

HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER E-100

RESPECTING OF A PROMPT AND COORDINATED RESPONSE TO AN EMERGENCY

The Council of the Halifax Regional Municipality under the authority vested in it by the Emergency management Act, S.N.S. 1990, C.8, S.10, enacts as follows:

Short Title

1. This by-law may be cited as the "Emergency Management By-Law"

Interpretation

2. In this by-law,
 - (a) "Act" means the Emergency Management Act, R.S.N.S. 1990, c.8;
 - (b) "agent" means a person, persons, company or any other organization employed to act on behalf of the Halifax Regional Municipality;
 - (ba) "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality;
 - (c) "Council" means the Council of the Halifax Regional Municipality;
 - (d) "councillor" means a Council member other than the Mayor;
 - (e) "Director" means the Director of the Nova Scotia Emergency Management Organization;
 - (f) "emergency" means a present or imminent event in respect of which the Municipality 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 Municipality;
 - (g) "employee" means a person employed either part or full time by the Halifax Regional Municipality;
 - (ga) "Executive Standing Committee" means the Executive Standing Committee of Council as set out in Administrative Order One;

- (h) "Mayor" includes the Mayor of the Municipality or a councillor acting in the stead of the Mayor;
- (i) "Minister" means the member of the Executive Council to whom is assigned the administration of the Act and regulations;
- (j) "municipal emergency management plans" means plans, programs or procedures prepared by the Municipality that are intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of the civil population and the protection of property in the event of such an occurrence;
- (k) Repealed
- (l) "Municipal Emergency Management Co-ordinator" means the person appointed by Council pursuant to this by-law;
- (m) "Municipal Emergency Management Organization" means the organization established pursuant to this by-law;
- (n) "Municipal Emergency Management Planning Committee" means the committee established pursuant to this by-law;
- (o) "Municipality" means the Halifax Regional Municipality;
- (p) "State of Emergency Regulations" means regulations approved by the Governor in Council by Order in Council 2008-211, Regulation 255/2008, as amended from time to time;
- (q) "state of local emergency" means a state of local emergency declared by the Municipality pursuant to the Act or renewed by the Municipality pursuant to the Act and regulations made pursuant thereto and this By-law;
- (r) "volunteer fire fighter" means any individual who gives of their time, skills and knowledge by providing emergency services in accordance with regulations for the Municipal fire service.

Municipal Emergency Management Organization

3. (1) The Council hereby establishes a Municipal Emergency Management Organization.
 - (2) The Municipal Emergency Management Organization shall consist of the following persons and committees:
 - (a) the Executive Standing Committee;
 - (b) a Municipal Emergency Management Co-ordinator; and

- (c) a Municipal Emergency Management Planning Committee.

Executive Standing Committee

- 4. (1) Repealed

- (2) Repealed

- (3) The Executive Standing Committee shall:

- (a) advise Council on the development of municipal emergency management plans;
- (b) present municipal emergency management plans to Council;
- (c) brief Council on developments during a local state of emergency; and
- (d) perform such other duties as may be required by the Council.

Municipal Emergency Management Coordinator

- 5. (1) The Municipal Emergency Management Co-ordinator shall be appointed for such term as the Council deems necessary.

- (2) The Municipal Emergency Management Co-ordinator may be paid reasonable expenses for work incurred under this by-law.

- (3) The Municipal Emergency Management Co-ordinator shall:

- (a) co-ordinate and prepare municipal emergency management plans, training and exercises;
- (b) be responsible for on-going public self-help education programs related to emergency preparedness;
- (c) following activation of the municipal plan or a declaration of state of local emergency, prescribe, as necessary, duties to be fulfilled by employees, agents, and volunteer fire fighters of the Municipality; and
- (d) perform such other duties as may be required by the Council.

Municipal Emergency Management Planning Committee

- 6. (1) The Municipal Emergency Management Planning Committee shall be appointed by Council for such term as the Council may prescribe.

- (2) The Municipal Emergency Planning Committee shall consist of the Chief Administrative

Officer, the Municipal Emergency Management Coordinator, and the business unit director or chief of every municipal department or agency which is assigned emergency related functions under municipal emergency management plans and, where no department or agency exists, a qualified person to represent that group.

(2a) The Chief Administrative Officer will chair the Municipal Emergency Management Planning Committee.

(3) The Municipal Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:

- (a) law enforcement,
- (b) search and rescue,
- (c) fire control services,
- (d) hazardous materials control services,
- (e) transportation,
- (f) engineering services,
- (g) water,
- (h) wastewater,
- (i) solid waste,
- (j) telecommunications,
- (k) financial services,
- (l) legal services,
- (m) administrative services,
- (n) human resource Management (including health and safety),
- (o) information systems,
- (p) purchasing/materials Management,
- (q) physical, social and environmental planning information, and
- (r) public information.

(3a) The Municipal Emergency Management Planning Committee shall also include persons responsible during an emergency to coordinate the following functions with municipal emergency management plans:

- (a) income assistance,
- (b) community services, and
- (c) health services.

