



City of Vernon

***EMERGENCY
PROGRAM
BYLAW***

#5645

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5645

A bylaw to develop and implement plans for emergencies and disasters in the City pursuant to the *Emergency Program Act*, R.S.B.C. 1996, c. 111

WHEREAS the Council for the City of Vernon is required by the provisions of the *Emergency Program Act*, R.S.B.C. 1996 c. 111, as amended, 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;

AND WHEREAS Council may appoint a Coordinator of its emergency management organization;

AND WHEREAS this bylaw is intended to provide a comprehensive program of emergency management by a coordinated response of Council, officers and employees of the City of Vernon, volunteer services and external agencies, that will respond to natural and man-made hazards with the goal of preserving life, property, the local economy and the environment in a comprehensive approach using prevention, mitigation, preparedness, response and recovery, all in a manner that will ensure the continuity of government;

NOW THEREFORE, THE COUNCIL FOR THE CITY OF VERNON in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as “**Emergency Program Bylaw Number 5645, 2017**”.
2. “City of Vernon Emergency Program Bylaw Number 4713, 2002” and amendments thereto, is hereby **repealed**.
3. **Definitions**

In this bylaw

- (a) “Act means the Emergency Program Act, R.S.B.C. 1996, c. 111, as amended, and any regulations thereunder;
- (b) “City” means the City of Vernon;
- (c) “Chief Administrative Officer” means the senior administrative officer of the City;

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- (d) "Declaration of a state of local emergency" means a bylaw or resolution of the Local Authority or an order of the Mayor that an Emergency or Disaster exists or is imminent and made in accordance with section 12 of the Act;
- (e) "Director of EOC" means the Chief Administrative Officer or designate who provides overall direction in and is responsible for the operations in the Emergency Operations Center;
- (f) "Disaster" means a calamity that
 - (i) is caused by accident, fire, explosion or technical failure or by the forces of nature, and
 - (ii) has resulted in serious harm to the health, safety or welfare of people or in widespread damage to property;
- (g) "Emergency" means a present or imminent event that
 - (i) is caused by accident, fire explosion or technical failure or by the forces of nature, and
 - (i) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
- (h) "EOC" means the Emergency Operations Centre as defined in the Emergency Program or such other facility as may be designated from time to time as the EOC by the Local Authority;
- (i) "Emergency Program Leadership Team" means the group constituted as such pursuant to section 4.3 of this bylaw;
- (j) "Emergency Program Policy/Planning Committee" means a Committee constituted pursuant to Section 4.2 of the bylaw;
- (k) "Emergency Program" means the City's Emergency Program as adopted or implemented from time to time and any amendment thereto;
- (l) "Emergency Program Coordinator" is a position responsible for the City's Emergency Program;
- (l) "Local Authority" means the Council for the City of Vernon;

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- (m) "Mayor" means the individual elected as Mayor of the City or, in the event the Mayor is absent, ill, or otherwise unable or unwilling to carry out or exercise his or her duties and powers under this bylaw and the Act, the person designated by the City's policy as the Acting Mayor at the relevant time;
- (n) "Minister" means a member of the Executive Council appointed to head a ministry of the government of British Columbia;
- (o) "Order" means a written statement or instruction giving effect to a Declaration of a state of local emergency by the Mayor, which Order must include the date of issuance and bear the name of the Mayor. -

(Note: letters were re-organized in this section)

4. Emergency Program Administration

- 4.1 The Director of Fire Rescue Services is appointed by the Mayor and has responsibility for the emergency program. The Director of Fire Rescue Services may staff a position to address the responsibilities of the Emergency Program Coordinator.
- 4.2 An Emergency Policy/Planning Committee is hereby created which will meet not less than every 6 months. The following individuals may constitute the Committee:
 - (a) the Mayor, who may act as Chair;
 - (b) the Chief Administrative Officer, or Acting CAO, or designate;
 - (c) the Deputy Chief Administrative Officer;
 - (d) the RCMP Officer in Charge (OIC);
 - (e) the Director or delegate, Community Infrastructure and Development;
 - (e) the Emergency Program Coordinator or designate;
 - (f) the Director of Fire Rescue Services or designate;
 - (g) the Director or delegate, Corporate Services;
 - (h) the Director or delegate, Financial Services;
 - (i) the Director or delegate, Recreation Services ;

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(j) the Director or delegate, Operation Services; and

such other individuals as may be appointed to the Committee or sub-Committee(s) by the Chair from time to time.

4.3 With the exception of the Mayor, or any Council member(s), the positions listed in 4.2 shall be members of the Emergency Program Leadership Team.

