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Halifax, Nova Scotia
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Item No. 12.1.2
Executive Standing Committee
July 17, 2017

TO: Chair and Members of the Executive Standing Committee

ORIGINAL SIGNED

SUBMITTED BY: _____

Doug Trussler, Fire Chief, Halifax Regional Fire & Emergency

DATE: June 13, 2017

SUBJECT: Review of By-law E-100

ORIGIN

On December 15, 2014, the Executive Standing Committee, put and passed the following motion:

that the Executive Standing Committee request a staff report reviewing By-law E-100 Respecting of a Prompt and Coordinated Response to an Emergency to confirm that all the provisions are being followed.

LEGISLATIVE AUTHORITY

Emergency Management Act, 1990, c.8

RECOMMENDATION

It is recommended that the Executive Standing Committee recommend that Halifax Regional Council adopt By-law E-102, the purpose of which is to amend By-law E-100, the Emergency Management By-law, to reflect the current administrative and organization structure of the Municipality.

BACKGROUND

Section 10 (1)(a) of the Emergency Management Act of Nova Scotia requires all municipalities to establish and maintain a municipal emergency by-law. Halifax Regional Council passed By-law E-100, Respecting of a Prompt and Coordinated Response to an Emergency on May 14 1996. By-law E-100 was last amended by Regional Council on September 29, 2009.

The Emergency Management By-law (E-100) was originally established in 1996 as part of the creation of the Halifax Regional Municipality and was developed from a provincially accepted model. It was approved by both the Minister Responsible for the Emergency Management Act and the Minister of Housing and Municipal Affairs. The By-law was amended in 2009 to replace all references to “emergency measures” with “emergency management” following a similar change in the provincial Emergency Management Act. The Amendment was approved by the Minister of Service Nova Scotia and Municipal Relations

DISCUSSION

The HRM Emergency Management Coordinator conducted a review of Emergency Management By-law E-100 for compliance.

By-law E-100 consists of eleven sections, comprising of:

- Section 1: Short Title
- Section 2: Interpretation (definitions)
- Section 3: Municipal Emergency Management Organization
- Section 4: Municipal Emergency Management Advisory Committee
- Section 5: Municipal Emergency Management Coordinator
- Section 6: Municipal Emergency Management Planning Committee
- Section 7: Agreements
- Section 8: Duties of Council
- Section 9: Declaration of a State of Local Emergency
- Section 10: Notice
- Section 11: Duties During an Emergency

The analysis indicated that some of the terminology of the By-law has become dated or inaccurate over time including some parts of the day to day and emergency organizational structure. Some of the definitions in Section 2 required updating.

The Emergency Management Advisory Committee referred to in the By-law has been replaced with the Executive Standing Committee, which also reduces the need to define that committee in the By-law as it already exists.

In addition, some of the grammar of the original By-law required updating to reflect current terminology.

The Emergency Management Office currently liaises with applicable business units to ensure that their internal emergency plans are up to date and coordinated with other business units. These plans need to be reviewed and approved by the Emergency Management Planning Committee to ensure they do not contravene the municipal emergency plan.

While no substantive changes are needed within the By-law to ensure compliance, in order to keep it current the wording of the By-law needs to be updated to better reflect the current organizational model of the municipality.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK CONSIDERATION

There are no significant risks associated with the recommendation in this report. Under provincial legislation, the by-law, once approved by Council needs to be forwarded to the Minister responsible for the Emergency Management Act for provincial approval. There is a potential risk that the Minister may not approve the amended by-law.

COMMUNITY ENGAGEMENT

Community engagement was not required for the completion of this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the recommendation in this report.

