

TOWN OF ST. STEPHEN

BY-LAW NO. S-6.1

**A BY-LAW TO AMEND THE COMMUNITY EMERGENCY
PLAN BY-LAW**

PREAMBLE

Under Section 9 of the *Emergency Measures Act* of New Brunswick, each municipality

- (a) shall establish and maintain a municipal emergency measures organization;
- (b) shall appoint a director of the municipal emergency measures organization, and prescribe his duties which shall include the preparation and co-ordination of emergency measures plans for the municipality;
- (c) shall appoint a committee consisting of members of its council to advise it on the development of emergency plans;
- (d) shall prepare and approve emergency measures plans;
- (e) may pay the expenses of members of the committee appointed under paragraph (c);
- (f) may enter into agreements with and make payments to persons and organizations for the provision of services in the development and implementation of emergency measures plans; and
- (g) may appropriate and expend sums approved by it for the purposes of this section.

Therefore, the Council of the Town of St. Stephen, under the authority vested in it by the *Emergency Measures Act*, and by the *Municipalities Act*, and the Regulations there under, enacts as follows:

DEFINITION

1. For the purpose of this Bylaw,
 - a. "emergency" means a present or imminent event in respect of which the Minister or municipality, as the case may be, believes prompt co-ordination of action or regulation of persons or property must be undertaken to protect property, the environment or the health, safety or welfare of the civil population;
 - b. "emergency measures plan" means any plan, program or procedure prepared by the Province or a municipality, as the case may be, that is intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare

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of the civil population and the protection of property and the environment in the event of such an occurrence;

- c. "emergency response plan" means a plan adopted by Council of the Town of St. Stephen to provide for the amelioration of an emergency;
- d. "coordinator" means the Director of the Municipal Emergency Measures Organization; and,
- e. "municipality" means the Town of St. Stephen.

STANDING COMMITTEE OF COUNCIL

- 2. A Standing Committee of Council, hereinafter called "the Committee," shall be appointed by Council, to consist of not fewer than two members of Council. Two members of the Committee shall constitute a quorum.
- 3. In addition to its others duties and powers under this by-law, the Committee shall be responsible for:
 - a. advising Council on the development of a municipal emergency plan;
 - b. the appointment of a director of the municipal emergency measures organization and such others as may be required;
 - c. the preparation and approval of the municipal emergency measures plan.

GENERAL

- 4. The coordinator of the municipal measures organization shall prepare all plans, programs and estimates of expenditures relating to the establishment, maintenance, and operation of the Emergency Response Plan, which shall be submitted to the Council for approval.
- 5. The municipality shall establish an Emergency Operations Centre and, as required, shall implement the Emergency Response Plan in accordance with the procedures outlined therein.
- 6. Subject to the approval of Council, the Committee may negotiate and on behalf of the municipality enter into agreements with other municipalities, with the Government of the Province, with the Government of Canada, or with other agencies, or any or all of them, for the purpose of mutual aid; for the formation of joint organizations; or for the employment of their members or resources; all within the terms of a community disaster plan.

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7. In the event of an emergency being declared, the municipal emergency plan will be implemented by the Committee in full or in part according to the procedures outlined therein.
8.
 - a. In the event that an emergency has been declared, Council will be automatically convened and shall not be adjourned until the emergency is declared to be over.
 - b. Each member of Council will be advised by the committee when an emergency has been declared and he/she advise the Emergency Operations Centre of his/her whereabouts during the continuation of the emergency.
 - c. Before, upon the event of, or during the continuation of an emergency the Mayor or Deputy Mayor or any two Councillors may call members of Council to meet for the purpose of declaring an emergency and of carrying out business pertaining thereto. As soon as a quorum is present, the meeting may be called to order, and for purposes of this by-law only, any three members of Council shall constitute a quorum. At such meeting only matters directly pertaining to the emergency may be considered by Council and business will be conducted according to the by-laws of the municipality where they do not conflict with this by-law.
9. In the event that an emergency has been declared, all employees, servants and agents of the municipality will advise the Emergency Operations Centre of their whereabouts and will be required to carry out duties as ordered by the Director of the Municipal Emergency Measures Organization. In this connection, unless Council otherwise stipulates, for services performed during the continuation of the emergency.
 - a. Department heads will receive no additional remuneration.
 - b. Salaried persons, other than Department Heads, will receive a pro-rata hourly rate for each hour worked.
 - c. Hourly paid employees will receive time and one-half their regular hourly rate for time worked in excess of eight hours per day.
 - d. Casual employees as required during the emergency will be paid the usual set rate per hour.
10. When an emergency is declared the Committee may forthwith procure food, clothing, medicines, equipment, goods and services of any nature or kind for use therein, the payment for which shall be made by the municipality.
11. For the duration of the emergency, Council may appoint as auxiliary police persons who are recommended to it by the Chief of Police or his delegate.
12. For the duration of the emergency, Council may appoint as auxiliary firefighter persons who are recommended to it by the Fire Chief or his delegate.

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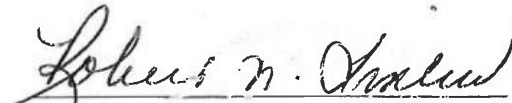
13. For the duration of the emergency, Council may appoint any other persons as deemed necessary by Coordinator of the Municipal Emergency Measures Organization.

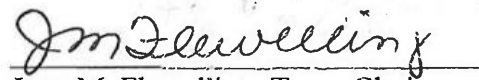
IN WITNESS WHEREOF the Town of St. Stephen has caused the corporate seal of the said Town to be affixed to this By-Law the 14th day of May, 2007.

First Reading: March 19, 2007

Second Reading: April 16, 2007

Third Reading and Enactment: May 14, 2007


Robert Tinker, Acting Mayor


Joan M. Flewelling, Town Clerk