of expenditures required to maintain and operate the Emergency Program.

**4.0 EMERGENCY PROGRAM CO-ORDINATOR**

4.1 *In conjunction with the Emergency Management Committee, the Co-ordinator is responsible for:*

- .1 Providing leadership and administration for the Emergency Program;*
- .2 Co-ordinating and/or supervising any sub-Committees or work groups;*
- .3 Developing a Strategic Plan, Action Plans and budget;*
- .4 Maintaining all Emergency Plans and documentation;*
- .5 Providing an annual status report on the level of preparedness;*
- .6 Co-ordinating a training and exercise program;*
- .7 Co-ordinating with other governments, non-government agencies, First Nations and the private sector;*
- .8 Establishing and maintaining an Emergency Operations Centre;*
- .9 Establishing, co-ordinating and supporting volunteer programs; and*
- .10 Assisting the EOC Director to co-ordinate operations and activities within the EOC during an emergency or disaster.*

**5.0 EMERGENCY RESPONSE**

5.1 *Pursuant to s. 8 of the Act, the Council, Chief Administrative Officer, or Emergency Program Co-ordinator may, whether or not a State of Local Emergency has been declared under s. 12 of the Act, implement all or portions of the City's Emergency Plan if, in the opinion of the Council, Chief Administrative Officer, or Emergency Program Co-ordinator, an emergency exists or appears imminent or a disaster has occurred or threatens within the boundaries of the City.*

5.2 *Pursuant to s. 13 of the Act, after a Declaration of a State of Local Emergency is made under s. 12 of the Act, the Emergency Management Organization may do all acts and implement all procedures that it considers necessary to prevent, respond to or alleviate the effects of an emergency or a disaster.*

5.3 *In the event of an emergency or disaster, or a Declaration of a State of Local Emergency, the EOC Director may authorize the expenditure of Municipal funds which are not included in the Financial Plan of the City, required for the preservation of life, health and the protection of property during an emergency or disaster, on the following basis:*

- .1 Up to and including \$50,000 without the prior approval of Council, at the discretion of the EOC Director;*
- .2 Over \$50,000 with the prior approval of Council.*

## **6.0 LIABILITY**

6.1 *As enabled by the Act, no person, including, without limitation, the Council, members of the City of Terrace Emergency Management Organization, employees of the City of Terrace, a volunteer and any other persons appointed, authorized or required to carry out measures relating to emergencies or disasters, is liable for any loss, cost, expense, damage or injury to person or property that results from:*

- .1 the person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under the Act or this Bylaw, unless, in doing or omitting to do the act, the person was grossly negligent; or*
- .2 any acts done or omitted to be done by one or more of the persons who were, under the Act or 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.*

## **7.0 SEVERABILITY**

7.1 *If any section, subsection, paragraph, subparagraph or clause of the City of Emergency Program Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of the Emergency Program Bylaw.*

## **8.0 REPEAL**

8.1 *City of Terrace Emergency Program Bylaw No. 1111-1987 and amendments thereto is hereby repealed.*

## **9.0 CITING CLAUSE**

9.1 *This Bylaw may be cited as “City of Terrace Emergency Program Bylaw No. 1915 – 2008”.*

***READ a first time this 14<sup>th</sup> day of April, 2008.***

***READ a second time this 14<sup>th</sup> day of April, 2008.***

***READ a third time this 14<sup>th</sup> day of April, 2008.***

***ADOPTED*** this 28<sup>th</sup> day of April, 2008.

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***Mayor***

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***Acting Clerk***