5. Responsibilities

5.1 The Emergency Program Coordinator will be responsible for the following:

(a) preparing the Emergency Program, which program must

(i) provide a general direction and framework that covers prevention, mitigation, preparedness, response and recovery programs to deal with a Disaster or Emergency in the City,

(ii) formulate roles and responsibilities for all officials appointed pursuant to this bylaw (whose roles and responsibilities are not otherwise defined herein), and

(iii) formulate a budget for the City of Vernon Financial Plan;

(b) making and amending practices and procedures;

(c) establishing such sub-committees or working groups as it deems necessary to carry out its duties and obligations;

(d) subject to the final approval of the Local Authority,

(i) negotiating agreements with other municipalities or governments for the purpose of mutual aid or the formation of joint organizations,

(ii) negotiating with individuals, societies, corporations or other legal entities other than government bodies for the engagement of one or more of their members deemed qualified to provided services necessary to achieve the objectives of this bylaw;

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- (e) serving as a member of the Emergency Measures Policy/Planning Committee
- (f) making such minor amendments to the Emergency Program as are necessary to ensure that the information contained in such Program remains current at all times, including, without limitation, updating telephone numbers, addresses, locations of equipment and response teams;
- (g) providing day to day administration of the Emergency Program, including coordinating staff emergency management, encouraging public emergency management and coordinating with external organizations on emergency management;
- (h) maintaining information on potential natural and man-made hazards and the impact that such hazards could have on the City;
- (i) ensuring all City departments, including and Emergency Social Services, develop and keep updated departmental emergency plans that area consistent with and support the Emergency Program;
- (j) developing and keeping updated the City Emergency Plan which includes the EOC Plan
- (k) coordinating, equipping and training the City's emergency volunteer services
- (l) providing liaison on behalf of the City with other external support organizations
- (m) selecting and processing candidates for Federal or Provincial Emergency Program courses
- (n) conducting studies and exercise within the City to ensure that the Emergency Program is understood, effective and in a state of readiness
- (o) acting as the point of contact for the City with the Provincial Emergency Program and other governments or agencies concerning emergency planning and operations; and
- (p) when a Declaration of a state of emergency exists, acting as the City's liaison person between the Director or such other person the Minister may appoint pursuant to section 90(2) of the Act and the Local Authority.

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5.2 The Emergency Operations Management and Policy Group will be responsible for the coordination and direction of overall operations undertaken by the City in accordance with its Emergency Program.

6. **Declaration of a State of Local Emergency as provided in the Act**

6.1 Subject to section 6.3, the Local Authority may, when satisfied that an Emergency or Disaster exists make a Declaration of a State of Local Emergency either by resolution or bylaw.

6.2 Subject to section 6.3 and provided that the Mayor has used his or her best efforts to obtain the consent of all other members of the Local Authority to a Declaration of a state of local emergency, the Mayor may, by Order, make a Declaration of a State of Local Emergency.

6.3 A Declaration of a state of local emergency, whether made by the Local Authority or the Mayor must:

- (a) identify the nature of the Disaster or Emergency
- (b) identify whether the Disaster or Emergency affects all of the City or only a portion thereof and, in the latter case, clearly identify the affected portion of the City; and
- (c) be made in the form annexed as **Schedule "A"** to this bylaw.

6.4 If a Declaration of a state of local emergency is made in accordance with this bylaw the Local Authority or Mayor, as applicable, must immediately:

- (a) forward a copy of the Declaration of a state of local emergency, to the Minister; and
- (b) cause details of the Declaration of a state of local emergency to be published by a means of communication that the Local Authority or Mayor, as the case may be, considers most likely to make the contents of the declaration known to the population of the affected area of the City.

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7. Powers associated with the Declaration of a State of Local Emergency as provided for in the Act

Once a Declaration of a state of local emergency has been made in the City the Emergency Operations Management and Policy Group will immediately assume responsibility for the Disaster or Emergency which prompted the Declaration of a state of local emergency in accordance with the division of responsibilities set out in sections 5.2 and 5.3 of this bylaw, the Act and the Emergency Program. In carrying out its duties and responsibilities the Emergency Operations Management and Policy Group may exercise any or all of the following powers of the Local Authority pursuant to the delegation provisions of section 6(4) of the Act, subject only to an order from the Minister directing the Local Authority and, through it to its delegates, to refrain or desist from exercising any one or more of the powers enumerated in paragraphs (a) through to and including (j) below:

- (a) acquire or use any land or personal property considered necessary to prevent, respond to alleviate the effects of the Emergency or Disaster;
- (b) authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to or alleviate the effects of the Emergency or Disaster
- (c) control or prohibit travel to or from any area of the City
- (d) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the City
- (e) cause the evacuation of person and the removal of livestock, animals and personal property from any area of the City that is or may be affected by the Emergency or Disaster and make arrangement for the adequate care and protection of those persons, livestock animals and personal property;
- (f) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing the Emergency Program or if otherwise considered necessary to prevent, respond to or alleviate the effects of the Emergency or Disaster

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- (g) cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary or appropriate in order to prevent, respond to or alleviate the effects of the Emergency or Disaster
- (h) construct works considered necessary or appropriate to prevent, respond to or alleviate the effects of the Emergency or Disaster
- (i) procure, fix prices or ration food, clothing fuel, equipment medical supplies or other essential supplies and the use of any property, services resources or equipment, within any part of the City for the duration of the Declaration of a state of local emergency under this bylaw

8. **Cancellation of a Declaration of a State of Local Emergency**

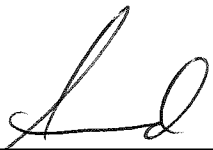
The Local Authority or Mayor, as the case may be, must, when of the opinion that the Emergency or Disaster no longer exists in the City of part thereof for which a Declaration of a state of local emergency was made, cancel the Declaration of a state of local emergency was made, cancel the Declaration by means of a bylaw or resolution of the Local Authority or Order of the Mayor, as appropriate, and promptly notify the Minister of the cancellation of the Declaration of a state of local emergency.

