

MUNICIPALITY OF THE DISTRICT OF ARGYLE

BY-LAW #40

REGIONAL EMERGENCY MANAGEMENT

The Council for the Municipality of the District of Argyle, under the authority vested in it by clause 10(1)(a) of the Emergency Management Act, S.N.S. 1990, c.8 enacts as follows:

SHORT TITLE

This By-Law may be cited as the “Regional Emergency Management By-Law.

INTERPRETATION

In this By-Law,

- (a) “**Act**” means the Emergency management Act, S.N.S. 1990, c,8;
- (b) “**Agreement**” means the Agreement entered into accordance with clause 10(1)(a) of the Act, among the Municipality of the District of Argyle, Municipality of the District of Yarmouth and the Town of Yarmouth dated October 1, 2019, attached hereto as Appendix “A”;
- (c) “**Council**” means the Council of the Municipalities of the District of Argyle;
- (d) “**Emergency**” means a present or imminent event in respect of which the Minister or a municipality, as the case may be, believes prompt co-ordination of action or regulation of persons or property must be undertaken to protect property or the health, safety, or welfare of people in the Province;
- (e) “**Mayor**” means the Mayor of the Town of Yarmouth;
- (f) “**Warden**” means the Warden of the Municipality of Argyle.
- (g) “**Regional Emergency Management Executive Committee**” means the Executive Committee established pursuant to the Agreement, and as required by clause 10(1)(d) of the Act;
- (h) “**Regional Emergency Management Coordinator**” means Coordinator, the person appointed by Council, and in accordance with the Agreement, as required by clause 10(1)(c) of the Act;
- (i) “**Assistant Emergency Management Coordinators**” means a staff member appointed from each Municipality to liaison with the Coordinator.
- (j) “**Regional Emergency Management Organization**” means the organization established by the Agreement, and as required by clause 10(1)(b) of the Act;
- (k) “**Regional Emergency Management Planning Committee**” the Committee established by the Agreement responsible for recommending policy and procedures to the Executive Committee for maintaining a reasonable state of preparedness for emergencies;
- (l) “**Regional Emergency Management Plans**” means plans, programs or procedures prepared by the Regional emergency Management Organization that are intended to mitigate the effects of an emergency or a disaster and to provide for the safety, health, or welfare of the civil population of property in the event of such an occurrence, as set out in clause 2(d) of the Act;
- (m) “**State of Local Emergency**” means a state of local emergency declared by a municipality pursuant to the Act and the Regulations made pursuant thereto, and this By-Law;
- (n) “**Municipality**” means the Municipality of the District of Argyle.

REGIONAL EMERGENCY MANAGEMENT ORGANIZATION

1. Council hereby establishes a Regional Emergency Management Organization (REMO), and shall create an intermunicipal agreement with its partners, specifying funding, governance, and other requirements of Councils.
2. The Regional Emergency Management Organization shall consist of the following persons and committees:
 - (a) The Regional Emergency Management Executive Committee (Executive Committee);
 - (b) The Regional Emergency Management Coordinator (Coordinator);
 - (c) The Regional Emergency Planning Committee (Planning Committee);
 - (d) Assistant Emergency Management Coordinators (Assistants).

REGIONAL EMERGENCY MANAGEMENT EXECUTIVE COMMITTEE

3. Council shall appoint representatives to the Executive Committee in accordance with the Agreement for such term as clause 16(b) of the Agreement provides.
4. The Council's representative on the Executive Committee shall always be no fewer than two members of the Council, one of whom shall be the Warden, as referenced in the REMO Agreement.
5. The Executive Committee shall, on behalf of REMO:
 - (a) Be responsible for the approval of REMO plans and policies;
 - (b) Recommend the annual budgets to Council;
 - (c) Provide direction to the Coordinator and the Planning Committee, as deemed appropriate by the Executive Committee from time to time;
 - (d) Brief Council on the development and approval of REMO plans and policies whenever required to do so by Council;
 - (e) Brief Council on developments during a State of Local Emergency when deemed necessary.

REGIONAL EMERGENCY MANAGEMENT COORDINATOR

6. The Coordinator and Deputy Coordinator shall be appointed in accordance with clause 21 of the Agreement.
7. The Coordinator shall:
 - (a) Be responsible to appoint a Chair of the Planning Committee;
 - (b) Coordinate and prepare REMO plans, training, and exercises;
 - (c) Be responsible for on-going public education programs related to emergency preparedness;
 - (d) Following the activation of the REMO Plan or a declaration of state of local emergency, coordinate municipal operations with those of the provincial and federal governments during a declared emergency;
 - (e) Ensure all emergency operations centers and equipment are fully operational;
 - (f) Perform such other duties as may be required by the Executive Committee.
 - (g) advise the Department of Municipal Affairs and Housing of any real or anticipated event or emergency as required in s.10A of the Act.

