



Emergency Measures
Bylaw # 204/06

BEING A BYLAW OF THE HAMLET OF FORT MCPHERSON IN THE NORTHWEST TERRITORIES TO PROVIDE FOR A MUNICIPAL EMERGENCY PROGRAM, PURSUANT TO THE PROVISIONS OF THE CIVIL EMERGENCY MEASURES ACT, R.S.N.W.T. 1988, c.C-7 AND THE HAMLETS ACT, S.N.W.T. 2003, C.22, s.30

WHEREAS the Council of the Hamlet of Fort McPherson is responsible for the direction and control of its emergency response and is required, under the Civil Emergency Measures Act to: prepare and approve emergency plans and programs; appoint an Emergency Measures Committee; establish and maintain a Emergency Measures Agency; appoint a Coordinator of the Emergency Measures Agency and establish the duties of the Coordinator;

NOW THEREFORE the Hamlet of Fort McPherson in a duly assembled meeting, hereby enacts as follows:

1. This by-law may be cited as the "Emergency Measures By-law".
2. In this by-law:
 - a. "Act" means Civil Emergency Measures Act, R.S.N.T. 1988. c. C-9.
 - b. "Chief Administrative Officer" means the senior officer managing local government operations in the Hamlet of Fort McPherson
 - c. "Community" means the geographic area under the jurisdiction of the local authority.
 - d. "Coordinator of the Emergency Measures **Agency**" means the person appointed as the Coordinator under Section 5 of this by-law.
 - e. "Council" means the Council of the Hamlet of Fort McPherson.
 - f. "Emergency Measures Agency" means the agency established under this By-law
 - g. "Emergency Measures Committee" means the committee established under this By-law.
 - h. "Emergency Meeting of Council" means an emergency meeting of Council as described in **Section 30 of the Hamlets Act**
 - i. "Emergency Plan" means the Emergency Measures Plan of the Hamlet of Fort McPherson.
 - j. "Hamlet" means the municipal corporation of the Hamlet of Fort McPherson.

- k. "Mayor" means the Mayor of the Hamlet of Fort McPherson or alternate Identified by Council.
 - l. "Minister" means the Minister of Municipal and Community Affairs, responsible for Civil Emergency Measures.
3. There is hereby established an Emergency Measures Committee to advise Council on the development of emergency plans and programs.
 4. There is hereby established an Emergency Measures Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, or the powers contained in **Sections 7 and 11** of this By-law.
 5. The CAO of the Hamlet of Fort McPherson, or his/her designate, is hereby appointed the Coordinator of the Emergency Measures Agency of the Hamlet of Fort McPherson
 6. Council shall:
 - a. By resolution, appoint three of its members to serve on the Emergency Measures Committee;
 - b. Provide for the payment of expenses of the members of the Emergency Measures Committee;
 - c. By resolution, appoint a Coordinator of Emergency Measures and a Deputy Coordinator of Emergency Measures who shall do those things delegated by or required of the Coordinator of Emergency Measures in that person's absence;
 - d. Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Hamlet of Fort McPherson;
 - e. Ensure the public is informed of the emergency measures program and community risks;
 - f. Approve the Hamlet of Fort McPherson's emergency plans and programs; and
 - g. Review the status of the Emergency Plan and related plans and programs at least once each year.
 7. Council may:
 - a. By By-law borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Emergency Measures Agency;
 - b. Enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency plans or programs, including mutual aid plans and programs; and
 - c. During or within 60 days after the declaration of a state of local emergency, by bylaw, borrow the necessary funds to pay for the

expenses of the emergency under the provisions and conditions of Sections 17 (4) and (5) of the Act.

8. The Emergency Measures Committee shall:
 - a. Review the Emergency Plan and related plans and programs on a regular basis; and
 - b. Advise Council, duly assembled, on the status of the Emergency Plan and related plans and programs at least once each year.
9. The Emergency Measures Agency shall be composed of those members as identified and updated regularly in the Community Emergency plan.
10. The Coordinator of Emergency Measures shall:
 - a. Prepare and coordinate the Emergency Plan and related plans and programs for the Hamlet of Fort McPherson;
 - b. Act as director of emergency operations, or ensure that someone is designated under the Emergency Plan to so act, on behalf of the Emergency Measures Agency;
 - c. Submit to Council an accounting of the costs of an emergency measures response;
 - d. Coordinate all emergency services and other resources used in an emergency; and
 - e. Develop and implement an annual public education and awareness program; or
 - f. Ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), (c), (d) and (e).
11. Council may declare, terminate or renew by resolution, a state of local emergency in accordance with Section 14, 15, 16 and 17 of Civil Emergency Measures Act, R.S.N.T. 1988. c. C-9 and **Section 30 of the Hamlets Act**
12. On making a declaration of a state of local emergency a state of local emergency, the local authority may for the duration of the order, do all acts and take all necessary proceedings including:
 - a. Cause the Emergency Plan or any related plans or programs to be put into operation;
 - b. Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - c. Authorize or require any qualified person to render aid of a type he or she is qualified to provide; or
 - d. Cause the demolition or removal of vegetation, structures, equipment or vehicles, any trees, structures or crops if this is necessary or appropriate to reach the scene of a disaster or to attempt to prevent or combat a disaster

13. Immediately on making a declaration, termination or renewal of a state of local emergency details of these orders shall be notified to the public and the Minister in accordance with Section 14, 15 and 16 of Civil Emergency Measures Act, R.S.N.T. 1988. c. C-9.

14. When a state of local emergency is declared:

- a. Neither Council nor any member of Council, and
- b. No person appointed by Council to carry out measures relating to emergencies or disasters, is liable in respect of damage caused through any action taken under this By-law, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction

15. Notwithstanding Section 14:

- a. Council and any member of Council; and
- b. Any person acting under the direction or authorization of Council is liable for gross negligence in carrying out their duties under this By-law.

16. When, in the opinion of Council, an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration and shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

17. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:

- a. A resolution is passed under Section 11;
- b. A period of seven days has lapsed since it was declared, unless it is renewed by resolution;
- c. The Minister makes an order for a state of emergency under the Act relating to the same area; or
- d. The Minister cancels the state of local emergency.

18. **By-law # 34** is hereby repealed.

19. This By-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Hamlets Act, S.N.W.T. 2003, c.22, s.30

READ a **first time** this 13th day of **September, 2005**.

READ a **second time** this 27th day of **February, 2006**.

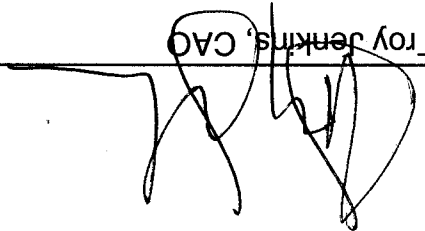


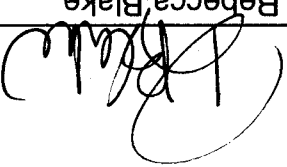
Mayor Rebecca Blake



Troy Jenkins, CAO

READ a **third time** and **finally passed** this 14th day of **March, 2006**.


Troy Jenkins, CAO


Mayor Rebecca Blake