(4) The Municipal Emergency Management Planning Committee shall:

- (a) assist the Municipal Emergency Management Co-ordinator in the preparation and co-ordination of municipal emergency management plans;
- (b) advise the Executive Standing Committee on the development of municipal emergency management plans;
- (c) upon request, assist the Executive Standing Committee in the presentation of municipal emergency management plans to Council;
- (d) following activation of the municipal or departmental emergency plan or a declaration of state of local emergency, prescribe, as necessary, duties to be fulfilled by employees, agents, and volunteer fire fighters of the Municipality; and
- (e) perform such other duties as may be required by the Executive Standing Committee or the Council.

(5) Each member of the Municipal Emergency Management Planning Committee shall prepare an emergency plan for the emergency functions assigned to their department, agency or area of responsibility. Members will submit plans to the Municipal Emergency Management Planning Committee for approval. Plans include training and exercise programs.

Agreements

7. (1) Subject to preliminary approval of Council, the Municipal Emergency Management Planning Committee may, as part of municipal emergency management plans, negotiate an agreement to be approved by the Council or person designated by the Council with the Government of Canada, the Province of Nova Scotia, a municipality, city or town, or any other agency or any person.
- (2) Any agreement negotiated under subsection (1) is not binding until it is approved by Council.

Duties of Council

8. (1) The Council shall review and evaluate municipal emergency management plans presented to it by the Executive Standing Committee.
 - (2) The Council may specify additional duties to be fulfilled by the Executive Standing Committee, the Municipal Emergency Management Co-ordinator and the Municipal Emergency Management Planning Committee.
 - (3) The Council may appropriate and expend monies.
 - (a) to pay reasonable expenses of members of the Executive Standing Committee, the Municipal Emergency Management Co-ordinator and the Municipal Emergency Management Planning Committee; and
 - (b) to fulfil the terms and conditions of an agreement approved by the Council pursuant to Section 7.

Declaration of a State of Local Emergency

9. (1) The Council shall declare a state of local emergency by completing Form 4 attached to the State of Emergency Regulations.
 - (2) The Mayor, acting under Section 12(3) of the Act shall complete Form 5 attached to the State of Emergency Regulations.
 - (3) With the approval of the Minister, the Council may renew a state of local emergency by completing Form 6 attached to the State of Emergency Regulations.
 - (4) The Council may terminate a state of local emergency by completing Form 7 attached to the State of Emergency Regulations.
 - (5) A copy of a declaration signed under this Section shall immediately be delivered or faxed to the Minister and the Director.

Notice

10. Following the signing of a declaration, renewal or termination under Section 9 of this By-law, the Council shall immediately cause the details of the declaration, renewal or termination to be communicated or published by such means as the Council considers the most likely to make the contents of the declaration, renewal or termination known to the people of the area affected.

Duties During an Emergency

11. (1) Following the activation of any municipal emergency management plan(s)

(a) every employee, agent, and volunteer fire fighter of the Municipality who has a role in such emergencies as assigned in the municipal emergency management plans, including business unit emergency plans, shall fulfil such reporting duties as may be prescribed by those plans and any additional duties as may be prescribed by the plans and the Municipal Emergency Management Planning Committee.

(2) Following the issuance of a declaration under Section 9 and for the duration of the state of local emergency

(a) every councillor shall keep the Executive Standing Committee posted respecting their whereabouts.

Done and passed in Council this fourteenth day of May 1996.

(SIGNED)

MAYOR

(SIGNED)

MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of Halifax Regional Council held on May 14th, 1996.

(SIGNED)

Vi Carmichael
Municipal Clerk

(SIGNED) June 6, 1996

APPROVAL OF MINISTER
RESPONSIBLE FOR EMERGENCY

(SIGNED) June 13, 1996

MINISTER OF HOUSING
AND MUNICIPAL AFFAIRS

MEASURES ACT

BY-LAW E-100

Notice of Motion:	April 16, 1996
First Reading:	April 30, 1996
Second Reading:	May 14, 1996
Third Reading:	May 14, 1996
Approval of Minister Responsible for Emergency Management Act:	June 6, 1996
Approval of Minister of Housing & Municipal Affairs:	June 13, 1996
Effective Date:	June 22, 1996

Amendment # 1 (E-101)

Replace all references to emergency measures with emergency management

Notice of Motion:	August 11, 2009
First Reading:	September 8, 2009
Notice of Public Hearing Publication:	September 12, 2009
Second Reading:	September 29, 2009
Approval of Minister of Service Nova Scotia and Municipal Relations:	December 9, 2009
Effective Date:	January 9, 2010

Amendment # 2 (E-102)

Notice of Motion:	July 18, 2017
First Reading:	August 1, 2017
Second Reading:	September 5, 2017
Approval by Minister of Municipal Affairs:	April 16, 2019
Effective Date:	May 11, 2019