



**BY-LAW #50**

**MUNICIPAL EMERGENCY MANAGEMENT BY-LAW**

The Council of the Municipality of Richmond County under the authority vested in it by the Municipal Government Act, S.N.S. 1998, c.18 and the Emergency Management Act, S.N.S. 1990, c.8, s.1; 2005, c.48, s.1, enacts as follows:

**1. SHORT TITLE**

This by-law may be cited as the “Emergency Management By-Law”

**2. INTERPRETATION**

In this By- Law,

- (A) “Act” means the Emergency Management Act, R.S.N.S. 1990, C. 8;
- (B) “Council” means the council of the Municipality of Richmond County;
- (C) “Councillor” means a member of the council;
- (D) “Director” means the director of the emergency Management Organization;
- (E) “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 Nova Scotia;
- (F) “Mayor”, means a mayor of a town of the municipality or an alderman or Councillor acting in the stead of the Mayor;
- (G) “Minister” means the member of the Executive Council to whom is assigned the administration of the Act and regulations;
- (H) “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;
- (I) “Municipal Emergency Management Advisory Committee” means the advisory committee established pursuant to this By –Law;
- (J) “Municipal Emergency Management Coordinator” means the person appointed by council pursuant to this By-Law;

(K) "Municipal Emergency Management Organization" means the organization established pursuant to this By-Law;

(L) "Municipal Emergency Management Planning Committee" means the committee established pursuant to this By –Law;

(M) "Municipality" or "Municipal" means a city, an incorporated town or a municipality of a county or district and in this by-law specifically means The Municipality of the County of Richmond.

(N) "State of Emergency Forms Regulations" means regulations approved by the governor in Council by order in Council 2008-211, N.S. Regulation 225/2008 (effective April 22, 2008), as amended from time to time;

(O) "State of local Emergency" means a state of local emergency declared by a municipality of a county or district pursuant to the act or renewed by the municipality pursuant to the act and regulations made pursuant thereto and this by-law;

(P) "Warden" means the warden of the Municipality or an alderman or Councillor acting in the stead of the warden.

### **3. MUNICIPAL EMERGENCY MANAGEMENT ORGANIZATION**

(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) A Municipal Emergency Management Advisory Committee;

(b) A Municipal Emergency Management Coordinator; and

(c) A Municipal Emergency Management Planning Committee.

### **4. MUNICIPAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE**

(1) The Municipal Emergency Management Advisory Committee shall be appointed in accordance with the policy and by-law.

(2) The Municipal Emergency Management Advisory Committee shall at all times consist of a majority Councillors.

(3) The Municipal Emergency Management Advisory Committee shall

(a) advise Council on the development of municipal emergency Management plans;

(b) present municipal emergency Management plans to council for approval;

(c) brief council developments during a local state of emergency; and

- (d) perform such other duties as may be required by the council

#### **5. MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR**

- (1) The Municipal Emergency Management Coordinator shall be appointed by Council.
- (2) The Municipal Emergency Management Coordinator may be paid reasonable expenses for work incurred under this by-law.
- (3) The Municipal Emergency Management Coordinator shall:
  - (a) chair the Municipal Emergency Management Planning Committee;
  - (b) coordinate and prepare municipal emergency Management plans for approval by Council;
  - (c) following a declaration of state of local emergency, advises, as necessary, the CAO/Clerk on the duties required by employees, servants and agents during emergency events; and
  - (d) perform such other duties as may be required by the council.

#### **6. MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE**

- (1) The Municipal Emergency Management Planning Committee shall be appointed by council for such term as the council may prescribe.
- (2) The Municipal Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:
  - (a) communication;
  - (b) community services;
  - (c) engineering services;
  - (d) financial services;
  - (e) fire control services;
  - (f) health services;
  - (g) income assistance;
  - (h) law enforcement;
  - (i) Legal services.
  - (j) public information;
  - (k) transportation; and
  - (l) utilities;

- (3) The Municipal Emergency Management Planning Committee shall;
  - (a) assist the Municipal Emergency Management Coordinator in the preparation and co-ordination of municipal emergency Management plans;
  - (b) advise the municipal Emergency Management Advisory Committee on the development of municipal emergency Management plans;
  - (c) upon request, assist the Municipal Emergency Management Advisory Committee in the presentation of municipal emergency Management plans to council; and
  - (d) perform such other duties as may be required by the Municipal Emergency Management Advisory Committee or the council.

**7. AGREEMENTS**

- (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.