READ A FIRST TIME this 17th day of July, 2017.

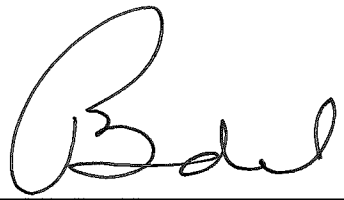
READ A SECOND TIME this 17th day of July, 2017.

READ A THIRD TIME this 17th day of July, 2017.

ADOPTED this 14th day of August, 2017.



Mayor



Corporate Officer

Declaration of State of Local Emergency

ORDER

WHEREAS flooding is occurring in The Regional District of Anywhere;

AND WHEREAS *resident cottages are likely to be impacted by the flood waters in the Electoral Area B and people and property are directly threatened;*

AND WHEREAS this flooding emergency requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;

NOW THEREFORE:

IT IS HEREBY ORDERED pursuant to Section 12 (1) of the *Emergency Program Act* (RS, 1996, Chap 111) that a state of local emergency exists in the electoral area designated as J in the regional district due to potential damage and threat to persons and property and without accessing the emergency powers will be hampered in alleviating or at least mitigating the expected impacts;

IT IS FURTHER ORDERED THAT The Regional District of Anywhere, its employees, servants and agents are empowered pursuant to Section 13 (1) of the *Emergency Program Act* to do all acts and implement all procedures that are considered necessary to prevent or to alleviate the effects of the emergency.

ORDERED by the *Chair, George* this date September 28, 20XX to remain in force for seven days until October 05, 20XX at midnight unless cancelled by order of The Regional District of Anywhere or the Minister responsible.

(Head of local authority)

SCHEDULE 'A'
Attached to and forming part of Bylaw #5645
"Emergency Program Bylaw Number 5645, 2017"

Declaring State of Local Emergency

Local authority may choose to enter other position descriptions.

Delegation of Emergency Powers Matrix

Reference: Emergency Program Act Section 10

Emergency Powers	Delegated To			
	EOC Director	Deputy EOC Director	Operations Section Chief	Incident Commander
Acquire or use any land or personal property considered necessary to prevent, respond to or alleviate the effects of an emergency or disaster.	✓	✓		✓
Authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to or alleviate the effects of an emergency or disaster.	✓	✓	✓	✓
Control or prohibit travel to or from any area of British Columbia.	✓		✓	✓
Provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of British Columbia.	✓	✓		✓
Cause the evacuation of persons and the removal of livestock, animals and personal property from any area of British Columbia that is or may be affected by an emergency or a disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and personal property.	✓			
Authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program or if otherwise considered by the minister to be necessary to prevent, respond to or alleviate the effects of an emergency or disaster.	✓	✓	✓	✓
Cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered by the minister to be necessary or appropriate in order to prevent, respond to or alleviate the effects of an emergency or disaster.	✓	✓	✓	
Construct works considered by the minister to be necessary or appropriate to prevent, respond to or alleviate the effects of an emergency or disaster.	✓			✓
Procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources or equipment within any part of British Columbia for the duration of the state of emergency.	✓			

NOTE: Other individuals/agencies may be included in the matrix at the discretion of the head of a local authority.

SCHEDULE 'A'
Attached to and forming part of Bylaw #5645
"Emergency Program Bylaw Number 5645, 2017"

Extension Request For
State Of Local Emergency

WHEREAS life and property remain at risk due to Wobashau Creek flooding in The Regional District of Anywhere;

AND WHEREAS the Chair of The Regional District of Anywhere has requested to extend the duration of the declaration of a state of local emergency due to expire on October 05, 2011 at midnight;

IT IS HEREBY APPROVED pursuant to Section 12(6) of the *Emergency Program Act (RS, 1996, Chap. 111)* that The Regional District of Anywhere may extend the duration of a state of local emergency for a further seven days to October 12, 2011 at midnight.

EXAMPLE

Solicitor General

(Incumbent Minister)
Solicitor General

October 04, 2011

Date Signed

State of Local Emergency CANCELLATION

ORDER

Date: October 08, 2011

WHEREAS the flooding at Wobashau Creek in The Regional District of Anywhere;

AND WHEREAS this flooding emergency no longer requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of a person or to limit damage to property;

IT IS HEREBY ORDERED pursuant to Section 14 (2) (ii) of the *Emergency Program Act* (RS, 1996, Chap 111) that a state of local emergency no longer exists in the electoral area J boundaries and is therefore cancelled effective this date at 1800hrs.

Printed Name

Signature (Head of Local Authority)