



CANADA

Municipal Affairs and
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Communities,
Land and
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Communautés,
Terres et
Environnement



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Division des affaires municipales et
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Ms. Hilary Price
Community of Victoria
P.O. Box 7
Victoria PE C0A 2G0

June 10, 2016

Dear Ms. Price,

Re: Community of Victoria – EMO Bylaw (Bylaw #2016-01, adopted April 11, 2016)

I wish to acknowledge receipt of the following bylaw:

- Community of Victoria – EMO Bylaw (Bylaw #2016-01, adopted April 11, 2016)

A copy of the above noted bylaw has been filed in accordance with the *Municipalities Act*, s. 60 (c).
Enclosed is a dated and signed copy of the resolution sheet for your files.

Please be advised that it is the responsibility of the municipality passing a bylaw to both ensure that the subject area covered by the bylaw is within the jurisdiction of the municipality and that the procedures for the passage of a bylaw under the *Municipalities Act* have been complied with.

Please feel free to contact me should you have any questions regarding this matter.

Regards,

Danielle Gillan
Senior Municipal Officer

Encl.

COMMUNITY OF VICTORIA
BY-LAW #2016-01

This is a bylaw to establish and maintain an Emergency Measures Organization and Plan for the Community of Victoria. This bylaw may be referred to as the Community of Victoria *Emergency Measures Bylaw*.

WHEREAS it is deemed expedient to establish an emergency measures organization and plan to serve the Community of Victoria:

AND WHEREAS Section 8(a) of the *Emergency Measures Act* (the "Act") states that each municipality may establish and maintain a municipal emergency measures organization by passage of a bylaw:

AND WHEREAS Section 8(b) of the *Emergency Measures Act* states that each municipality may prescribe duties that contain the preparation and co-ordination of emergency measures plans for further emergency planning;

THEREFORE be it, and it is, enacted by the Council of the Community of Victoria, under authority vested in the *Municipalities Act* R.S.P.E.I. 1988 Cap. M-13 and section 8 of the *Emergency Measures Act* R.S.P.E.I. 1988, Cap. E-6.1, a bylaw of the municipality as follows:

1. For the purpose of this bylaw:
 - a. "chairperson" means the chairperson of the Community of Victoria council or designate;
 - b. "council" means the Council of the Community of Victoria
 - c. "councillor" means a member of Council;
 - d. "emergency" means a present or imminent event in respect of which the Community of Victoria believes prompt coordination of action or regulation of persons or property must be undertaken to protect property or the health, safety or welfare of residents of the Community of Victoria;
 - e. "emergency measures plan" means any plan, programme or procedure prepared by the municipality that is intended to mitigate the effects of an emergency and to provide for the safety, health and welfare of the civil population and the protection of property and the environment in the event of such occurrence;
 - f. "Minister" refers to the member of Executive Council charged by the *Emergency Measures Act* (the Act) R.S.P.E.I. 1988, Cap. E-6.1;
 - g. "Municipal Emergency Measures Planning Committee" means a committee established pursuant to this bylaw;
 - h. "Municipal Emergency Measures Coordinator" means the person appointed by Council pursuant to this bylaw;
 - i. "Municipal Emergency Measures Organization" means the organization established pursuant to this bylaw;