ALTERNATIVES

Executive Standing Committee could choose to not recommend adoption of By-law E-102 to Regional Council. This alternative is not recommended for the reasons discussed in this report

ATTACHMENTS

- Attachment A - Showing Proposed Changes to By-law E-100
- Attachment B – Amending By-law E-102
- Attachment C – Incorporating Proposed Changes to By-law E-100

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Barry Manuel, Emergency Management Coordinator. 902.490.4213

**Attachment A
(Showing Proposed Changes)**

HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER E-100

**RESPECTING OF A PROMPT AND COORDINATED
RESPONSE TO AN EMERGENCY**

The Council of the Halifax Regional Municipality under the authority vested in it by the Emergency management Act, S.N.S. 1990, C.8, S.10, enacts as follows:

Short Title

1. This by-law may be cited as the "Emergency Management By-Law"

Interpretation

2. In this by-law,
 - (a) "Act" means the Emergency Management Act, R.S.N.S. 1990, c.8;
 - (b) "agent" means a person, persons, company or any other organization employed to act on behalf of the Halifax Regional Municipality;
 - (ba) "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality;
 - (c) "Council" means the Council of the Halifax Regional Municipality;
 - (d) "councillor" means a ~~member of the~~ Council member other than the Mayor;
 - (e) "Director" means the Director of the Nova Scotia Emergency Management Organization;
 - (f) "emergency" means a present or imminent event in respect of which the **Regional** Municipality believes prompt co-ordination of action or regulation of persons or property must be undertaken to protect property or the health, safety or welfare of people in ~~Nova Scotia~~ the Municipality;
 - (g) "employee" means a person employed either part or full time by the Halifax Regional Municipality;
 - (ga) "Executive Standing Committee" means the Executive Standing Committee of Council as set out in Administrative Order One;

- (h) "mMayor" means includes the mMayor of the **Regional** Municipality or a councillor acting in the stead of the mMayor;
- (i) "Minister" means the member of the Executive Council to whom is assigned the administration of the Act and regulations;
- (j) "Municipal Emergency Management Plans" means plans, programs or procedures prepared by the **Regional** Municipality that are 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 in the event of such an occurrence;
- (k) ~~"Municipal Emergency Management Advisory Committee" means the advisory committee established pursuant to this by-law;~~ **Repealed**
- (l) "Municipal Emergency Management Co-ordinator" means the person appointed by Council pursuant to this by-law;
- (m) "Municipal Emergency Management Organization" means the organization established pursuant to this by-law;
- (n) "Municipal Emergency Management Planning Committee" means the committee established pursuant to this by-law;
- (o) "**Regional** Municipality" means the Halifax Regional Municipality;
- (p) "State of Emergency Regulations" means regulations approved by the Governor in Council by Order in Council **92-61 2008-211**, Regulation **17/92 255/2008**, as amended from time to time;
- (q) "state of local emergency" means a state of local emergency declared by the **Regional** Municipality pursuant to the Act or renewed by the **Regional** Municipality pursuant to the Act and regulations made pursuant thereto and this **bBy**-law;
- (r) "volunteer fire fighter" means any individual who gives of their time, skills and knowledge by providing emergency services in accordance with regulations for the **Regional** Municipality fire service.

Municipal Emergency Management Organization

3. (1) The Council hereby establishes a Municipal Emergency Management Organization.
- (2) The Municipal Emergency Management Organization shall consist of the following

persons and committees:

- (a) ~~a Municipal Emergency Management Advisory Committee;~~ the Executive Standing Committee;
- (b) a Municipal Emergency Management Co-ordinator; and
- (c) a Municipal Emergency Management Planning Committee.

~~Municipal Emergency Management Advisory Committee~~ Executive Standing Committee

4. (1) ~~The Municipal Emergency Management Advisory Committee shall be appointed by Council for such term as the Council deems necessary.~~ Repealed
- (2) ~~The Municipal Emergency Management Advisory Committee shall at all times consist of the Mayor, Deputy Mayor, no fewer than two councillors, and the Chief Administrative Officer.~~ Repealed
- (3) The ~~Municipal Emergency Management Advisory~~ Executive Standing Committee shall:
 - (a) advise Council on the development of municipal emergency ~~M~~management plans;
 - (b) present municipal emergency ~~M~~management plans to Council;
 - (c) brief Council on developments during a local state of emergency; and
 - (d) perform such other duties as may be required by the Council.