REGIONAL EMERGENCY PLANNING COMMITTEE

8. The Planning Committee, as per the Agreement, section (17), shall be comprised of the Coordinator, the Deputy Coordinator, and the Assistant Coordinators.

9. The Planning Committee may include, but not limited to, persons responsible during an emergency to provide:
 - (a) Local Law Enforcement;
 - (b) Ground Search and Rescue;
 - (c) Fire Control Services;
 - (d) Municipal Public Works representatives;
 - (e) Provincial Department of Community Services and Red Cross;
 - (f) Provincial Department of Health and Wellness;
 - (g) Western Regional Housing Authority;
 - (h) Emergency Health Services;
 - (i) Provincial Department of Lands and Forestry;
 - (j) Provincial Department of Transportation and Infrastructure and Renewal;
 - (k) Telecommunications;
 - (l) Public Information Services;
10. The Planning Committee shall:
 - (a) Assist the Coordinator in the preparation and coordination of REMO Plans to maintain a reasonable state of preparedness for emergencies;
 - (b) Formulate policy and procedure recommendations, planning, training, and exercises.

ASSISTANT EMERGENCY MANAGEMENT COORDINATORS

11. The Assistant Emergency Management Coordinators appointed in accordance with clause 25 of the Agreement shall:
 - (a) Participate in Planning Committee meetings;
 - (b) Assure that the interests of the Municipality are served by participating in training, exercises, and responses.

AGREEMENTS

12. The Council hereby agrees that the Executive Committee may enter into agreements with the Government of Canada, the Province of Nova Scotia, a Municipality, or any other person or organization, for the provision of services in the development and implementation of Regional Emergency Management Plans.

BUDGET CONSIDERATIONS

13. Municipality shall share the normal operational costs of the REMO based on an annual budget divided proportionally based upon a blended formula including uniform assessment, population, and equal shares, in accordance with clauses 31,32 and 33 of the Agreement.

DECLARATION OF A STATE OF LOCAL EMERGENCY

14. Council may, when satisfied that an emergency exists or may exist in all or any area of its own Municipality, declare a State of Local Emergency in respect of their own Municipality or an area thereof.
15. If any of the Councils are unable to act promptly under section 12(2), the Mayor of the Town of Yarmouth and the Wardens of the Municipality of Argyle and Municipality of Yarmouth may declare a State of Local Emergency, subject to section 12(3) of the Act, in respect of their own Municipality or area thereof.

16. If both the Mayor and/or Wardens and Councils of the Municipality of the District of Argyle, the Municipality of the District of Yarmouth and the Town of Yarmouth are unable to act promptly to declare a State of Local Emergency in their own jurisdiction under section 15(2) of the Act, any one of the Mayor or Wardens may, subject to the provisions of sections 12(2) and 12(3) of the Act, declare a State of Local Emergency in regards to an emergency that exists or may exist in all or within any area of the Municipality of the District of Argyle, the Municipality of the District of Yarmouth or the Town of Yarmouth.
- ~~17. The Warden of the Municipality of the District of Argyle shall advise the members of the Executive Committee on the development of emergency management plans as soon as practicable.~~

DUTIES DURING AN EMERGENCY

18. Following the activation of any Regional Emergency Plan or a declaration of a state of local emergency:
 - (a) Every Councillor shall advise the Coordinator/Warden as to their location and how they may be contacted.
 - (b) Every employee and agent of the Municipality who has a role in such emergencies as assigned in the Regional Emergency Management Plans, shall:
 19. Advise the Coordinator of their location and how they may be contacted; and
 20. Fulfill such duties described in the emergency operational plan.
21. **Provide a copy of the Declaration of a State of Local Emergency to the Minister as required in s.15(1)(a) of the Act.**

REPEAL AND REPLACE

22. **This By-Law hereby repeals and replaces the following by-laws:**
 - (a) **By-Law 22 – Civil Emergency Planning**
 - (b) **By-Law 23 – Municipal Emergency Measures**

Chief Administrative Officer's Annotation for Official By-Law Book	
Date of First Reading	May 13, 2021
Date of Advertisement of Notice of Intent to Consider	May 19, 2021
Date of Second Reading	June 08, 2021
Date of Advertisement of Passage of By-Law	June 16, 2021
Date of Mailing to Minister a Certified Copy of By-Law	July 29, 2021
Effective Date of By-Law	July 29, 2021
I certify that this Regional Emergency Management By-Law #40 was adopted by Council and published as indicated above.	
_____	_____
Warden	Date
_____	_____
Chief Administrative Officer	Date

Version Log	
Version 1 – Creation of By-Law	July 29, 2021
Version 1.1 – Amendments to align with MGA and EMA as per DMAH	