

DISTRICT OF MISSION

BYLAW 5849-2019

A Bylaw to enact an Emergency Management Program
within the District of Mission

WHEREAS the Council for the District of Mission is required by the *Emergency Program Act*, the Emergency Program Management Regulation, and the Local Authority Emergency Management Regulation as amended from time to time, to establish an emergency plan to mitigate, prepare for, respond to and recover from emergencies and disasters;

AND WHEREAS the Council wishes to provide a comprehensive program of emergency management by a coordinated response of Council, officers and employees of the District of Mission, 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 preparedness, response and recovery, all in a manner that will ensure the continuity of government;

NOW THEREFORE the Council of the District of Mission in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “District of Mission Emergency Management Bylaw 5849-2019”
2. **DEFINITIONS**

In this bylaw, unless the context otherwise requires:

“**Act**” means the *Emergency Program Act*, R.S.B.C. 1996, c. 111, as amended, or replaced from time to time, and any regulations thereto;

“**Chief Administrative Officer (CAO)**” means the person appointed by Council pursuant to section 147 of the *Community Charter* and District of Mission Officers Bylaw 3986-2007 as amended or replaced from time to time;

“**Declaration of a state of local emergency**” means a declaration made pursuant to section 12 of the *Act* by the Council or the Mayor that an emergency or disaster exists or is imminent;

“**District**” means District of Mission;

“**Emergency Operations Centre (EOC)**” means the Emergency Operations Centre as defined in the *Emergency Program Act*, or such other facility as may be designated from time to time as the EOC by the Emergency Management Program Coordinator;

“**EOC Director**” means the person in charge of the EOC;

“**Emergency Management Program**” means that program which encompasses all aspects of the mitigation, preparedness, response and recovery measures of the District, and includes such components as the Emergency Response and Recovery Plan, Emergency Social Services, Emergency Training, Emergency Exercises and Business Continuity Plans, and other related programs;

“**Emergency Management Program Coordinator**” means the person appointed by the Chief Administrative Officer to act in that capacity for the District who is deemed to be the coordinator for the emergency management program of the District pursuant to section 6(3) of the *Act*;

“Emergency Management Program Planning Committee” means the Committee constituted pursuant to this Bylaw;

“Emergency Management Program Executive Committee” means the Committee specified in this Bylaw to set direction for the Emergency Management Program Planning Committee;

“Emergency Management Program Policy Group” means the Committee specified in this Bylaw to set policy for the Executive Committee;

“Emergency Response and Recovery Plan” means the plan adopted by the Emergency Management Program Committee as the Emergency Response and Recovery Plan for the District;

“Fire Chief” means the person appointed as head of the Mission Fire Rescue Service;

“Local Authority” means the Council for the District of Mission;

“Mayor” means the person elected as Mayor of the District and includes the person designated as Acting Mayor at the relevant time if the Mayor is absent, ill or otherwise unable to carry out or exercise the duties and powers of the Mayor.

“Minister” means the individual assigned responsibility for administration of the *Act* by the Lieutenant Governor in Council from time to time;

“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.

“Recovery Manager” means that person appointed by Council to manage short, medium- or long-term recovery efforts;

“Recovery Operations Centre” means the facility that is established to provide continuity in the support and coordination of recovery activities as efforts transition from response and early recovery to medium to longer term recovery efforts.

3. **EMERGENCY MANAGEMENT PROGRAM ADMINISTRATION**

3.1. Emergency Management Program Policy Group

3.1.1. The Emergency Management Program Policy Group shall consist of:

- a) the Mayor; and
- b) Council.

3.1.2. The Committee shall meet annually to discuss policy issues pertinent to the function of the District’s Emergency Management Program.

3.2. Responsibilities of the Emergency Management Program Policy Group

3.2.1. Council as the local authority delegates its powers and duties under the *Act*, other than those listed below, to the CAO or designate. The Executive Emergency Management Committee Policy Group will be responsible for the following:

- a) declaring a state of local emergency, as well as rescinding the

declaration once the need for the declaration has passed;

- b) authorizing the use of emergency powers available under the *Act*, as required, and to monitor use of such powers;
 - c) establishing any emergency policy and/or bylaw necessary to facilitate the response to an emergency or disaster; and,
 - d) requiring an emergency management program and plans to be prepared for the District of Mission respecting preparation for, response to, and recovery from an Emergency or Disaster.
- 3.3. Notwithstanding the provisions of subsection 3.2.1, the Mayor may carry out the responsibilities specified in clauses a and b, where, because of the circumstances of an emergency or disaster, it is not possible to assemble a quorum of Council, and provided the Mayor has used best efforts to obtain the consent of other members of Council to the Declaration of a state of local emergency and, as soon as practicable after making the Declaration convenes a meeting of Council to assist in supporting the response to the Emergency or Disaster.
- 3.4. Council authorizes the CAO to appoint the Emergency Management Program Coordinator to lead the Emergency Management Program and to be the District of Mission's authorized representative regarding matters related to the Emergency Management Program and authorizes the CAO to oversee the Program.
- 3.5. Emergency Management Program Executive Committee
- 3.5.1. The Emergency Management Program Executive Committee shall consist of:
- a) Mayor, or designee;
 - b) Chief Administrative Officer;
 - c) Emergency Management Program Coordinator; and
 - d) Senior members of the management team as appointed by the CAO.
- 3.5.2. The Committee shall meet quarterly to discuss issues pertinent to the function of the District's Emergency Management Program.
- 3.6. Responsibilities of the Emergency Management Program Executive Committee
- 3.6.1. The Emergency Management Program Executive Committee shall direct the Emergency Management Planning Committee to prepare:
- a) a list of risks to which the District is subject, which indicate the relative risk of occurrence;
 - b) plans respecting the preparation for, response to and recovery from emergencies and disasters including:
 - i. a periodic review and updating of plans and procedures;
 - ii. identified mitigation strategies related to the risks;
 - iii. a program of emergency response exercises;

