

CITY OF WHITEHORSE

BYLAW 2013-36

A bylaw to provide for the establishment of a Civil Emergency Measures Commission and an Emergency Measures Plan

WHEREAS section 192(1) of the *Municipal Act* provides that council shall by bylaw establish a civil emergency measures commission and appoint the members thereof; and

WHEREAS section 192(2) of the *Municipal Act* provides that council may appoint a civil emergency co-ordinator to carry out the instructions of the commission; and

WHEREAS section 192(3) of the *Municipal Act* provides that council may empower the commission to incur liabilities within the amounts included therefor in the annual budget; and

WHEREAS section 5(1) of the *Civil Emergency Measures Act* provides that council shall by bylaw establish a municipal civil emergency plan;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the "**Emergency Measures Bylaw**".

DEFINITIONS

2. In this bylaw,

"City" means the City of Whitehorse.

"Civic Emergency Coordinator" means the City Manager who is responsible to council to co-ordinate Emergency Measures in the City of Whitehorse.

"council" means the duly elected mayor and councillors of the City of Whitehorse.

"disaster" means a calamity, however caused, which has resulted in or may result in,

- (1) the loss of life; or
- (2) serious harm or damage to the safety, health or welfare of people; or
- (3) wide-spread damage to property or the environment.

"emergency" means a present or imminent situation or condition that requires prompt action to prevent or limit,

- (1) the loss of life; or
- (2) harm or damage to the safety, health or welfare of people; or
- (3) damage to property or the environment.

"Emergency Measures Commission" means those members appointed by council under the provisions of section 192(1) of the *Municipal Act*.

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“Emergency Control Team” means those persons appointed by the City Manager who are responsible for the implementation of the Emergency Measures Plan.

“Emergency Organization” means the combined Emergency Measures Commission and Emergency Control Team of the City of Whitehorse.

ESTABLISHMENT OF COMMISSION

3. There is hereby established a Civil Emergency Measures Commission, the membership of which shall consist of the Mayor and Council.

RESPONSIBILITIES OF THE COMMISSION

4. The Emergency Measures Commission shall be responsible for planning and co-ordinating the measures to be taken in the event of an emergency in the City of Whitehorse.
5. Subject to section 4 of this bylaw and the direction of council, the Emergency Measures Commission shall be responsible for carrying out any emergency measures or emergency activities or works in furtherance of the Yukon Territory *Civil Emergency Measures Act* or this bylaw. To that end, the Commission shall have delegated to it the duties and resources of council except the powers to borrow money, to pass a bylaw or enter into any contracts, provided, however, such delegation of duties and powers of the council is expressly limited to only those powers of council necessary to carry out its rights, responsibilities, or duties under the Yukon Territory *Civil Emergency Measures Act*.

RESPONSIBILITIES OF THE EMERGENCY CONTROL TEAM

6. The Emergency Control Team shall be responsible for:
 - (1) the formation of a municipal emergency plan;
 - (2) the integration of municipal, other agency, and volunteer emergency services into one comprehensive plan;
 - (3) the submission to council of annual estimates of expenditures for the maintenance and operation of the emergency organization;
 - (4) the submission to council, at least once per year, of a progress report of activities;
 - (5) the training of individuals in emergency preparedness and the implementation of the municipal emergency plan; and
 - (6) the exercising of the municipal emergency plan plus the ongoing review and evaluation of the municipal emergency plan.

RESPONSIBILITIES OF THE CITY MANAGER

7. The City Manager or his/her designate shall have the following duties and responsibilities:
 - (1) to act as the chairperson of the Emergency Control Team;
 - (2) to appoint the members of the Emergency Control Team;

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- (3) to assist the Emergency Control Team in producing an Emergency Plan for council's consideration and maintain it upon adoption;
 - (4) to co-ordinate all activities of those persons and/or organizations involved within the City Emergency Organization;
 - (5) to submit reports to the Emergency Measures Commission;
 - (6) to ensure that a continuous program of training for the Emergency Organization is carried out;
 - (7) to cooperate with the Yukon Territorial Emergency Measures Organization on all matters pertaining to planning and operations; and
 - (8) to act as advisor to the Emergency Measures Commission during emergencies and disasters.
8. The City Manager or his/her designate shall have the authority to implement the Municipal Emergency Plan and establish an Emergency Operations Centre.

DECLARATION OF A STATE OF EMERGENCY

9. The Mayor of the City of Whitehorse, in the case of an emergency or disaster, is authorised to declare a state of emergency by resolution of council passed after its consideration of the occurrence of events that reasonably may be expected to lead to a need to declare a state of emergency. Such declaration shall be published by reasonable means, bringing the declaration promptly to the attention of the citizens of Whitehorse. A state of emergency commences upon the publication of the Mayor's declaration and continues for 48 hours. Upon such declaration being made, the Emergency Measures Commission shall exercise all powers conferred upon it by the *Municipal Act* and powers delegated to council within the *Civil Emergency Measures Act*.

REPEAL

10. Bylaw 98-09 is hereby repealed.

COMING INTO FORCE

11. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING: June 24, 2013
THIRD READING and ADOPTION: July 8, 2013

ORIGINAL DOCUMENT SIGNED BY:

"Dan Curtis"
Dan Curtis, Mayor

"R. I. Fendrick"
Robert I. Fendrick, FCGA, City Clerk