



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Emergency Program Bylaw No. 566, 2019

Adopted: December 17, 2019

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EMERGENCY PROGRAM BYLAW NO. 566, 2019

A bylaw to establish and operate a plan or scheme for preparedness, response and recovery in the case of emergencies pursuant to the provisions of the *Emergency Program Act*.

WHEREAS the Council of the Village of Lions Bay is required to prepare a local emergency plan respecting preparation for, response to, and recovery from emergencies and disaster,

AND WHEREAS the Village of Lions Bay wishes to provide a comprehensive management program to prepare for, respond to and recover from emergencies and disasters,

NOW THEREFORE, the Council of the Village of Lions Bay in open meeting assembled enacts as follows:

1. CITATION

1.1. This Bylaw shall be cited as Emergency Program Bylaw No. 566, 2019.

2. INTERPRETATION

2.1. In this bylaw, "Act" means the current *Emergency Program Act* as adopted by the province of British Columbia.

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

a) "Council" means the municipal council of the Village of Lions Bay,

b) "Mayor" means that person elected by the Village of Lions Bay, 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,

c) "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 regional district,

d) "disaster" means a calamity that:

i. is caused by accident, fire, explosion or technical failure or by the forces of nature, and

ii. has resulted in serious harm to the health, safety or welfare of people, or in widespread damage to property.

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- e) "emergency" means a present or imminent event that:
 - i. is caused by accident, fire, explosion or technical failure or by the forces of nature, and
 - ii. requires prompt coordination of action or special regulation of persons or property, to protect the health, safety or welfare of people or to limit damage to property.
- f) "Emergency Plan" means the Village of Lions Bay Emergency Plan as constituted at any point in time.

3. EMERGENCY MANAGEMENT ORGANIZATION

3.1. In accordance with the requirements of the *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, an Emergency Management Organization, comprised of:

- a) the Council
- b) the Emergency Program Committee, and
- c) the Emergency Program Coordinator

is hereby established.

4. THE COUNCIL

4.1. The Council is at all times responsible for the general direction and control of the response of the Village of Lions Bay to an emergency or disaster, and in particular to:

- a) declare a State of Local Emergency,
- b) call upon or delegate powers available under the *Act*, as required, and to monitor the use of such powers,
- c) establish emergency policy and legislation necessary to facilitate the response to an emergency or disaster, and
- d) adopt and maintain an Emergency Plan respecting preparation for, response to, and recovery from an emergency or disaster.

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- 4.2. Notwithstanding the provisions of subsection 4.1, 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 every effort to obtain the consent of the other members of the Council.
- 4.3. The Mayor and Council will appoint an Emergency Program Coordinator to facilitate emergency preparedness, response and recovery measures.
- 4.4. The Council will ensure that sufficient budget and staff are provided to maintain an essential level of emergency program preparedness.
- 4.5. The Council will report the annual status of the emergency program to the Minister responsible for the *Act*.

5. EMERGENCY PROGRAM COMMITTEE

- 5.1 The Emergency Program Committee is accountable to the Council.
- 5.2 The Emergency Program Committee shall comprise, at a minimum:
 - a) the Emergency Program Coordinator or Deputy Emergency Program Coordinator,
 - b) the Chief Administrative Officer,
 - c) the Public Works Manager,
 - d) the Fire Chief, or designate,
 - e) the ESS Director, or designate,
 - f) three members of Council including the Mayor,
 - g) such other members as Council may determine,
- 5.3 The Emergency Program Committee shall:
 - a) provide strategic direction and oversight to the Emergency Program Coordinator,

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- b) provide strategic and budgetary advice and recommendations to Council regarding the Emergency Program and the Emergency Plan, including in respect of:
 - i) the Committee's terms of reference, policies and procedures;
 - ii) agreements with other municipalities or regional districts for the purpose of emergency assistance or the formulation of coordinated emergency preparedness, response or recovery;
 - iii) agreements with individuals, bodies, corporations or other non-government agencies for the provision of goods or services;
 - iv) assessment of hazards, risks and vulnerability on an ongoing basis;
 - v) staffing and support for the Emergency Operations Centre (EOC);
 - vi) training and exercise programs.

5.4 The Emergency Program Committee may strike such sub-committees and work groups as is deemed necessary.

5.5 The Emergency Program Committee will meet at least bi-annually, or as determined by the committee.

6. EMERGENCY PROGRAM COORDINATOR

6.1. The Emergency Program Coordinator, and the Deputy Emergency Program Coordinator, is accountable to the CAO and is responsible to:

- a) provide leadership and administration for the Emergency Program and the Emergency Program Committee,
- b) coordinate and/or supervise any sub-committees or work groups,
- c) develop an Emergency Program strategic plan, action plans and budget,
- d) maintain all emergency plans and documentation,
- e) provide an annual status report on the state of the Emergency Program and the level of preparedness,
- f) coordinate a training and exercise program,

- g) coordinate with other governments, non-government agencies, First Nations and private sector agencies,
- h) establish and maintain an Emergency Operations Centre, and
- i) establish, coordinate and support volunteer programs.

7. EMERGENCY RESPONSE AND DELEGATION OF AUTHORITY

- 7.1 The Emergency Management Program will conform to the “B.C. Emergency Management System” (BCEMS).
- 7.2 The Chief Administrative Officer or designate shall be the Emergency Operations Centre (EOC) Director.
- 7.3 The EOC Director is authorized by Council to:
 - a) exercise any of the powers provided to local authorities by the *Act* under a state of local emergency;
 - b) expend Municipal funds which are not included in the financial plan of the Municipality, required for the preservation of life, health and the protection of property during an emergency or disaster, on the following basis:
 - i. following the declaration of an emergency by the Mayor and/or Council,
 - ii. up to an including \$25,000 at the discretion of the EOC Director, and
 - iii. an amount greater than \$25,000 at the discretion of Council,and any expenditure made in accordance with subsection 7.3.b) must be presented to the Council in a report under the signature of the EOC Director at the earliest available opportunity.
 - c) For certainty, the authority of the EOC Director in section 7.3 of this bylaw includes the authority to negotiate and execute any agreement, on behalf of the Municipality, on any terms or conditions considered appropriate.

8. LIABILITY

- 8.1 As stipulated by the *Act*, no person, including, without limitation, the Council, the Mayor, members of the Village of Lions Bay Emergency Management Organization, employees of the Village of Lions Bay, a volunteer and any other persons appointed, authorized or requested to carry out measures relating to

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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 by the person to do the acts, unless in appointing, authorizing or requiring those persons to do the acts, the person was not acting in good faith.

9. REPEAL

9.1 Bylaw No. 409, The Emergency Program Bylaw (2009), is repealed.

10. COMMENCEMENT

10.1 This bylaw comes into force upon adoption.

READ A FIRST TIME	this 17th day of	September, 2019
READ A SECOND TIME	this 17th day of	September, 2019
READ A THIRD TIME	this 3rd day of	December, 2019
ADOPTED	this 17th day of	December, 2019

Mayor

Corporate Officer

**Certified a true copy of
Emergency Program Bylaw
No. 566, 2019 as adopted.**

Corporate Officer