
A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES TO PROVIDE FOR THE ESTABLISHMENT OF AN EMERGENCY MEASURES ORGANIZATION

WHEREAS the Council of the Town of Hay River is responsible for the direction and control of its emergency response and is required, under the *Civil Emergency Measures Act*, R.S.N.W.T. 1988, c. C-9 and Section 28 of the *Cities, Towns and Villages Act*, S.N.W.T. 2008, c.22 to prepare and approve Emergency Response Plans and programs; appoint an Emergency Measures Committee, establish and maintain an Emergency Measures Organization; appoint a Coordinator of the Emergency Measures Organization and establish the duties of the Coordinator;

NOW THEREFORE the Council of the Municipal Corporation of the Town of Hay River in regular session duly assembled hereby enacts as follows:

1. Title

This By-law may be referred to as the Town of Hay River Emergency Measures By-law.

2. Interpretation

In this by-law

- a) "**Act**" means *Civil Emergency Measures Act*, RSNWT 1988, c C-9, as amended;
- b) "**Coordinator of the Emergency Measures Organization**" means the person appointed as the Coordinator under Section 6 of this by-law;
- c) "**Council**" means the Council of the Municipal Corporation of the Town of Hay River;
- d) "**Emergency**" means a present or imminent event that is affecting or could affect the health, safety or welfare of people or is damaging or could damage property;
- e) "**Emergency Measures Organization**" means the organization established under this by-law;
- f) "**Emergency Measures Committee**" means the committee established under this by-law;
- g) "**Emergency Plan**" means the Emergency Measures Plan of the Town;
- h) "**Minister**" means the Minister responsible for the Act;
- i) "**SAO**" means the Senior Administrative Officer of the Town of Hay River or designate.
- j) "**Town**" means the Municipal Corporation of the Town of Hay River;
- k) "**Town Limits**" means the corporate limits of the Town as established from time to time.

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3. Emergency Measures Committee

There is hereby established an Emergency Measures Committee to advise Council on the development of emergency plans and programs.

4. Emergency Measures Organization

There is hereby established an Emergency Measures Organization to act as the agent of Council to carry out its statutory powers and obligations under the Act, provided that the Emergency Measures Organization shall not have the power:

- a) to declare, renew, or terminate a state of local emergency;
- b) to appoint its own members;
- c) to provide for payment of expenses of the members of the Emergency Measures Committee;
- d) to approve the Town's Emergency Plans and programs; or
- e) to exercise any of the powers contained in Section 0 and 8.i) of this By-law.

5. Coordinator

The Director of Protective Services of the Town or designate is hereby appointed the Coordinator of the Emergency Measures of the Town.

6. Council Duties

- a) Council shall:
 - i) By resolution, appoint three of its members to serve on the Emergency Measures Committee;
 - ii) Provide for the payment of expenses of the members of the Emergency Measures Committee
 - iii) By resolution, appoint a Deputy Coordinator of Emergency Measures who shall do those things delegated by or required of the Coordinator of Emergency Measures in that person's absence;
 - iv) Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Hay River;
 - v) Ensure the public is informed of the emergency measures program and community risks;
 - vi) Approve the Town of Hay River's emergency plans and programs; and
 - vii) Review the status of the Emergency Plan and related plans and programs at least once each year.

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- b) Council may:
 - i) by By-law borrow, levy, appropriate and expend, without consent of the electors, all sums required for the operation of the Emergency Measures Organization;
 - ii) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency plans or programs, including mutual aid plans and programs; and
 - iii) during or within 60 days after the declaration of a state of local emergency, by bylaw, borrow the necessary funds to pay for the expenses of the emergency under the provisions and conditions of Sections 17(4) and (5) of the Act.

7. Committee Structure

- a) The Emergency Measures Organization Committee shall consist of members who shall be appointed by resolution of Council.
- b) The members of the Committee shall include three (3) Council members; and representatives that may include but are not limited to the:
 - i) Hay River Fire Department;
 - ii) Town of Hay River employees;
 - iii) Hay River Health & Social Services Authority;
 - iv) RCMP;
 - v) Hay River Airport;
 - vi) Canadian Coast Guard/Fisheries and Oceans;
 - vii) Canadian Coast Guard Auxiliary;
 - viii) Hay River District Education Authority;
 - ix) Northland Utilities;
 - x) Government of the Northwest Territories, Department of Infrastructure;
 - xi) West Point First Nation; and
 - xii) Katlodeeche First Nation.