- iv. a training program for the Emergency Management Program that would include EOC courses;
- v. procedures by which physical and financial emergency resources or assistance may be obtained;
- vi. procedures by which emergency plans shall be implemented;
- vii. procedures to warn those persons that may be harmed or suffer loss in an emergency or impending disaster and procedures to remove people who are subject to harm or loss;
- viii. procedures to coordinate the delivery of food, clothing, shelter, transportation and medical service to victims of emergencies and disasters, from within or outside the District; and
- ix. procedures to establish the priorities to restore essential services provided by the District, or to recommend priorities to other service providers, which are interrupted during an emergency or disaster.

3.7. Emergency Management Program Coordinator

- 3.7.1. The Chief Administrative Officer shall designate the Fire Chief to act as Emergency Management Program Coordinator.
- 3.7.2. Notwithstanding the above, the Fire Chief may delegate their appointment by the CAO to an Assistant Fire Chief to act as Emergency Management Program Coordinator.
- 3.7.3. The Emergency Management Program Coordinator shall report to the Chief Administrative Officer in all instances relating to the budgeting and planning for and function of the Emergency Management Program.
- 3.7.4. Notwithstanding the above, if the position is delegated by the Fire Chief to an Assistant Fire Chief, the Assistant Fire Chief will report to the Fire Chief.

3.8. Responsibilities of the Emergency Management Program Coordinator

- 3.8.1. The responsibilities of the Emergency Management Program Coordinator are outlined as follows:
 - a) providing leadership and administration for the emergency management program;
 - b) coordinating and/or supervising any subcommittees or work groups;
 - c) developing a strategic plan, action plans and budget;
 - d) providing an annual status report to the Emergency Management Planning Committee and Council on the Emergency Management Program;
 - e) coordinating public awareness regarding risks, mitigation and emergency preparedness;
 - f) coordinating and providing District of Mission staff with emergency management training and/or awareness related to preparing for, responding to and recovering from an Emergency or Disaster;

- g) establishing and maintaining the District of Mission Emergency Operations Centre and all required equipment;
- h) coordinating Emergency Operations Centre staff training and maintaining a staffing and support plan for the Emergency Operations Centre;
- i) developing a mock exercise program;
- j) liaising with other governments, non-government agencies, First Nations and the private sector;
- k) when required, act as the Emergency Operations Centre Director during an Emergency or Disaster;
- l) coordinating and supporting the Emergency Support Services volunteer program with the assistance of the Emergency Support Services Coordinator;
- m) establishing, coordinating and supporting volunteer programs initiating short term recovery plans as required for an Emergency or Disaster including providing recommendations to Council regarding establishing a Community Resiliency Centre and/or appointing a Recovery Manager; and
- n) initiating government disaster financial assistance to recover municipal funds expended during the response and/or recovery to an emergency or disaster. Subject to the approval of Council, the EOC Director may enter into agreements with other regional districts or municipalities for the purpose of emergency assistance or the formation of coordinated emergency preparedness, response and recovery.

3.9. Emergency Management Planning Committee

- 3.9.1. An Emergency Management Planning Committee is hereby established and is accountable to Council.
- 3.9.2. The Emergency Management Planning Committee shall be chaired by the Emergency Management Program Coordinator and shall meet at the call of the Chair.
- 3.9.3. The Emergency Management Planning Coordinator shall report on the activities and decisions of the Emergency Management Planning Committee to the Chief Administrative Officer.
- 3.9.4. The Emergency Management Planning Committee shall be appointed by the Chief Administrative Officer or designate, and may include a representative or representatives from the following:
 - a) Corporate Administration Department;
 - b) Development Services Department;
 - c) Engineering Department;

- d) Finance Department;
- e) Mission Fire Rescue Service;
- f) Forestry Department;
- g) Parks, Recreation and Culture Department;
- h) Public Works Department;
- i) Royal Canadian Mounted Police;
- j) Emergency Support Services;
- k) Inter-agency liaison; and
- l) other individuals, agencies or District departments deemed by the Chief Administrative Officer.

3.9.5. The Committee shall meet quarterly to discuss policy issues pertinent to the function of the District's Emergency Program.

