

BYLAW NO. 763-19

A BYLAW OF THE TOWN OF ESTERHAZY TO PROVIDE FOR THE ESTABLISHMENT OF AN EMERGENCY MANAGEMENT ORGANIZATION

Where *The Emergency Planning Act 1989*, pursuant to Section 9 provides that the local authority of each Municipality shall appoint a committee of members of the local authority area, to advise on the development of the committee members;

AND SHALL establish and maintain a municipal emergency measures organization;

AND SHALL appoint a coordinator of the municipal agency and prescribe his or her duties which shall include the preparation and coordination of emergency plans and programs for the Town;

AND SHALL prepare and approve emergency plans and programs;

AND MAY enter into agreements with and make payments to organizations for the provision of services in the development or implementation of emergency plans or programs;

NOW THEREFORE the Council of the Town of Esterhazy enacts as follows:

1. In this bylaw;
 - a. "Emergency" means:
 - i) a calamity caused by accident, by an act of war or insurrection or by forces of nature; or
 - ii) a present or imminent occurrence that has resulted or may result in serious harm to the safety or welfare of people or in widespread damage to property.
2. The term "Coordinator" shall mean the person appointed by the Council of The Town of Esterhazy to organize Emergency Management in the Town of Esterhazy.
3. The EMO (Emergency Management Organization) of the Town of Esterhazy shall be comprised of the Emergency Measures Planning Committee, municipal departments and voluntary organizations within the Town.
4. Subject to Section 5 of this bylaw and subject to any directions of Town Council, the Emergency Management Control Group is hereby designated and appointed to be a special committee of the Town Council pursuant to Section 81 of *The Municipalities Act* and shall be responsible for the carrying out of any emergency measures or emergency activities or works in the furtherance of *The Emergency Planning Act, 1989* or this bylaw and to that end, shall have and is hereby granted and delegated to it the duties and powers of the Town Council except the power to borrow money, to pass a bylaw or enter into any contracts. Provided, however, such delegation of the duties and powers of the Town Council is expressly limited to only the powers of the Town Council necessary to carry out its rights, responsibilities, or duties under *The Emergency Planning Act, 1989*.
5. The Coordinator shall have the following duties and responsibilities:
 - a. Acts as Chairman of the Emergency Management Planning Committee established under this bylaw;
 - b. Stimulates and coordinates the development of an emergency plan for the community in co-operation with the departments and agencies of the Town;
 - c. Provides emergency plans from guidelines laid down by the Emergency Management Control Group;
 - d. Submits regular reports to the Emergency Management Control Group to keep them fully informed of progress;
 - e. Correlates all activities of those person and/or organizations involved within the Town of Esterhazy and designated for the Emergency Management Organizations;
 - f. Ensures that a continuous program of training for local Emergency Management Organization personnel is carried out, either by local training classes or attendance at provincial or federal training schools;
 - g. Cooperates with Mutual Aid Area and Saskatchewan Corrections and Public Safety on all matters pertaining to planning and operations;
 - h. Submits a projected budget to cover costs of emergency management operations within the Town;
 - i. Acts as advisor to the Town of Esterhazy during emergencies or disasters.

6. There shall be an Emergency Management Planning Committee comprised of the Mayor, Emergency Coordinator, the Public Information Officer, the Director of Emergency Social Services, the Chief of Police, the Fire Chief, the Director of Public Works, the Director of Transportation and such other persons, when required, that may be deemed necessary to formulate a municipal emergency plan (or their delegates who are hereby empowered to act on their behalf).
7. The EMO Planning Committee as a whole, under the coordination of the Chairman will integrate the municipal and voluntary emergency services plans into one comprehensive emergency plan.
8. Each town department or voluntary organizations of the Town shall be responsible to develop and execute the emergency plan of the service he or she represents, train municipal employees and volunteers and make a comprehensive study of existing resources.
9. The Council may, from time to time, appropriate and expend monies required to meet the ordinary operating expenses of the said organization.
10. The Council may cooperate with Councils of other municipalities for the purpose of jointly establishing and operating an Emergency Management Organization upon appropriate agreement with the Province of Saskatchewan as provided for in Section 12 of this bylaw.
11. The Town of Esterhazy may enter into agreement with the Province of Saskatchewan or any other governmental agency as authorized by the provisions of *The Emergency Planning Act, 1989* or regulations thereunder.
12. The Emergency Coordinator of the Town of Esterhazy shall be the Chairperson of the Emergency Management Planning Committee. A declaration of an emergency may be declared by the Mayor when in the opinion of this member an emergency exists and a sufficient number of members of council are not present to declare. Upon such declaration being made, the Emergency Management Organization shall exercise all powers conferred upon them by *The Emergency Planning Act, 1989* of the Province of Saskatchewan.
13. On the making of the declaration and for the duration of the local emergency, the local authority, may do all acts and take all necessary proceedings including the following:

Powers of local authority 21(1) *The Emergency Planning Act, 1989* on the making: (a) of a local emergency declaration or a renewal of a local emergency declaration pursuant to subsection 22(2) and for the duration of the state of emergency the local authority may:

- (i) put into operation any emergency plan or program that the local authority considers appropriate;
- (ii) acquire or utilize any real or personal property that the local authority considers necessary to prevent, combat or alleviate the effects of an emergency;
- (iii) authorize any qualified person to render aid of a type that the person is qualified to provide;
- (iv) control or prohibit travel to or from any area of the Town;
- (v) provide for the restoration of essential facilities and the distribution of essential supplies;
- (vi) provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Town;
- (vii) cause the evacuation of persons and the removal of persons or livestock and personal property from any area of the Town that is or may be affected by an emergency and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
- (viii) authorize the entry into any building or on any land, without warrant, by any person when necessary for the implementation of an emergency plan;
- (ix) cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary in order to reach the scene of the emergency, to attempt to forestall its occurrence or to combat its progress;
- (x) conscript persons needed to meet an emergency; and
- (xi) do all acts and take all proceedings that are reasonably necessary to meet the local emergency.

14. In the absence of the Mayor or Deputy Mayor, a majority of the members of the Town Council are hereby authorized to declare a local emergency in the Town of Esterhazy.
15. This bylaw shall come into force and take effect on the day of the final passing thereof.

Introduced and read a first time this ____ day of _____. 20_____.

Read a second time this ____ day of _____. 20_____.

Read a third time and adopted this ____ day of _____. 20_____.

(SEAL)

Mayor

Administrator

*Certified true copy of Bylaw No. 763-19
Adopted by Resolution of Council
at Regular council meeting
held on ____ day of _____. 20_____.*

Administrator