Municipal Emergency Management Coordinator

5. (1) The Municipal Emergency Management Co-ordinator shall be appointed for such term as the Council deems necessary.
- (2) The Municipal Emergency Management Co-ordinator may be paid reasonable expenses for work incurred under this by-law.
- (3) The Municipal Emergency Management Co-ordinator shall:
 - (a) co-ordinate and prepare municipal emergency ~~M~~management plans, training and exercises; **and**
 - (b) be responsible for on-going public self-help education programs related to emergency preparedness;
 - (c) following activation of the municipal plan or a declaration of state of local

emergency, prescribe, as necessary, duties to be fulfilled by employees, agents, and volunteer fire fighters of the **Regional** Municipality; and

- (d) perform such other duties as may be required by the Council.

Municipal Emergency Management Planning Committee

- 6. (1) The Municipal Emergency Management Planning Committee shall be appointed by Council for such term as the Council may prescribe.

(2) The Municipal Emergency Planning Committee shall consist of the Chief Administrative Officer, the **Municipal** Emergency Management Coordinator, and the **commissioner** **business unit director** or chief of every municipal department or agency which is assigned emergency related functions under municipal emergency **M**management plans and, where no department or agency exists, a qualified person to represent that group.

(2a) The Chief Administrative Officer will chair the Municipal Emergency Management Planning Committee.

- (3) The Municipal Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:

- (a) law enforcement,
- (b) search and rescue,
- (c) fire control services,
- (d) hazardous materials control services,
- (e) transportation,
- (f) engineering services,
- (g) water,
- (h) wastewater,
- (i) solid waste,
- (j) telecommunications,
- (k) financial services,

- (l) legal services,
- (m) administrative services,
- (n) human resource Management (including health and safety),
- (o) information systems,
- (p) purchasing/materials Management,
- (q) physical, social and environmental planning information, and
- (r) public information.

(3a) The Municipal Emergency Management Planning Committee shall also include persons responsible during an emergency to coordinate the following functions with municipal emergency management plans:

- (a) income assistance,
- (b) community services, and
- (c) health services.

(4) The Municipal Emergency Management Planning Committee shall:

- (a) assist the Municipal Emergency Management Co-ordinator in the preparation and co-ordination of municipal emergency management plans;
- (b) advise the ~~Municipal Emergency Management Advisory~~ Executive Standing Committee on the development of municipal emergency management plans;
- (c) upon request, assist the ~~Municipal Emergency Management Advisory~~ Executive Standing Committee in the presentation of municipal emergency management plans to Council;
- (d) following activation of the municipal or departmental emergency plan or a declaration of state of local emergency, prescribe, as necessary, duties to be fulfilled by employees, agents, and volunteer fire fighters of the Municipality; and
- (e) perform such other duties as may be required by the ~~Municipal Emergency Management Advisory~~ Executive Standing Committee or the Council.

(5) Each member of the Municipal Emergency Management Planning Committee shall

prepare an emergency plan for the emergency functions assigned ~~in the master emergency plan~~ to their department, agency or area of responsibility. Members will submit plans to the **Municipal** Emergency Management ~~Advisory~~ **Planning** Committee for approval. Plans include training and exercise programs.

Agreements

7. (1) Subject to preliminary approval of Council, the Municipal Emergency Management Planning Committee may, as part of municipal emergency ~~Management~~ **management** plans, negotiate an agreement to be approved by the Council or person designated by the Council with the Government of Canada, the Province of Nova Scotia, a municipality, city or town, or any other agency or any person.

(2) Any agreement negotiated under subsection (1) is not binding until it is approved by Council.

Duties of Council

8. (1) The Council shall review and evaluate municipal emergency **management** plans presented to it by the ~~Municipal Emergency Management Advisory~~ **Executive Standing** Committee.

(2) The Council may specify additional duties to be fulfilled by the ~~Municipal Emergency Management Advisory~~ **Executive Standing** Committee, the Municipal Emergency Management Co-ordinator and the Municipal Emergency Management Planning Committee.

(3) The Council may appropriate and expend monies.
 - (a) to pay reasonable expenses of members of the ~~Municipal Emergency Management Advisory~~ **Executive Standing** Committee, the Municipal Emergency Management Co-ordinator and the Municipal Emergency Management Planning Committee; and
 - (b) to fulfil the terms and conditions of an agreement approved by the Council pursuant to Section 7.

Declaration of a State of Local Emergency

9. (1) The Council shall declare a state of local emergency by completing Form 4 attached to the State of Emergency Regulations.