3.10. Responsibilities of the Emergency Management Planning Committee

3.10.1. The Emergency Management Planning Committee will be responsible for the following:

- a) preparing the Emergency Response and Recovery Plan, which must:
 - i. provide a general direction and framework that covers preparedness, response, recovery and business continuity programs to deal with a disaster or emergency in the District, and
 - ii. formulate roles and responsibilities for all officials appointed pursuant to this Bylaw (whose roles and responsibilities are not otherwise defined herein);
- b) making and amending practices and procedures to regulate its activities and meetings;
- 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, negotiating agreements with other municipalities or governments for the purpose of mutual aid or the formation of joint organizations;
- e) subject to the final approval of the Chief Administrative Officer or Local Authority as the case may be, 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 provide services necessary to achieve the objectives of this bylaw;
- f) submitting annually to the Local Authority, estimates of expenditures required to maintain and operate the Emergency Program; and

- g) identifying roles and training opportunities for staff with positions in the EOC during activation and make recommendations to the Emergency Planning Executive Committee.

4. IMPLEMENTATION OF EMERGENCY PROGRAM

- 4.1. An Emergency Operations Centre for the District will be established and maintained for the purposes of coordinating emergency operations, supporting response, liaising with other agencies, public messaging, recovery efforts and other functions as needed.
- 4.2. The District of Mission Emergency Management Program will use the “British Columbia Emergency Management System” (BCEMS).
- 4.3. Implementation of the District’s Emergency Management Plans, including the activation of the Emergency Operations Centre, may be initiated by the CAO, Emergency Management Program Coordinator, RCMP Inspector or the Fire Chief if, in their opinion, an emergency exists or appears imminent or a disaster has occurred or threatens the District.
- 4.4. Council delegates its responsibilities under the *Emergency Program Act* to the Emergency Operations Centre Director, except the authority to declare a state of local emergency when the District’s Emergency Operations Centre has been activated and for the duration of the activation.
- 4.5. The Emergency Operations Centre Director or designate may act as the liaison between the province and/or provincial representatives and the District of Mission for the coordination and implementation of necessary plans in the event of Emergency or Disaster.
- 4.6. During an Emergency or Disaster when time is of the essence, the Emergency Operations Centre Director may enter into agreements with individuals, bodies, corporations or other non-government agencies for the provision of goods or services to the District.
- 4.7. All departments and agencies involved in emergency operations or recovery shall, at the discretion of the Emergency Operations Centre Director, assign an appropriate representative to the Emergency Operations Centre.
- 4.8. During an Emergency or Disaster, the CAO, the Emergency Operations Centre Director or the Chief Financial Officer is authorized to expend funds which are not included in the District of Mission financial plan and which are required for the preservation of life, health, and the protection of property.
- 4.9. In an unforeseen circumstance that requires immediate action, such that inaction may result in harm to a person or harm or damage to real or personal property of any type, the methods and procedures set out within Policy FIN.24 may be waived as approved expressly by the CAO or, in the event of a state of emergency, by the Emergency Operations Centre Director or designate. Where such a situation occurs, Policy FIN.24 will be temporarily suspended, allowing management to purchase goods and/or services, at their discretion, regardless of the amount of the expenditure.
- 4.10. During or following an Emergency or Disaster that causes significant damage to the community, Council may establish a Recovery Operations Centre or a

Community Resiliency Centre and/or appoint a Recovery Manager. Council will establish responsibilities and spending authority upon appointment.

5. LIABILITY

- 5.1. As enabled by the *Act*, no person, including, without limitation, a local authority, the head of the local authority, a member of the local authority, a volunteer and any other person appointed, authorized or required to carry out measures relating to emergencies or disasters, is liable for any loss, cost, expense, damage or injury to persons or property that results from:
- a) the person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this *Act* or the regulations, unless, in doing or omitting to do the act, the person was grossly negligent; or
 - b) any acts done or omitted to be done by one or more of the persons who were, under this *Act* or the regulations, 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.

6. COMPENSATION FOR LOSS

- 6.1. Despite Section 5, if as a result of the acquisition or use of a person's real property by, or under the direction or authority set out in Section 4, the person suffers a loss of or to the property, Council shall compensate that person for such loss in accordance with the Regulations made under the *Emergency Program Act*.
- 6.2. Despite Section 5, if any person suffers a loss of or to any real or personal property as a result of the implementation of the Emergency Plan, or any action taken by or under the direction or authority set out under Section 4, Council may compensate that person for such loss in accordance with the Regulations made under the *Emergency Program Act*. If any dispute arises concerning the amount of compensation payable under this section, the matter shall be submitted for arbitration under the *Commercial Arbitration Act*, as amended.

7. REPEALS

- 7.1. District of Mission Emergency Program Bylaw 3799-2005 and all amendments thereto are hereby repealed as of the date of adoption of this bylaw.
- 7.2. If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of this bylaw.

READ A FIRST TIME this 6th day of August, 2019

READ A SECOND TIME this 6th day of August, 2019

READ A THIRD TIME this 6th day of August, 2019

ADOPTED this 19th day of August, 2019

(Original signed by Mayor Alexis)
PAMELA ALEXIS,
MAYOR

(Original signed by Jennifer Russell)
JENNIFER RUSSELL,
CORPORATE OFFICER