

THE CORPORATION OF THE DISTRICT OF OAK BAY

BYLAW NO. 4489

A Bylaw to continue the Oak Bay Emergency Planning Program

The Municipal Council of The Corporation of the District of Oak Bay, in open meeting assembled, enacts as follows:

1 In this Bylaw,

“Chief Administrative Officer” means the chief administrative officer for the Corporation within the meaning of Section 147 of the *Community Charter*;

“*Community Charter*” means the *Community Charter* of the Province of British Columbia, S.B.C. 2003, c. 26, as amended from time to time;

“Corporation” means The Corporation of the District of Oak Bay;

“*Emergency Program Act*” means the *Emergency Program Act* of the Province of British Columbia, R.S.B.C. 1996, c. 111, as amended from time to time;

“emergency plan” and “emergency planning” encompass the development of strategies, procedures and guidelines for emergency and disaster preparedness, response and recovery;

“*Local Authority Emergency Management Regulation*” means the *Local Authority Emergency Management Regulation*, B.C. Reg. 380/95, as amended from time to time;

“Municipal Council” means the Municipal Council of the Corporation.

2 The Oak Bay emergency planning program is hereby continued within the framework of this Bylaw.

3 An emergency management organization to develop and implement emergency plans and other preparedness, response and recovery measures shall be constituted as follows:

(1) an Emergency Planning Policy Committee, responsible for policy decisions, strategic direction and general oversight of the emergency planning function, consisting of the:

(a) Chief Administrative Officer (Chair);

- (b) Emergency Planning Coordinator;
 - (c) Deputy Emergency Planning Coordinator;
 - (d) Chief Constable or Deputy Chief Constable;
 - (e) Municipal Treasurer or Deputy Municipal Treasurer;
 - (f) Director of Parks and Recreation;
 - (g) Municipal Clerk;
 - (h) Director of Engineering Services;
 - (i) Superintendent of Public Works or Operations Manager;
- (2) an Emergency Planning Working Group, responsible for developing, reviewing and updating the local emergency plan and undertaking such other tasks as may be required to comply with Section 2 of the *Local Authority Emergency Management Regulation*, consisting of the Emergency Planning Coordinator, the Deputy Emergency Planning Coordinator, and such other persons as may be appointed by the Emergency Planning Coordinator with responsibility for functions including but not limited to:
- (a) emergency social services;
 - (b) emergency communications;
 - (c) school and community liaison;
 - (d) community resiliency.
- 4 The Municipal Council may appoint one of its members as a liaison to the Emergency Planning Working Group.
- 5 Both the Emergency Planning Policy Committee and the Emergency Planning Working Group may establish task-specific or function-specific subcommittees.
- 6 The Fire Chief is appointed as the Emergency Planning Coordinator within the meaning of Section 6(3.1)(b) of the *Emergency Program Act*.
- 7 The Emergency Planning Coordinator:
- (1) is responsible for:

- (a) recruiting, appointing and directing the work of the Emergency Planning Working Group;
 - (b) providing advice and making recommendations and reports to the Emergency Planning Policy Committee;
 - (c) preparing agendas and keeping records of decisions and orders of the Emergency Planning Policy Committee;
 - (d) ensuring that programs and practices are in place as required by the *Emergency Program Act*;
 - (e) preparing the annual operating budget for the emergency planning function for review by the Chief Administrative Officer and the Municipal Council;
 - (f) liaising and negotiating agreements with organizations outside of the Corporation for purposes related to the emergency planning function, for review by the Emergency Planning Policy Committee;
 - (g) seeking sources of funding and preparing grant applications in connection with special projects related to the emergency planning function; and
 - (h) reporting annually to the Municipal Council on emergency planning activities.
- (2) may appoint a Deputy Emergency Planning Coordinator from within the Fire Department of the Corporation, to whom he may delegate and assign duties listed under subsection (1).
- 8 The Emergency Planning Policy Committee is delegated the authority, on behalf of the Corporation, to approve and execute agreements as contemplated by Sections 3(a) and 3(b) of the *Local Authority Emergency Management Regulation*.
- 9 The Chief Administrative Officer is delegated the authority:
- (1) to implement any local emergency plan for the Corporation whether or not a state of local emergency has been declared;
 - (2) to put into operation the Emergency Operations Centre whether or not a state of local emergency has been declared;
 - (3) to exercise all of the powers that are exercisable by the Municipal Council under Section 13 of the *Emergency Program Act*, consequent to a declared state of local emergency.

- 10 For the purposes of Section 9, “Chief Administrative Officer” includes, in his or her absence, the Emergency Planning Coordinator or the Deputy Emergency Planning Coordinator while serving in the role of Emergency Operations Centre Director.
- 11 For the purposes of Section 173 of the *Community Charter*, the emergency expenditure procedure shall be as set out in the Emergency Expenditure Policy adopted by resolution of the Municipal Council dated October 25, 1999.
- 12 In this Bylaw,
 - (1) a delegation of authority does not preclude the resumption of that authority by the Municipal Council or by the person delegating the authority, as the case may be; and
 - (2) a reference to an officer, manager or employee of the Corporation means a person holding such a position having been appointed by or under the authority of either the Municipal Council, the Chief Administrative Officer or the Oak Bay Police Board, as the case may be.
- 13 This Bylaw shall take effect on January 1, 2010.
- 14 This Bylaw may be cited as the *Emergency Program Bylaw, 2009*.

READ a first, second and third time by the Municipal Council on October 26, 2009

ADOPTED AND FINALLY PASSED by the Municipal Council on November 9, 2009

Mayor

Municipal Clerk

Sealed with the Seal of The Corporation
of the District of Oak Bay

