

**THE VILLAGE OF PORT CLEMENTS  
EMERGENCY MEASURES BYLAW NO. 303, 2000**

WHEREAS the Council must establish and maintain an emergency management organization to develop and implement emergency plans.

AND WHEREAS the Village of Port Clements Council wishes to provide a comprehensive management program to prepare for, respond to, and recover from emergencies and disasters.

NOW THEREFORE, the Village of Port Clements Council in open meeting assembled enacts as follows:

Bylaw 250, 1993 is hereby repealed.

**SECTION 1 – CITATION**

1.1 This Bylaw shall be cited as the Emergency Measures Bylaw No. 303, 2000.

**SECTION 2 – INTERPRETATION**

2.1 In this bylaw:

- a) "Council" means the Village of Port Clements Council;
- b) "declaration of a state of local emergency" means a declaration of Council or the Mayor that an emergency exists or is imminent in the municipality;
- c) "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;
- d) "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 health, safety or welfare of people or to limit damage to property;
- e) "Village of Port Clements Emergency Coordinator" means the person appointed by the Council as head of the Village of Port Clements Emergency Management Organization;
- f) "Mayor" means that member of Council who is head and chief executive officer of the municipality;
- g) "Municipality" means all of the area within the boundaries of the Village of Port Clements;
- h) "Village of Port Clements Emergency Coordinator" means that person appointed under Section 3.2;
- i) "Village of Port Clements Emergency Management Organization" means the Emergency Executive Committee, Emergency Coordinator and such other persons appointed, and functional groups established, and which are charged with emergency preparedness, response, and recovery measures.

2.2

This bylaw shall be construed in accordance with the *Emergency Program Act*, SBC, 1993, Chapter 41 and all Regulations made thereunder. In this bylaw, "Act" means the *Emergency Program Act*.

### SECTION 3 – ADMINISTRATION

- 3.1 An Emergency Executive Committee shall compose of:
- a) a Council member (Committee Chairperson);
  - b) the Principal Administrative Officer of the municipality,
  - c) Emergency Coordinator
  - d) Heads of Emergency Social Services, Port Clements Volunteer Fire Department, Search and Rescue, Security, Communications, First Aid, and Public Works, and
  - e) such other members that the Council may determine.
- 3.2 The Council shall appoint a Village of Port Clements Emergency Coordinator to facilitate emergency preparedness, response, and recovery measures.
- 3.3 Subject to the approval of Council, the Emergency Executive Committee may:
- a) make and amend its terms of reference, policies, and procedures,
  - b) enter into agreements with regional districts or other municipalities for the purpose of emergency assistance or formulation of coordinated emergency preparedness, response, or recovery, and
  - c) enter into agreements with individuals, bodies, corporations, or other non-government agencies, for the provision of goods or services.

### SECTION 4 – DUTIES AND RESPONSIBILITIES OF THE COUNCIL

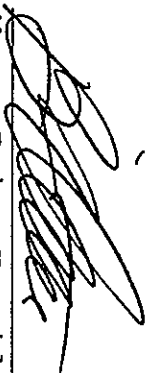
- 4.1 The Village of Port Clements Emergency Executive Committee shall prepare and present to the Council for annual review and approval:
- a) a list of hazards to which the municipality is subject and which also indicates the relative risk of occurrence,
  - b) plans respecting the preparation for, response to, and recovery from emergencies and disasters, which include:
    - (i) a periodic review and updating of plans and procedures for that review,
    - (ii) a program of emergency response exercises,
    - (iii) a training program,
    - (iv) procedures by which physical and financial emergency resources or assistance may be obtained,
    - (v) procedures by which emergency plans are to be implemented,
    - (vi) warning procedures to those persons who may be harmed or suffer loss in an emergency or impending disaster,
    - (vii) procedures to coordinate the provision of food, clothing, shelter, transportation and medical service to victims of emergencies and disasters, whether that provision is made from within or outside of the municipality, and
    - (viii) procedures to establish the priorities for restoring essential services provided by the municipality, or recommend priorities to other service providers, that are interrupted during an emergency or disaster.

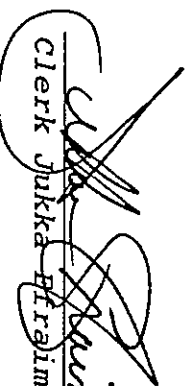
**SECTION 5 – POWERS OF THE COUNCIL**

- 5.1 The Council or the Mayor or the Emergency Coordinator may, whether or not a state of local emergency has been declared, cause the emergency plan to be implemented.
- 5.2 The Council by bylaw or resolution, or the Mayor by order, may declare a state of local emergency when the extraordinary power or authority enabled by Section 12 of the Act is required to effectively deal with an emergency or disaster in any part of the municipality.
- 5.3 Upon a “declaration of a state of local emergency” being made, Council or the Mayor shall:
  - a) forward a copy of the declaration to the Attorney General, and
  - b) cause the details of the declaration to be published by means of communication that the Council or the Mayor considers most likely to make the contents of the declaration known to the majority of the population of the affected area.
- 5.4 After a declaration of a state of emergency is made under section 5.2 in respect of all or any part of the municipality, and for the duration of the state of emergency, the Council or Mayor may do any or all acts considered necessary and implement procedures that the Council or Mayor considers necessary to prevent, respond to, or alleviate the effects of an emergency, or a disaster, including any or all of the following:
  - a) acquire or use any real or personal property considered necessary to prevent, respond to, or alleviate the effects of an emergency or disaster;
  - b) authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to, or alleviate the effects of an emergency or disaster;
  - c) control or prohibit travel to or from any part of the municipality;
  - d) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in the municipality;
  - e) cause the evacuation of persons and the removal of livestock, animals and personal property from any part of the municipality that is or may be affected by an emergency or a disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and personal property;
  - f) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program or if otherwise considered by the Council or Mayor to be necessary to prevent, respond to or alleviate the effects of an emergency or disaster;
  - g) cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered by the Council or Mayor to be necessary or appropriate in order to prevent, respond to, or alleviate the effects of an emergency or disaster;
  - h) construct works considered by the Council or Mayor to be necessary or appropriate to prevent, respond to, or alleviate the effects of an emergency or disaster;
  - i) procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources, or equipment within any part of the municipality for the duration of the local state of emergency or disaster; and




Read a first time this 19th day of April, 1993.  
Read a second time this 19th day of April, 1993.  
Read a third time this 26th day of April, 1993.  
Reconsidered, passed and finally adopted this 2nd day of  
May, 1993.

  
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Mayor Brian Hornidge

  
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Clerk Jukka Hirjalimsson

Certified to be a true copy  
of Emergency Program By-Law  
No. 250, 1993.

  
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Clerk.

A true copy of By-Law No. 250  
registered in the office of the Inspector  
of Municipalities this  
13<sup>th</sup> day of  
July 1993.  
  
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Deputy Inspector of Municipalities