8. Committee Procedures

- a) Meetings of the Committee shall be held at a time as deemed necessary to be set by resolution of the Committee.
- b) A quorum for regular and special meetings of the Committee shall be six (6) members from six different organizations, one of whom shall be a Councillor.

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- c) The Chair or Alternate Chair may call special meetings.
- d) Special Meetings of the Committee may be called on forty-eight (48) hours written notice by the Chair at the request of any three (3) members of the Committee.
- e) The Chair, when present, and every Committee member shall vote on every matter unless, in a specific case, the Chair or any member is excused by resolution of the Committee from voting.
- f) For greater certainty, the *Conflict of Interest Act* applies to the Committee.
- g) Neither the Committee, nor any member thereof, shall have the power to pledge the credit of the Town in connection with any matters whatsoever, nor shall the said Committee or any member thereof, have any power to authorize any expenditure charged against the Town.
- h) Meeting procedures shall be conducted in accordance with *Council Procedures By-law* No. 1385, as amended or replaced from time to time, and Bourinot's Rules of Order.
- i) All meetings of the Committee shall be open to the public.

9. Duties of the Emergency Measures Committee

The Emergency Measures Committee shall:

- a) review the Emergency Plan and related plans and programs on a regular basis;
- b) make such recommendations to Council as the Committee considers appropriate respecting the Emergency Plan and related plans and programs; and
- c) advise Council on the status of the Emergency Plan and related plans and programs at least once each year.

10. Composition of the Emergency Measures Organization

The Emergency Measures Organization shall be composed of those representatives listed in the Emergency Plan of the Town of Hay River.

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11. Duties of the Coordinator

The Coordinator of Emergency Measures shall:

- a) prepare and coordinate the Emergency Plan and related plans and programs for the Town of Hay River;
- b) act as Director of Emergency Operations, or ensure that someone is designated under the Emergency Plan to so act, on behalf of the Emergency Measures Organization;
- c) submit to Council an accounting of the costs of an emergency measures response;
- d) coordinate all emergency services and other resources used in an emergency;
- e) develop and implement an annual public education and awareness program;
- f) ensure that someone is designated to discharge the responsibilities specified in 0, a), b) and c) above.

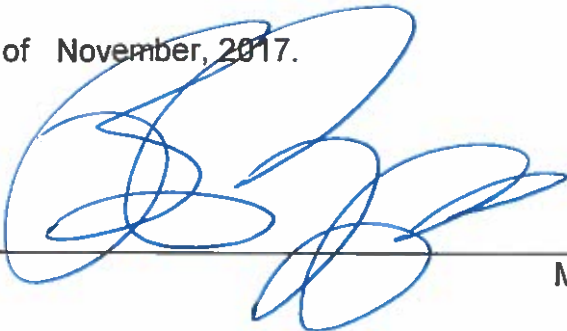
12. Repeal

By-law 1339 is hereby repealed.

13. Effect

This by-law shall take full force and effect upon the date that this by-law receives third and final reading.


READ A FIRST TIME this 28th day of November, 2017.



_____ Mayor

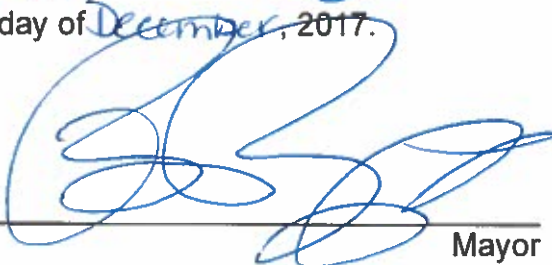
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READ A SECOND TIME this 28th day of November , 2017.



Mayor

READ A THIRD AND FINAL TIME this 19 day of December, 2017.



Mayor

CERTIFIED that this by-law has been made in accordance with the requirements of the Cities, Towns and Villages Act S.N.W.T. 2003, c.22. and the by-laws of the Municipal Corporation of the Town of Hay River on this 19 day of December , 2017.



Senior Administrative Officer