

MUNICIPALITY OF THE DISTRICT OF SHELBURNE

BY-LAW NUMBER E-200

A BY-LAW TO PROVIDE FOR A PROMPT AND COORDINATED  
MANAGEMENT RESPONSE TO A STATE OF LOCAL EMERGENCY

BE IT RESOLVED that the Council of the Municipality of the District of Shelburne, 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. 10, wishes to adopt the following by-law:

**SHORT TITLE**

- 1 This By-Law may be cited as the "Emergency Management Response Bylaw."

**INTERPRETATION**

- 2 In this By-Law,
  - a) "Act" means the *Emergency Management Act*, S.N.S. 1990, c. 8;
  - b) "Agreement" means the Emergency Management Response Agreement entered into, pursuant to Section 10 (2) of the Act, by the three (3) municipal units of the Municipality of the District of Shelburne, the Town of Shelburne and the Town of Lockeport, as amended from time to time;
  - c) "Council" means the Council of the Municipality of the District of Shelburne;
  - d) "Councils" means the Councils of each of the Municipality of the District of Shelburne, the Town of Shelburne and the Town of Lockeport;
  - e) "Councillor" means a member of the Council;
  - f) "Director" means the Director of the Nova Scotia Emergency Measures Organization;
  - g) "Emergency" takes its meaning from the definition of same in the Act;

- h) "Emergency Management Organization Liaison Committee" or EMO Liaison Committee ("EMOLC") means the committee established by the Agreement to be responsible for the direction and management of emergency preparedness activities;
- i) "Minister" means the member of the Executive Council to whom is assigned the administration of the Act and Regulations;
- j) "SCEEMO" means the Shelburne County East Emergency Management Organization established as per the Agreement;
- k) "SCEEMO Emergency Management Plan" means any plan, program or procedure prepared by, or under the auspices of "SCEEMO";
- l) "Shelburne County East Emergency Management Planning Committee" or "SCEEMO Planning Committee" means the committee established by the Agreement to recommend policies and procedures to the EMOLC;
- m) "Shelburne County East Emergency Management Coordinator" or "SCEEMO Coordinator" means each person appointed to serve as such in accordance with the Agreement;
- n) "State of Emergency Forms Regulations" means the regulations of that name as approved by the Governor in Council from time to time pursuant to the Act;
- o) "State of Local Emergency" means a state of local emergency declared or renewed, pursuant to the Act, its regulations and this by-law by any one or more of the participating municipal units to the SCEEMO Agreement.

## **REGIONAL EMERGENCY MANAGEMENT ORGANIZATION**

- 3 The Council hereby agrees to the establishment of a Regional Emergency Management Organization, being the Shelburne County East Emergency Management Organization, in accordance with the Agreement.
- 4 The Shelburne County East Emergency Management Organization or SCEEMO shall, per the agreement, consist of the following persons and Committees:
  - a) an Emergency Management Organization Liaison Committee or EMO Liaison Committee ("EMOLC");
  - b) two Shelburne County East Emergency Management Coordinators or SCEEMO Coordinators; and

- c) a Shelburne County East Emergency Management Planning Committee or SCEEMO Planning Committee.

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

- 5 Council has the duty and responsibility, based on circumstances and any advice and/or recommendation from the EMOLC Committee of SCEEMO, to declare, renew and terminate a State of Local Emergency within its municipal jurisdiction, using the relevant State of Emergency Forms and in accordance with the Act.

### **EMERGENCY MANAGEMENT ORGANIZATION LIAISON COMMITTEE**

- 6 Council shall appoint representatives to the Emergency Management Organization Liaison Committee (“EMOLC”) in accordance with the Agreement from its members for such term as the Agreement provides.

### **SCEEMO COORDINATORS**

- 7 Council shall be asked, by EMOLC, to consider, debate and approve or reject – separately – the recommended appointment of each of the two SCEEMO Coordinators in accordance with the Agreement.

### **SCEEMO PLANNING COMMITTEE**

- 8 Council shall appoint appropriate staff members and, where appropriate, volunteer agency representatives to the SCEEMO Planning Committee as outlined in the Agreement.

### **AGREEMENTS and FINANCES**

- 9 Subject to preliminary approval, in each case, by Council the Emergency Management Organization Liaison Committee (“EMOLC”) may negotiate agreements with the Government of Canada, the Province of Nova Scotia, a municipality, Regional Municipality or Town, or any other agency or any person.
- 10 Any such agreement is not binding unless and until it is approved by Council.
- 11 Council shall contribute monies to the operations of SCEEMO, on an annual basis, as set out in the Agreement.

## **RESPONSIBILITIES OF KEY PERSONNEL**

- 12 Following the issuance of a declaration of a State of Local Emergency, and for the duration of same:
- a) every Councillor shall keep the Warden apprised respecting his or her whereabouts;
  - b) Every employee, servant and agent of the municipality who has a key role to play in any such emergency as identified in the regional emergency measures plans shall:
    - i) immediately, and on a continuing basis should such change, advise the relevant SCEEMO Coordinator of his or her whereabouts; and
    - ii) fulfill such duties as may be prescribed by a SCEEMO Coordinator.

## **REPEAL**

- 13 The **Emergency Measures By-Law** passed by the Council of the Municipality of the District of Shelburne on the 15<sup>th</sup> of May, 1997 and approved, with a minor amendment, by the Minister Responsible for the *Emergency Management Act* on the 13<sup>th</sup> of June, 1997 and thence approved by the Minister of Housing and Municipal Affairs on the 24<sup>th</sup> day of June 1997, is hereby repealed.

Date – First Reading: February 22, 2010

Date – Notice, in paper, to Public: March 8, 2010

Date – Second Reading: March 22, 2010

**Adopted by the Council of the Municipality of the District of Shelburne**

the 22<sup>nd</sup> day of March, 2010.

Clerk (Sign) \_\_\_\_\_

Clerk (Print) \_\_\_\_\_ Date: March 24, 2010

Date – mailed to SNS&MR a certified copy of By-Law: March 24, 2010

Date – Approval of Minister (of SNS&MR) May 25, 2011

Date – Approval of Minister (resp for EMO) May 3, 2011

\*Date – ad re of Passage of By-Law: July 11, 2011

\*Effective Date of By-Law unless otherwise specified in the text of the By-Law

THIS IS TO CERTIFY that the foregoing is a true copy of a By-Law passed at a duly convened meeting of the Council of the Municipality of the District of Shelburne, held the 22<sup>nd</sup> day of March, 2010.

Given under the hand of the Clerk and under the seal of the Municipality of the District of Shelburne this 28<sup>th</sup> day of January, 2011.

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Ms. Penny Smith  
Municipal Clerk