(2) The Mayor, acting under Section 12(3) of the Act shall complete Form 5 attached to the State of Emergency Regulations.

(3) With the approval of the Minister, the Council may renew a state of local emergency by

completing Form 6 attached to the State of Emergency Regulations.

(4) The Council may terminate a state of local emergency by completing Form 7 attached to the State of Emergency Regulations.

(5) A copy of a declaration signed under this Section shall immediately be delivered or faxed to the Minister and the Director.

Notice

10. Following the **signature signing** of a declaration, **renewal or termination** under Section 9 of this By-law, the Council shall immediately cause the details of the declaration, **renewal** or termination to be communicated or published by such means as the Council considers the most likely to make the contents of the declaration, **renewal** or termination known to the people of the area affected.

Duties During an Emergency

11. (1) Following the activation of any municipal emergency **management** plan(s)

(a) every employee, agent, and volunteer fire fighter of the **mMunicipality** who has a role in such emergencies as assigned in the municipal emergency **Mmanagement** plans, including ~~the master emergency plan and departmental~~ **business unit emergency** plans, shall fulfil such reporting duties as may be prescribed by those plans and any additional duties as may be prescribed by the plans and the Municipal Emergency **Management** Planning Committee.

(2) Following the issuance of a declaration under Section 9 and for the duration of the state of local emergency

(a) every councillor shall keep the **Advisory Executive Standing** Committee posted respecting their whereabouts.

Done and passed in Council this fourteenth day of May 1996.

(SIGNED)

MAYOR

(SIGNED)

MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of Halifax Regional Council held on May 14th, 1996.

(SIGNED)

Vi Carmichael
Municipal Clerk

(SIGNED) June 6, 1996

APPROVAL OF MINISTER
RESPONSIBLE FOR EMERGENCY
MEASURES ACT

(SIGNED) June 13, 1996

MINISTER OF HOUSING
AND MUNICIPAL AFFAIRS

BY-LAW E-100

Notice of Motion:	April 16, 1996
First Reading:	April 30, 1996
Second Reading:	May 14, 1996
Third Reading:	May 14, 1996
Approval of Minister Responsible for Emergency Management Act:	June 6, 1996
Approval of Minister of Housing & Municipal Affairs:	June 13, 1996
Effective Date:	June 22, 1996

Amendment # 1 (E-101)

Replace all references to emergency measures with emergency management

Notice of Motion:	August 11, 2009
First Reading:	September 8, 2009
Notice of Public Hearing Publication:	September 12, 2009
Second Reading:	September 29, 2009
Approval of Minister of Service Nova Scotia and Municipal Relations:	December 9, 2009
Effective Date:	January 9, 2010

**Attachment B
(Amending By-law)**

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW E-102
RESPECTING THE AMENDMENT OF BY-LAW E-100
A BY-LAW RESPECTING OF A PROMPT AND COORDINATED
RESPONSE TO AN EMERGENCY**

BE IT ENACTED by the Council of Halifax Regional Municipality that By-Law E-100, the *Emergency Management By-law*, is amended as follows:

1. Section 2 is amended by:
 - (a) adding the following definition immediately after clause (b) and before clause (c):
 - (ba) “Chief Administrative Officer” means the Chief Administrative Officer of the Municipality;
 - (b) striking out the words “member of the” after the word “means” and before the word “Council” in clause (d);
 - (c) adding the words “member other than the Mayor” after the word “Council” and before the semicolon in clause (d);
 - (d) striking out the word “Regional” after the word “the” and before the word “Municipality” in clause (f);
 - (e) striking out the words “Nova Scotia” after the word “in” and before the semicolon in clause (f);
 - (f) adding the words “the Municipality” after the word “in” and before the semicolon in clause (f);
 - (g) adding the following definition immediate after clause (g) and before clause (h):
 - (ga) “Executive Standing Committee” means the Executive Standing Committee of Council as set out in Administrative Order One;
 - (h) striking out the lowercase “m” and replacing with a capital “M” for every reference to the Mayor in clause (h);
 - (i) striking out the word “means” after the word “Mayor” and before the word “the”, and adding the word “includes” after the word “Mayor” and before the word “the” in clause (h);
 - (j) striking out the word “Regional” after the word “the” and before the word “Municipality” in clause (h);
 - (k) de-capitalizing the term “municipal emergency management plans” in clause (j);

