

TOWN OF SIDNEY

BYLAW NO. 2237

A BYLAW TO ESTABLISH AND MAINTAIN AN EMERGENCY MANAGEMENT PROGRAM FOR THE TOWN

WHEREAS the Council of Town of Sidney is required by the *BC Emergency Program Act* to establish and maintain an emergency management organization to develop and implement emergency plans and other preparedness, response and recovery measures for emergencies and disasters for the whole of the municipality;

AND WHEREAS the Council is required by the Act to prepare or cause to be prepared integrated plans and programs respecting preparation for, response to, and recovery from emergencies and disasters;

AND WHEREAS the Council is required by the Act to establish procedures for the prompt and efficient implementation of plans and programs to meet emergencies and disasters;

NOW THEREFORE the Council of the Town of Sidney, in open meeting assembled, enacts as follows:

1. Citation

This bylaw shall be cited as "**Sidney Emergency Program Bylaw No. 2237.**"

2. Repeal

"Sidney Emergency Program Bylaw No. 1936, 2008" is hereby repealed.

3. Interpretation

3.1. In this bylaw, "Act" means the British Columbia *Emergency Program Act*.

3.2. Unless otherwise specifically stated, the words used in this bylaw shall have the same meaning as words have in the Act.

"Business continuity" for the Town of Sidney means municipal policies and procedures that enable Council and staff to continue effective governance and maintain essential services and operations when interruptions occur.

"Council" means the municipal council of the Town of Sidney.

"declaration of a state of local emergency" means a declaration of the Council or the Mayor that an emergency exists or is imminent in the municipality.

"disaster" means a calamity that:

- a) is caused by accident, fire, explosion or technical failure or by the forces of nature, and
- b) has resulted in serious harm to the health, safety or welfare of people, or in widespread damage to property.

"emergency" means a present or imminent event that:

- a) is caused by accident, fire, explosion or technical failure or by the forces of nature, and

- b) requires prompt coordination of action or special regulation of persons or property, to protect the health, safety or welfare of a person or to limit damage to property.

"Incident Command System" means an effective system for managing emergencies that the province of British Columbia recommends for adoption by local authorities.

"Mayor" means that person elected to the function of Mayor for the Town of Sidney, and includes the person designated as acting mayor at the relevant time when the "Mayor" is absent, or otherwise unable to act, or when the office of the Mayor is vacant.

"mitigation" means activities taken to eliminate or reduce the degree of risk to life and property from hazards prior to a disaster or emergency.

"PEMO" means the Peninsula Emergency Measures Organization, a Sidney, North Saanich, and Central Saanich jointly-funded and administered volunteer organization providing: Emergency Support Services (ESS), Neighborhood Emergency Planning & Preparedness (NEPP), Search and Rescue (PEMO SAR), and Disaster Communications (PEMO COMMS).

"Policy Group" means an *ad hoc* group comprised of the Mayor and other elected officials and senior executive officers, formed to provide the EOC Director and/or Recovery Director with timely policy direction.

"Town of Sidney Emergency Management Organization" means the Emergency Program Executive Committee, Emergency Program Management Committee, Emergency Program Coordinator and such other appointed persons, which are charged with planning and implementing emergency preparedness, response and recovery measures.

"volunteer" means a person registered by the Town of Sidney or Emergency Management British Columbia for the purposes of assisting with preparedness, response to an emergency or disaster, or participating in recovery action.

4. Emergency Program

4.1. In accordance with the provisions of the Act, an Emergency Program is hereby established comprising:

- a) the Council;
- b) an Executive Committee;
- c) an Emergency Program Coordinator; and
- d) an Emergency Program Management Committee.

4.2. The Town's Emergency Program serves the following main objectives:

- a) Assess risks;
- b) Mitigate risks;
- c) Plan for response;
- d) Plan for Town business continuity;
- e) Plan for recovery; and
- f) Ensure preparedness.

5. The Council

- 5.1. The Council is at all times responsible for the general direction and control of the response of the Town of Sidney to an emergency or disaster, and in particular to:
- a) declare a State of Local Emergency;
 - b) delegate powers available in a State of Local Emergency under the Act, as required, and to monitor the use of such powers;
 - c) establish any emergency policy and legislation necessary to facilitate the response to an emergency or disaster; and
 - d) prepare an emergency plan respecting preparation for, response to, and recovery from an emergency or disaster.
- 5.2. Notwithstanding the provisions of subsection 5.1, the Mayor may carry out the responsibilities specified in clauses (a) and (b) where, because of the circumstances of an emergency or disaster, it is not possible to assemble a quorum of the Council, and provided the Mayor has made reasonable efforts to obtain the consent of the other members of the Council.
- 5.3. The Council will ensure that sufficient budget and staff are provided to maintain an essential emergency management organization, integrated plans and programs, and procedures for the prompt and efficient implementation to meet emergencies and disasters for the Town.

