

**A By-law to Provide for a Prompt and Coordinated Response  
to a State of Local Emergency  
A Municipal Emergency - Measures By-law**

The Council of \_\_\_\_\_  
under the authority vested in it by the Municipal Act, R.S.N.S. 1989, c.295, or  
the Towns Act, R.S.N.S. 1989, c.472, and the Emergency Measures Act, R.S.N.S.  
1990, c.8, s.10, enacts as follows:

**SHORT TITLE**

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

**INTERPRETATION**

2. In this by-law,
  1. "Act" means the Emergency measures Act, R.S.N.S., 1990, c.8;
  2. "Council" means the Council of the \_\_\_\_\_
  - (C) "councillor" means a member of the Council,
  - (D) "Director" means the director of the Emergency Measures 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 Measures Plan" 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 Measures Advisory Committee” means the advisory committee established pursuant to this by-law;**
- (J) **“Municipal Emergency Measures Co-ordinator” means the Person appointed by Council pursuant to this by-law;**
- (K) **“Municipal Emergency Measures Organization” means the Organization established pursuant to this by-law;**
- (L) **“Municipal Emergency Measures Planning Committee” means the committee established pursuant to this by-law;**
- (M) **“municipality” or “municipal” means the city, an incorporated town or a municipality of a county or district in this by-law specifically means \_\_\_\_\_  
\_\_\_\_\_;**
- (N) **“State of Emergency Regulations” means regulations approved by the Governor in Council by Order in Council 92-61, Regulations 17/92, as amended from time to time;**
- (O) **“State of 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.**

### **MUNICIPAL EMERGENCY MEASURES ORGANIZATION**

**3.**

- 1) The council hereby establishes a Municipal Emergency Measures Organization.
- 2) The Municipal Emergency Measures Organization shall consist of the following persons and committees:
  - A Municipal Emergency Measures Advisory Committee;
  - A Municipal Emergency Measures Co-ordinator; and
  - A Municipal Emergency Measures Planning Committee.

### **MUNICIPAL EMERGENCY MEASURES ADVISORY COMMITTEE**

**4.**

- 1) The Municipal Emergency Measures Advisory Committee shall be appointed by Council for such term as the Council deems necessary.
- 2) The Municipal Emergency Measures Advisory Committee shall at all times consist of no fewer than two councillors.
- 3) The Municipal Emergency Measures Advisory Committee shall:
  - advise Council on the development of municipal emergency measures plans,
  - present municipal emergency measures plans to Council;
  - brief council on development during a local state of emergency; and
  - perform such other duties as may be required by Council.

### **MUNICIPAL EMERGENCY MEASURES CO-ORDINATOR**

**5.**

- 1) The Municipal Emergency Measures Coordinator shall be appointed for such term as the Council deems necessary.
- 2) The Municipal Emergency Measures Coordinator may be paid reasonable expenses for work incurred under this by-law.
- 3) The Municipal Emergency Measures Coordinator shall:
  - chair the Emergency Measures Planning Committee;
  - co-ordinate and prepare municipal emergency measures plans;
  - following a declaration of state of local emergency, prescribe, as necessary duties to be fulfilled by employees, servants and agents of the municipality; and
  - perform such other duties as may be required by Council.

## **MUNICIPAL EMERGENCY MEASURES PLANNING COMMITTEE**

### **6.**

- 1) The Municipal Emergency Measures 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 or head of every municipal department or agency which is assigned emergency related functions under municipal emergency measures plans and, where no department or agency exists, a qualified person to represent that group.
- 3) The Municipal Emergency Measures Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide
  - income assistance;
  - law enforcement;
  - fire-control services;
  - engineering services;
  - health services;
  - community services;
  - transportation;
  - communications;
  - public information;
  - utilities;
  - financial services, and
  - legal services.
- 4) The Municipal Emergency measures Planning Committee shall
  - assist the Municipal Emergency Measures Coordinator in the preparation and coordination of municipal emergency measures plans;
  - advise the Municipal Emergency measures Advisory Committee on the development of municipal emergency measures plans;
  - upon request, assist the Municipal Emergency Measures Advisory Committee in the presentation of municipal emergency measures plans to Council; and
  - perform such other duties as may be required by the Municipal Emergency Measures Advisory Committee or the Council.

## **AGREEMENTS**

### **7.**

- 1) Subject to preliminary approval of council, the Municipal Emergency Measures Planning Committee may, as part of municipal emergency measures plans, negotiate an agreement to be approved by 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. Any agreement negotiated under subsection (1) is not binding until it is approved by Council.

## **DUTY OF COUNCIL**

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

## **DECLARATION OF A STATE OF LOCAL EMERGENCY**

- 9.**
- 1) **The council shall declare a state of emergency by completing Form 4 attached to the State of Emergency 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 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 PROVISION**

### **10.**

Following the signature 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 affected area.