- (l) striking out the word “Regional” after the word “the” and before the word “Municipality” in clause (j);
 - (m) repealing clause (k);
 - (n) striking out the word “Regional” at the beginning of the definition in clause (o);
 - (o) striking out the numbers and punctuation “92-61” after the word “Council” and before the comma, and adding the numbers and punctuation “2008-211” after the word “Council” and before the comma in clause (p);
 - (p) striking out the numbers and punctuation “17/92” after the word “Regulation” and before the comma, and adding the numbers and punctuation “255/2008” after the word “Regulation” and before the comma in clause (p);
 - (q) striking out the word “Regional” as it appears twice in clause (q);
 - (r) striking out the lowercase “b” and replacing it with a capital “B” in the word “By-law” in clause (q);
 - (s) striking out the word “Regional” after the word “the” and before the word “Municipality” in clause (r); and
 - (t) striking out the letters “ity” at the end of the word “Municipal” and before the word “fire” in clause (r).
2. Section 3 is amended by:
- (a) striking out the words “a Municipal Emergency Management Advisory” before the word “Committee” at the beginning of clause (2)(a); and
 - (b) adding the words “the Executive Standing” before the word “Committee” at the beginning of clause (2)(a).
3. Section 4 is amended by:
- (a) striking out the words “Municipal Emergency Management Advisory” before the word “Committee” in the section title;
 - (b) adding the words “Executive Standing” before the word “Committee” in the section title;
 - (c) repealing subsections (1) and (2);
 - (d) striking out the words “Municipal Emergency Management Advisory” after the word “The” and before the word “Committee” in subsection (3);
 - (e) adding the words “Executive Standing” after the word “The” and before the word “Committee” in subsection (3);

- (f) striking out the capital “M” and replacing it with a lowercase “m” in the word management in clause (3)(a); and
 - (g) striking out the capital “M” and replacing it with a lowercase “m” in the word management in clause (3)(b).
4. Section 5 is amended by:
- (a) striking out the capital “M” and replacing it with a lowercase “m” in the word “management” in clause (3)(a);
 - (b) striking out the word “and” at the end of clause (3)(a); and,
 - (c) striking out the word “Regional” after the word “the” and before the word “Municipality” in clause (3)(c).
5. Section 6 is amended by:
- (a) adding the word “Municipal” after the word “the” and before the word “Emergency” in the second line of subsection (2);
 - (b) striking out the word “commissioner” after the word “the” and before the word “or” in the third line of subsection (2);
 - (c) adding the words “business unit director” after the word “the” and before the word “or” in the third line of subsection (2);
 - (d) striking out the capital “M” and replacing it with a lowercase “m” in the word “management” after the word “emergency” and before the word “plans” in subsection (2);
 - (e) adding a line break after the word and punctuation “group.” in subsection (2);
 - (f) lettering the new subsection (2a) before the words “The Chief Administrative Officer”;
 - (g) adding a comma at the end of each of clauses (3) (a) through (p);
 - (h) adding a comma and the word “and” at the end of clause (3)(q);
 - (i) adding a period at the end of clause (3)(r);
 - (j) renumbering the second subsection (3) to subsection (3a);
 - (k) striking out the capital “M” and replacing it with a lowercase “m” in the word “management” after the word “emergency” and before the word “plans” in subsection (3a);
 - (l) adding a comma at the end of clause (3a)(a);
 - (m) adding a comma and the word “and” at the end of clause (3a)(b);