- j. "state of emergency: means a state of emergency declared by the Minister pursuant to *Emergency Measures Act* subsection 9(1);
 - k. "state of local emergency" means a state of emergency declared by a local authority pursuant to *Emergency Measures Act* subsection 9(2) or by the chair of the municipality pursuant to subsection 9(2.1);
2. A Municipal Emergency Measures Organization is hereby established, hereinafter referred to as the Community of Victoria Emergency Measures Organization and shall consist of the following person and committee:
- a. a Municipal Emergency Measures Coordinator;
 - b. a Municipal Emergency Measures Planning Committee.
3. Municipal Emergency Measures Coordinator
The Council will appoint a Municipal Emergency Measures Coordinator (MEMC) who reports to, and receives direction from, the Council.
4. The Municipal Emergency Measures Coordinator shall:
- a. develop and coordinate the Municipal Emergency Measures Programme;
 - b. coordinate plans for the continued functioning of municipal services which would be required in the event of an emergency;
 - c. coordinate and conduct, on an annual basis, training and exercises to test the Municipal Emergency Measures Plan for the training of personnel who have an emergency role;
 - d. coordinate public education programmes related to emergency management, and
 - e. coordinate and manage the municipal operational response for an emergency upon activation of all or part of the Municipal Emergency Measures Plan or a declaration of a state of local emergency.
5. Municipal Emergency Measures Planning Committee
The chairperson shall appoint the members of the Community of Victoria Emergency Measures Planning Committee, which members may include:
- a. the Chairperson or Vice Chairperson; and
 - b. no fewer than two council members
 - c. the Municipal Emergency Measures Coordinator
 - d. the person(s) assigned emergency functions under the municipal measures plan and a person(s) to represent the functions of:
 - 1) law enforcement;
 - 2) fire protection;
 - 3) transportation;
 - 4) water/wastewater service;
 - 5) communications;
 - 6) human resource management;
 - 7) public information;

- 8) finance and administration; and
 - 9) social services including emergency feeding, shelter, clothing and personal services.
6. The Municipal Emergency Measures Planning Committee shall:
 - a. advise Council on the development of a Municipal Emergency Measures Programme;
 - b. submit emergency measures policy recommendations to Council;
 - c. name or assign such persons, as it may deem advisable, to perform duties related to the continuity of Municipal government in the case of an emergency or disaster;
 - d. assist the Municipal Emergency Measures Coordinator (the coordinator is already part of the committee) in the preparation and coordination of the municipal emergency measure plan; and present to Council for approval;
 - e. inform and update Council on developments during an activation of all or part of the Municipal Emergency Measures Plan;
 - f. respond and participate as members of the Emergency Operations Centre Staff upon full or partial activation of the Municipal Emergency Measures Plan;
 - g. establish plans, including the development of memorandums of understanding, or mutual aid agreements for cooperation and mutual assistance between municipal governments in the event of a disaster or emergency;
 - h. cooperate with authorities of the municipality, neighbouring municipalities and provincial authorities who have been assigned comparable duties.
 7. Council shall approve a Municipal Emergency Measures Plan and may do so under the authority of this bylaw.
 8. Council may approve agreements with and payments to persons and organizations for the provision of services in the development and implementation of the Municipal Emergency Measures Plan.
 9. Council may, when satisfied that an emergency exists in the municipality, declare a state of local emergency. Where the council is unable to act promptly in declaring a state of local emergency in the municipality the chair of the municipality may, pursuant to Section 9(2.1) of the *Emergency Measures Act*, after consulting a majority of the members of Council where practicable, declare a state of local emergency in the municipality.
 10. This Bylaw comes into effect on (date of formal adoption)
 11. Any and all Emergency Measures bylaws passed previous to this Bylaw, by a Council of the Community of Victoria are hereby repealed.

First Reading:

The EMO Bylaw (Bylaw #2016-01) was read a first time at the Council meeting held on the 14th day March, 2016.

The EMO Bylaw (Bylaw 2016-01) was approved by a majority of Councillors present at the Council meeting held on the 14th day of March, 2016.

Second Reading:


The EMO Bylaw (Bylaw #2016-01) was read a second time at the Council meeting held on the 11th day of April, 2016.

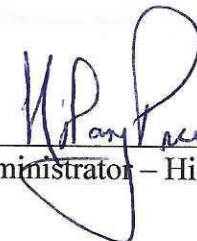
The EMO Bylaw (Bylaw #2016-01) was approved by a majority of Councillors present at the Council meeting held on the 11th day of April, 2016.

Adoption and Approval by Council:

The EMO Bylaw (Bylaw #2016-01) was adopted by a majority of Councillors present at the Council meeting held on the 11th day of April, 2016.

The EMO Bylaw (Bylaw #2016-01) is declared to be passed on the 11th day of April, 2016.



Chairperson – Ben Smith

Administrator – Hilary Price

Dated: April 11, 2016

Filed on behalf of the Minister of
Communities, Land and Environment
to s.60(c) of the *Municipalities Act*.

Danielle Gillan
Signed

June 10/16
Dated