

# REGIONAL DISTRICT OF EAST KOOTENAY

## BYLAW NO. 2163

A bylaw to develop and implement an emergency response and recovery plan for Electoral Areas A and B including the City of Fernie, District of Sparwood and District of Elkford.

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WHEREAS the Board of the Regional District of East Kootenay adopted Bylaw No. 2124 which established a service to provide an emergency program within the boundaries of Electoral Areas A and B including the City of Fernie, District of Sparwood and District of Elkford;

AND WHEREAS the Board may delegate any of its powers and duties to an emergency management organization except the power to declare a state of local emergency;

AND WHEREAS the Board wishes to provide a comprehensive management program to prepare for, respond to, and recover from emergencies and Disasters in the Service Area;

NOW THEREFORE, the Board of the Regional District of East Kootenay, in open meeting assembled, enacts as follows:

### 1. CITATION

1.1 This Bylaw may be cited as “Regional District of East Kootenay – Elk Valley & South Country Emergency Program Implementation Bylaw No. 2163, 2009”.

### 2. DEFINITIONS

2.1 In this Bylaw:

**Board** means the Board of Directors of the Regional District of East Kootenay;

**Coordinator** means the person appointed by the Board under section 3.1(b) of this Bylaw;

**Deputy Coordinators** means the persons appointed by the Board under section 3.1(b);

**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;

**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;

**Emergency Plan** means the Elk Valley & South Country Emergency Response and Recovery Plan as adopted by the Board;

**Executive Committee** means the Elk Valley & South Country Emergency Program Executive Committee established under section 4.1 of this Bylaw;

**Management Committee** means the Elk Valley & South Country Emergency Program Management Committee established under section 5.1 of this Bylaw;

**RDEK** means the Regional District of East Kootenay;

**Service Area** means the Elk Valley & South Country Emergency Program Service Area as established by Bylaw No. 2124.

### **3. BOARD**

#### 3.1 The Board:

- (a) shall adopt for implementation the Emergency Plan;
- (b) shall appoint the Elk Valley & South Country Emergency Program Coordinator and the Elk Valley & South Country Deputy Emergency Program Coordinator(s);
- (c) may make and amend the terms of reference, policies, and procedures of the Executive Committee;
- (d) may enter into agreements with persons and other regional districts or municipalities for the purpose of Emergency assistance or the formulation of coordinated Emergency preparedness, response or recovery, and for the provision of goods and services.

### **4. EXECUTIVE COMMITTEE**

#### 4.1 There is hereby established the Elk Valley & South Country Emergency Program Executive Committee composed of the following members:

- (a) Board Directors representing Electoral Areas A and B, City of Fernie, District of Sparwood and District of Elkford; and
- (b) Chief Administrative Officers of the RDEK, City of Fernie, District of Sparwood and District of Elkford who shall sit as non-voting members of the Committee.

#### 4.2 At the first meeting held each year, the Executive Committee shall appoint a chair from among the voting members.

#### 4.3 The Executive Committee shall:

- (a) recommend the person to be appointed as the Coordinator and the person(s) to be appointed as the Deputy Coordinator(s);

- (b) ensure the development and implementation of an Emergency management program and the Emergency Plan in accordance with the *Emergency Program Act*;
- (c) recommend annual budgets for the development and implementation of the Emergency Plan;
- (d) require a periodic review and updating of the Emergency Plan and establish a procedure for that review and revision;
- (e) establish and maintain a program of Emergency response exercises and a training program for all Emergency response staff to whom responsibilities are assigned in the Emergency Plan;
- (f) identify the procedures by which Emergency resources including, without limitation, personnel, equipment, facilities and financial resources, may be obtained from sources within or outside of the Service Area;
- (g) establish the procedures by which the Emergency Plan is to be implemented;
- (h) establish procedures by which those persons who may be harmed or who may suffer loss are notified of an Emergency or impending Disaster;
- (i) ensure procedures are in place to coordinate the provision of food, clothing, shelter, transportation, and medical services to victims of Emergencies and Disasters, whether that provision is made from within or outside of the Service Area;
- (j) establish the priorities for restoring essential services that are interrupted during an Emergency or Disaster.

4.4 The Executive Committee may delegate any of its powers and duties under this Bylaw to the Management Committee or to the Coordinator.

## **5. MANAGEMENT COMMITTEE**

5.1 There is hereby established the Elk Valley & South Country Emergency Program Management Committee composed of the following members:

- (a) the Coordinator, who shall also act as chair;
- (b) the Chief Administrative Officers of the RDEK, City of Fernie, District of Sparwood and District of Elkford or their designates;
- (c) the Deputy Coordinator(s);
- (d) the RDEK Emergency Services Coordinator;
- (e) a minimum of 6 and a maximum of 15 other duly appointed representatives of agencies or public services that have first responder and direct functional accountability in the event of a Disaster or Emergency, such members to be decided by the Coordinator and RDEK Chief Administrative Officer or her designate.

5.2 The Management Committee:

- (a) reports to the Executive Committee and advises on the development and delivery of the Emergency Plan;
- (b) may call upon any outside organization for advice on any matter related to the Emergency Plan;
- (c) shall meet every two months or as required to meet program demands.

**6. COORDINATOR**

6.1 The Coordinator shall:

- (a) coordinate the preparation and updates of the Emergency Plan;
- (b) advise and assist the Executive Committee on all matters pertaining to the Emergency management program and Emergency Plan;
- (c) act as chair and coordinate all activities of the Management Committee;
- (d) regularly review the Emergency Plan and submit suggested changes to the Management Committee for approval;
- (e) advise upon, and/or coordinate, the Emergency plans created by the various agencies and departments with representation on the Management Committee;
- (f) present the comprehensive Emergency management program, Emergency Plan, and any revisions, to the Executive Committee;
- (g) coordinate training programs and exercises, including submission of funding requests to the Provincial Emergency Program Regional Manager;
- (h) develop plans for handling Emergency site support activities;
- (i) coordinate with provincial and regional counterparts;
- (j) ensure that adequate attention is given to all aspects of the Emergency management program and Emergency Plan and to the needs of all involved in the response organization;
- (k) perform such other duties as may be delegated by the Board or Executive Committee.

6.2 In the absence of the Coordinator, the Deputy Coordinator assumes the functions of the Coordinator.

## **7. MUTUAL AID**

- 7.1 Where the occurrence of a Disaster or Emergency requires Emergency operation capabilities beyond what is available in the service area, the Coordinator may request assistance from other RDEK Emergency programs.
- 7.2 Where the occurrence of a Disaster or Emergency in another RDEK Emergency program service area requires Emergency operation capabilities beyond what is available in that service area, the Coordinator may provide assistance if requested to do so.
- 7.3 In any case of mutual aid, the service area shall not be left void of the ability to respond to an Emergency or Disaster within the service area.
- 7.4 If an RDEK Emergency program is attending a Disaster or Emergency and another Disaster or Emergency arises which requires the resources of that Emergency program, it will be at the discretion of the EOC Director and the Coordinator to remain at the Emergency or abandon and attend another Emergency.

## **8. REPEAL**

- 8.1 Bylaw No. 1887 is hereby repealed.

READ A FIRST TIME the 29<sup>th</sup> day of May, 2009.

READ A SECOND TIME the 29<sup>th</sup> day of May, 2009.

READ A THIRD TIME the 29<sup>th</sup> day of May, 2009.

ADOPTED the 29<sup>th</sup> day of May, 2009.

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CHAIR

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MANAGER OF ADMINISTRATION