- (n) adding a period at the end of clause (3a)(c);
- (o) striking out the capital “M” and replacing it with a lowercase “m” in the word “management” after the word “emergency” and before the word “plans” in clause (4)(a);
- (p) striking out the words “Municipal Emergency Management Advisory” after the word “the” and before the word “Committee” in clause (4)(b);
- (q) adding the words “Executive Committee” after the word “the” and before the word “Committee” in clause (4)(b);
- (r) striking out the capital “M” and replacing it with a lowercase “m” in the word “management” after the word “emergency” and before the word “plans” in clause (4)(b);
- (s) striking out the words “Municipal Emergency Management Advisory” after the word “the” and before the word “Committee” in clause (4)(c);
- (t) adding the words “Executive Committee” after the word “the” and before the word “Committee” in clause (4)(c);
- (u) striking out the capital “M” and replacing it with a lowercase “m” in the word “management” after the word “emergency” and before the word “plans” in clause (4)(c);
- (v) striking the lowercase “m” and adding an uppercase “M” to the word “Municipality” in the third line of clause (4)(d);
- (w) striking out the words “Municipal Emergency Management Advisory” after the word “the” and before the word “Committee” in clause (4)(e);
- (x) adding the words “Executive Committee” after the word “the” and before the word “Committee” in clause (4)(e);
- (y) adding the word “Municipal” after the word “the” and before the word “Emergency” in the first line of subsection (5);
- (z) adding the word “Management” after the word “Emergency” and before the word “Planning” in the first line of subsection (5);
- (aa) striking out the words “in the master emergency plan” after the word “assigned” and before the word “to” in the second line of subsection (5);
- (bb) adding the word “Municipal” after the word “the” and before the word “Emergency” in the fourth line of subsection (5);
- (cc) striking the word “Advisory” after the word “Management” and before the word “Committee” in the fourth line of subsection (5); and
- (dd) adding the word “Planning” after the word “Management” and before the word “Committee” in the fourth line of subsection (5).

6. Section 7 is amended by striking out the capital “M” and replacing it with a lowercase “m” in the word “management” after the word “emergency” and before the word “plans” in subsection 7(1).
7. Section 8 is amended by:
 - (a) adding the word “management” after the word “emergency” and before the word “plans” in the first line of subsection (1);
 - (b) striking out the words “Municipal Emergency Management Advisory” after the word “the” and before the word “Committee” in the last line of subsection (1);
 - (c) adding the words “Executive Standing” after the word “the” and before the word “Committee” in the last line of subsection (1);
 - (d) striking out the words “Municipal Emergency Management Advisory” after the word “the” and before the word “Committee” in subsection (2);
 - (e) adding the words “Executive Standing” after the word “the” and before the word “Committee” in subsection (2);
 - (f) striking out the words “Municipal Emergency Management Advisory” after the word “the” and before the word “Committee” in clause (3)(a); and
 - (g) adding the words “Executive Standing” after the word “the” and before the word “Committee” in clause (3)(a).
8. Section 10 is amended by:
 - (a) striking out the word “signature” after the word “the” and before the word “of” in the first line of the section;
 - (b) adding the word “signing” after the word “the” and before the word “of” in the first line of the section;
 - (c) adding punctuation and the words “, renewal or termination” after the word “declaration” and before the word “under” in the first line of the section;
 - (d) adding the words “of this By-law” after the number “9” and before the comma in the first line of the section;
 - (e) adding punctuation and the word “, renewal” after the word “declaration” and before the word “or” in the second line of the section; and
 - (f) adding punctuation and the word “, renewal” after the word “declaration” and before the word “or” in the fourth line of the section.
9. Section 11 is amended by:
 - (a) adding the word “management” after the word “emergency” and before the word “plan(s)” in subsection (1);

- (b) striking out the lowercase “m” and adding an uppercase “M” to the word “municipality” in the first line of clause (1)(a);
- (c) striking out the words “the master emergency plan and departmental” after the word “including” and before the word “plans” in the third line of clause (1)(a);
- (d) adding the words “business unit emergency” after the word “including” and before the word “plans” in the third line of clause (1)(a);
- (e) adding the word “Management” after the word “Emergency” and before the word “Planning” in the last line of clause (1)(a);
- (f) striking out the word “Advisory” after the word “the” and before the word “Committee” in clause (2)(a); and
- (g) adding the words “Executive Standing” after the word “the” and before the word “Committee” in clause (2)(a).

Done and passed in Council the _____ day of _____ 2017.

Mayor

Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Motion was passed at a meeting of the Halifax Regional Council held on _____, 2017.