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

### **11.**

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 emergency Measures plan shall:
  - i) advise the Municipal Emergency Measures Co-ordinator of their whereabouts; and
  - ii) fulfill such duties as may be prescribed by the Municipal Emergency Measures Co-ordinator.

**Form 1**

**DECLARATION OF A STATE OF EMERGENCY  
MUNICIPALITY OF THE DISTRICT OF ST. MARY'S**

WHEREAS the area herein described is in or may be encountering an emergency that requires prompt action to prevent harm or damage to the safety, health and welfare of persons or to prevent damage to property.

**Emergency Area:**

Municipality of the District of St. Mary's or the general area of

\_\_\_\_\_

\_\_\_\_\_

in the County of Guysborough.

**Nature of the emergency:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

AND WHEREAS the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia 1990, the Emergency Measures Act, exists or may exist in the Municipality noted above;

THE UNDERSIGNED HEREBY DECLARES that the Warden (or designate) of the Municipality of the District of St. Mary's, duly authorized, that pursuant to Section 12(2) of the Emergency Measures Act that a state of local emergency exists;

DATED at \_\_\_\_\_, in the County of  
Guysborough, Province of Nova Scotia, on the \_\_\_\_\_ Day of \_\_\_\_\_  
\_\_\_\_\_, A.D. \_\_\_\_\_.

\_\_\_\_\_  
**Signature**

Municipality of the District of St. Mary's  
Name: \_\_\_\_\_  
Position: \_\_\_\_\_

Form 7

**TERMINATION OF A STATE OF LOCAL EMERGENCY  
MUNICIPALITY OF THE DISTRICT OF ST. MARY'S**

WHEREAS by a Declaration of a State of Local Emergency dated the \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_ was declared for the following area:

**Emergency Area:**

Municipality of the District of St. Mary's or the general area of

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AND WHEREAS pursuant to Section 20(1)(b) of Chapter 8 of the Statutes of Nova Scotia 1990, the Emergency Measures Act, the undersigned is of the opinion that an emergency no longer exists in the Municipality of the District of St. Mary's.

THE UNDERSIGNED HEREBY DECLARES the state of local emergency is terminated.

DATED at \_\_\_\_\_, in the County of Guysborough,  
Province of Nova Scotia this \_\_\_\_\_ Day of \_\_\_\_\_,  
A.D. \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

Municipality of the District of St. Mary's  
Name: \_\_\_\_\_  
Position: \_\_\_\_\_



**Form 6**

**RENEWAL OF DECLARATION OF A STATE OF LOCAL EMERGENCY  
MUNICIPALITY OF THE DISTRICT OF ST. MARY'S  
Section 20(2) of the Emergency Measures Act, S.N.S. 1990, c.8**

WHEREAS the area herein described is or may soon be encountering an emergency that requires prompt action to prevent harm or damage to the safety, health or welfare of persons or to prevent damage to property;

**Emergency Area:**

Municipality of the District of St. Mary's or in the general area of

\_\_\_\_\_ in the County of Guysborough.

**Nature of Emergency:**

AND WHEREAS as a Declaration of a Local State of Emergency was signed on the \_\_\_\_\_ Day of \_\_\_\_\_, A.D. \_\_\_\_\_;

AND WHEREAS the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia 1990, the Emergency Measures Act, continues to exist or may exist in the Municipality of the District of St. Mary's noted above;

THE UNDERSIGNED HEREBY DECLARES pursuant to Section 20(2) of the Emergency Measures Act, a state of Local Emergency in the Municipality of the District of St. Mary's noted above is renewed as of and from \_\_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_\_ Day of \_\_\_\_\_, A.D. \_\_\_\_\_;

THE RENEWAL OF A DECLARATION OF A STATE OF LOCAL EMERGENCY shall exist until \_\_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_\_ Day of \_\_\_\_\_, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the Emergency Measures Act.

THIS RENEWAL was authorized by the Minister responsible for the Emergency Measures Act, pursuant to Section 20(2) of the Act by approval dated the \_\_\_\_\_ Day of \_\_\_\_\_, A.D. \_\_\_\_\_.

Dated at \_\_\_\_\_, in the County of Guysborough, Province of Nova Scotia this \_\_\_\_\_ Day of \_\_\_\_\_, A.D. \_\_\_\_\_

Municipality of the District of St. Mary's  
Name: \_\_\_\_\_  
Position: \_\_\_\_\_

**Municipality of the District of St. Mary's**

**DECLARATION OF AGREEMENT**

***Emergency Response Plan***

***For the Municipality of the District of St. Mary's***

**Approved by EMO Committee \_\_\_\_\_  
(Chairman)**

**Approved by Council \_\_\_\_\_  
(Clerk)**

**Date: \_\_\_\_\_**