**8. DUTY OF COUNCIL**

- (1) The Council shall review and evaluate Municipal Emergency Plans, presented to it by the Municipal Emergency Management Advisory Committee.
- (2) The Council may specify additional duties to be fulfilled by the Municipal Emergency Management Advisory Committee, the Municipal Emergency Management Coordinator and the Municipal Emergency Management Planning Committee.
- (3) The Council may appropriate and expend monies;
  - (a) To pay reasonable expenses of members of the Municipal Emergency Management Advisory Committee, the Municipal Emergency Management Coordinator and the Municipal Emergency Management Planning Committee; and
  - (b) To fulfill the terms and conditions of an agreement approved by the Council pursuant to section 7.

**9. DECLARATION OF STATE OF LOCAL EMERGENCY**

- (1) The Council shall declare a state of local emergency by completing form 4, attached to the State of Emergency Forms Regulations.

(2) The Mayor or Warden, as the case may be, acting under section 12 (3) of the act shall complete form 5 attached to the state of local 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 Forms Regulations.

(4) The Council may terminate a state of local emergency by completing form 7 attached to the State of Emergency Forms Regulations.

(5) A copy of a declarations signed under this section shall immediately be delivered or faxed to the minister and the director.

#### **10. NOTICE PROVISION**

Following the issuance of a declaration under section 9 the Council shall immediately cause the details of the declaration or termination to be communicated or published by such means as the Council considers the most likely to make the contents of the declaration or termination known to the people of the area affected.

#### **11. DUTIES DURING A STATE OF LOCAL EMERGENCY**

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 council posted respecting their whereabouts; and

(b) Every employee, servant and agent of the municipality who has a key role to play in such emergencies as identified in the municipal emergency Management plans shall:

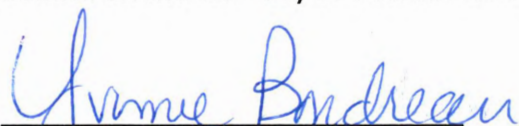
(1) advise the Municipal Emergency Management Coordinator of their whereabouts, and

(2) fulfill such duties as may be prescribed by the Municipal Emergency Management Coordinator.

#### **12. REPEAL AND REPLACE**

All Emergency Measures By-Laws passed previously by the Municipality of the County of Richmond or a predecessor municipal unit are hereby repealed.

THIS IS TO CERTIFY that the above is a true and correct copy of the Emergency Management By-law of the Municipality of the County of Richmond amended/adopted by Council on the 25<sup>th</sup> day of October 2021.

  
YVONNE BOUDREAU

### Emergency Management (#50) By-Law Amendment

Notice Given:	<b>September 13, 2021</b>
First Reading:	<b>September 27, 2021</b>
Notice of Publication:	<b>October 6, 2021</b>
Second Reading and Enactment:	<b>October 25, 2021</b>
Final Publication:	<b>February 23, 2022</b>
Notice to Service Nova Scotia & Municipal Relations:	<b>October 6, 2021</b>

Version Number	Amendment Description	Council Approval Date
3	<ul style="list-style-type: none"> <li>• Amend “repeal and replace” provision (section 12) to read All Emergency Measures By-Laws passed previously by the Municipality of the County of Richmond or a predecessor municipal unit are hereby repealed.</li> <li>• add “for approval” to section 4(3) (b) and to 5.3(b).</li> <li>• 4 (2) changed to a majority of Council.</li> <li>• 5, typographical error, Section 5</li> <li>• 5(c) Changed to EMC advises the CAO/Clerk on the duties required by employees, servants and agents during emergency events.</li> <li>• Step 2, 1st reference to section 5. Letter switched under subsection 5(3) and</li> <li>• Reference changed to s.5 (3) (c)</li> <li>• S.2 changed definition to the “municipal emergency management advisory committee”.</li> <li>• Definitions list re-ordered alphabetically.</li> <li>• Clause 2(N) changed to “State of Emergency Forms Regulations” and citation is Order in Council 2008-211, N.S. Regulation 225/2008 (effective April 22, 2008). References to the old regulation name changed throughout the by-law.</li> </ul>	<b>October 25, 2021</b>
2	Amendment to change name and included references from Emergency Measures to Emergency Management and to add “Repeal and Replace” section to the By-Law	<b>December 21, 2020</b>
1	Adoption	<b>May 13, 1993</b>

**Certificate of Approval**

**“Emergency Management By-law”,  
Municipality of the County of Richmond**

This is to certify that, pursuant to clause 10(1)(a) of the *Emergency Management Act*, the *Municipal Emergency Management By-law #50*, adopted by the Council of the Municipality of the County of Richmond at a meeting duly held on the 25th of October 2021, is hereby approved, and the said By-law has the force of law upon publication pursuant to subsection 169(1) of the *Municipal Government Act*.

DATED this 3RD day of February, 2022.



John A. Lohr  
Minister of Municipal Affairs and Housing