Kevin Arjoon, Municipal Clerk

**Attachment C
(Incorporating Proposed Changes to By-law E-100)**

HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER E-100

**RESPECTING OF A PROMPT AND COORDINATED
RESPONSE TO AN EMERGENCY**

The Council of the Halifax Regional Municipality under the authority vested in it by the Emergency management Act, S.N.S. 1990, C.8, S.10, enacts as follows:

Short Title

1. This by-law may be cited as the "Emergency Management By-Law"

Interpretation

2. In this by-law,
 - (a) "Act" means the Emergency Management Act, R.S.N.S. 1990, c.8;
 - (b) "agent" means a person, persons, company or any other organization employed to act on behalf of the Halifax Regional Municipality;
 - (ba) "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality;
 - (c) "Council" means the Council of the Halifax Regional Municipality;
 - (d) "councillor" means a Council member other than the Mayor;
 - (e) "Director" means the Director of the Nova Scotia Emergency Management Organization;
 - (f) "emergency" means a present or imminent event in respect of which the Municipality believes prompt co-ordination of action or regulation of persons or property must be undertaken to protect property or the health, safety or welfare of people in the Municipality;
 - (g) "employee" means a person employed either part or full time by the Halifax Regional Municipality;
 - (ga) "Executive Standing Committee" means the Executive Standing Committee of Council as set out in Administrative Order One;

- (h) "Mayor" includes the Mayor of the Municipality or a councillor acting in the stead of the Mayor;
- (i) "Minister" means the member of the Executive Council to whom is assigned the administration of the Act and regulations;
- (j) "municipal emergency management plans" means plans, programs or procedures prepared by the Municipality that are 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 in the event of such an occurrence;
- (k) Repealed
- (l) "Municipal Emergency Management Co-ordinator" means the person appointed by Council pursuant to this by-law;
- (m) "Municipal Emergency Management Organization" means the organization established pursuant to this by-law;
- (n) "Municipal Emergency Management Planning Committee" means the committee established pursuant to this by-law;
- (o) "Municipality" means the Halifax Regional Municipality;
- (p) "State of Emergency Regulations" means regulations approved by the Governor in Council by Order in Council 2008-211, Regulation 255/2008, as amended from time to time;
- (q) "state of local emergency" means a state of local emergency declared by the Municipality pursuant to the Act or renewed by the Municipality pursuant to the Act and regulations made pursuant thereto and this By-law;
- (r) "volunteer fire fighter" means any individual who gives of their time, skills and knowledge by providing emergency services in accordance with regulations for the Municipal fire service.

Municipal Emergency Management Organization

- 3. (1) The Council hereby establishes a Municipal Emergency Management Organization.
- (2) The Municipal Emergency Management Organization shall consist of the following persons and committees:
 - (a) the Executive Standing Committee;

- (b) a Municipal Emergency Management Co-ordinator; and
- (c) a Municipal Emergency Management Planning Committee.

Executive Standing Committee

4. (1) Repealed

(2) Repealed

(3) The Executive Standing Committee shall:

- (a) advise Council on the development of municipal emergency management plans;
- (b) present municipal emergency management plans to Council;
- (c) brief Council on developments during a local state of emergency; and
- (d) perform such other duties as may be required by the Council.

Municipal Emergency Management Coordinator

5. (1) The Municipal Emergency Management Co-ordinator shall be appointed for such term as the Council deems necessary.

(2) The Municipal Emergency Management Co-ordinator may be paid reasonable expenses for work incurred under this by-law.

(3) The Municipal Emergency Management Co-ordinator shall:

- (a) co-ordinate and prepare municipal emergency management plans, training and exercises;
- (b) be responsible for on-going public self-help education programs related to emergency preparedness;
- (c) following activation of the municipal plan or a declaration of state of local emergency, prescribe, as necessary, duties to be fulfilled by employees, agents, and volunteer fire fighters of the Municipality; and
- (d) perform such other duties as may be required by the Council.

Municipal Emergency Management Planning Committee

6. (1) The Municipal Emergency Management Planning Committee shall be appointed by Council for such term as the Council may prescribe.

(2) The Municipal Emergency Planning Committee shall consist of the Chief Administrative Officer, the Municipal Emergency Management Coordinator, and the business unit director or chief of every municipal department or agency which is assigned emergency related functions under municipal emergency management plans and, where no department or agency exists, a qualified person to represent that group.

