

BY-LAW NO. 76

A COMMUNITY EMERGENCY PLANNING BY-LAW

The Council of the Village of Chipman under the authority vested in it by Section 7 (1) of the Municipalities Act and the Emergency Measures Act, and Regulations thereunder, enacts as follows:

Definition

1. For the purpose of this by-law,
 - (a) "emergency" means a present or imminent event in respect of which the Minister of the 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 of the civil population and the protection of property and the environment in the event of such an occurrence;

Emergency Measures Committee

2. An Emergency Measures Committee, hereinafter called "the Committee" shall be appointed by Council together with the Mayor. To constitute a quorum, the committee shall have 50% of the membership plus one.
3. In addition to its other 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. 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 of New Brunswick, with the Government of Canada,

5. 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.

6 (a) In the event that an emergency has been declared, the 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 shall keep advised the Emergency Operations Centre of his 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-law of the municipality where they do not conflict with this by-law.

7. 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.

8. When an emergency is declared the committee may forthwith procure food, clothing, medicines, equipment, goods and sources of any nature of kind or use therein, the payment for which shall be made by the municipality when such payments are made, the municipality shall recoup costs from 3rd party billing whenever possible.
9. For the duration of the emergency, council may appoint any other persons as deemed necessary by the Director of the Municipal Emergency Measures Organization.
10. By-Law 24, "A Community Emergency Planning By-Law", enacted the 16th day of September, 1982 and By-Law 71, "A By-Law to Amend By-Law No. 24", enacted the 7th day of June, 2010 are hereby repealed.

IN EFFECT

This By-law passed and enacted on the 6th day of January 2014 and signed by: _____

Edmund Byrne
Mayor

Marian Kennedy
Administrator/Clerk

First Reading: December 12, 2013
Second Reading: December 12, 2013
Third Reading
and enacted: January 6, 2014