6. Emergency Program Executive Committee

- 6.1. The Executive Committee is accountable to the Council.
- 6.2. The Executive Committee must comprise, at minimum:
- a) the Mayor;
 - b) one Councilor representative
 - c) the Chief Administrative Officer;
 - d) the Emergency Program Coordinator;
 - e) the Directors of selected functional divisions or their designates as determined by the Executive Committee; and
 - f) such other members that the Executive Committee may determine.
- 6.3. The Executive Committee must
- a) provide strategic direction and oversight to the Management Committee and Emergency Program Coordinator; and
 - b) approve emergency plans developed by the Management Committee.
- 6.4. The Executive Committee may strike such sub-committees and work groups as deemed necessary.
- 6.5. Subject to the approval of the Council, the Executive Committee may:
- a) make and amend its terms of reference, policies and procedures; and
 - b) enter into agreements with other regional districts or municipalities for the purpose of emergency assistance or the formulation of coordinated hazard mitigation, emergency preparedness, response or disaster recovery.

7. Emergency Program Coordinator

- 7.1. The Town of Sidney Fire Chief is appointed the Emergency Program Coordinator to facilitate mitigation, emergency preparedness, response and recovery measures.

- 7.2. The Emergency Program Coordinator is responsible for:
- a) providing leadership and administration for the emergency program;
 - b) coordinating and/or supervising any sub-committees or work groups;
 - c) developing action plans and budgets;
 - d) maintaining and revising all emergency plans and documentation;
 - e) providing an annual status report on the level of preparedness;
 - f) coordinating a training and exercise program;
 - g) coordinating with other governments, non-government agencies, First Nations and the private sector;
 - h) establishing and maintaining an Emergency Operations Centre; and
 - i) establishing, coordinating and supporting volunteer programs.
- 7.3 In compliance with corporate policies and practices, the Emergency Program Coordinator may enter into agreements with individuals, bodies, corporations or other non-government agencies for the provision of goods or services.

8. Emergency Program Management Committee

- 8.1. The Emergency Program Management Committee is accountable to the Executive Committee.
- 8.2. The Emergency Program Management Committee must include, at minimum:
- a) the Emergency Program Coordinator;
 - b) the Chief Administrative Officer;
 - c) the Directors of selected functional divisions or their designates as determined by the Chief Administrative Officer; and
 - d) one representative from the Sidney Business Improvement Area (SBIA); and
 - e) one representative from the Saanich Peninsula Chamber of Commerce.
- 8.3. The responsibilities of the Emergency Program Management Committee include:
- a) developing and implementing the emergency program and plans as directed by the Executive Committee;
 - b) on-going assessment of hazards, risks and vulnerability;
 - c) evaluating progress of the emergency program annually;
 - d) developing the annual strategies for emergency program priorities;
 - e) maintaining a staffing and support plan for the Emergency Operations Centre (EOC);
 - f) maintaining a training and exercise program; and
 - g) meeting not less than quarterly.
- 8.4. The Emergency Program Management Committee may strike such sub-committees and work groups as deemed necessary.

9. Emergency Response

- 9.1. The Emergency Management Program will conform to the "British Columbia Emergency Management System" (BCEMS), including the adoption of the Incident Command System at all site operations, and for all site support organizations for response and disaster recovery.
- 9.2. The Chief Administrative Officer is designated as the EOC Director. The Emergency Program Coordinator is designated as the Deputy EOC Director.

- 9.3. Council delegates its responsibilities under the Act for emergency response to the EOC Director or designate, except the authority to declare a state of local emergency. The EOC Director may authorize the expenditure of funds to meet the requirements of response.
- 9.4. The EOC Director may act as the liaison between the province and or provincial representatives and the Town of Sidney for the coordination and implementation of necessary plans in the event of emergency or disaster.

10. Recovery Director

- 10.1 Following a disaster that causes significant physical, social, economic, or cultural damage to the community, Council may appoint and delegate its responsibilities for disaster recovery to a Recovery Director to manage recovery activities. The Recovery Director may authorize the expenditure of Council authorized funding to meet the requirements of community recovery.
- 10.2 The Recovery Director may negotiate agreements with other organizations engaged in community recovery, subject to the approval of the Policy Group.

11. Liability

- 11.1. As enabled by the Act, no person, including, without limitation, the Council, the Mayor, members of the Town of Sidney Emergency Management Organization, employees of the Town of Sidney, and any other persons appointed, authorized or requested to carry out measures relating to emergencies or disasters, is liable for any loss, cost, expense, damages or injury to persons or property that result from:
- a) the person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this bylaw, unless, in doing or omitting to do the act, the person was grossly negligent; or
 - b) any acts done or omitted to be done by one or more of the persons who were, under this bylaw, appointed, authorized or required to do the acts, unless the person appointed, authorized or required to do the acts was not acting in good faith.

Read a first time the 18th day of July, 2022.

Read a second time the 18th day of July, 2022.

Read a third time the 18th day of July, 2022.

Adopted the 15th day of August, 2022.

MAYOR

CORPORATE OFFICER