(2a) The Chief Administrative Officer will chair the Municipal Emergency Management Planning Committee.

(3) The Municipal Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:

- (a) law enforcement,
- (b) search and rescue,
- (c) fire control services,
- (d) hazardous materials control services,
- (e) transportation,
- (f) engineering services,
- (g) water,
- (h) wastewater,
- (i) solid waste,
- (j) telecommunications,
- (k) financial services,
- (l) legal services,
- (m) administrative services,
- (n) human resource Management (including health and safety),
- (o) information systems,

- (p) purchasing/materials Management,
- (q) physical, social and environmental planning information, and
- (r) public information.

(3a) The Municipal Emergency Management Planning Committee shall also include persons responsible during an emergency to coordinate the following functions with municipal emergency management plans:

- (a) income assistance,
- (b) community services, and
- (c) health services.

(4) The Municipal Emergency Management Planning Committee shall:

- (a) assist the Municipal Emergency Management Co-ordinator in the preparation and co-ordination of municipal emergency management plans;
- (b) advise the Executive Standing Committee on the development of municipal emergency management plans;
- (c) upon request, assist the Executive Standing Committee in the presentation of municipal emergency management plans to Council;
- (d) following activation of the municipal or departmental emergency plan or a declaration of state of local emergency, prescribe, as necessary, duties to be fulfilled by employees, agents, and volunteer fire fighters of the Municipality; and
- (e) perform such other duties as may be required by the Executive Standing Committee or the Council.

(5) Each member of the Municipal Emergency Management Planning Committee shall prepare an emergency plan for the emergency functions assigned to their department, agency or area of responsibility. Members will submit plans to the Municipal Emergency Management Planning Committee for approval. Plans include training and exercise programs.

Agreements

7. (1) Subject to preliminary approval of Council, the Municipal Emergency Management

Planning Committee may, as part of municipal emergency management plans, negotiate an agreement to be approved by the Council or person designated by the Council with the Government of Canada, the Province of Nova Scotia, a municipality, city or town, or any other agency or any person.

(2) Any agreement negotiated under subsection (1) is not binding until it is approved by Council.

Duties of Council

8. (1) The Council shall review and evaluate municipal emergency management plans presented to it by the Executive Standing Committee.

(2) The Council may specify additional duties to be fulfilled by the Executive Standing Committee, the Municipal Emergency Management Co-ordinator and the Municipal Emergency Management Planning Committee.

(3) The Council may appropriate and expend monies.

(a) to pay reasonable expenses of members of the Executive Standing Committee, the Municipal Emergency Management Co-ordinator and the Municipal Emergency Management Planning Committee; and

(b) to fulfil the terms and conditions of an agreement approved by the Council pursuant to Section 7.

Declaration of a State of Local Emergency

9. (1) The Council shall declare a state of local emergency by completing Form 4 attached to the State of Emergency Regulations.

(2) The Mayor, acting under Section 12(3) of the Act shall complete Form 5 attached to the State of Emergency Regulations.

(3) With the approval of the Minister, the Council may renew a state of local emergency by completing Form 6 attached to the State of Emergency Regulations.

(4) The Council may terminate a state of local emergency by completing Form 7 attached to the State of Emergency Regulations.

(5) A copy of a declaration signed under this Section shall immediately be delivered or faxed to the Minister and the Director.

Notice

10. Following the signing of a declaration, renewal or termination under Section 9 of this By-law, the Council shall immediately cause the details of the declaration, renewal or termination to be communicated or published by such means as the Council considers the most likely to make the contents of the declaration, renewal or termination known to the people of the area affected.

Duties During an Emergency

11. (1) Following the activation of any municipal emergency management plan(s)

- (a) every employee, agent, and volunteer fire fighter of the Municipality who has a role in such emergencies as assigned in the municipal emergency management plans, including business unit emergency plans, shall fulfil such reporting duties as may be prescribed by those plans and any additional duties as may be prescribed by the plans and the Municipal Emergency Management Planning Committee.

(2) Following the issuance of a declaration under Section 9 and for the duration of the state of local emergency

- (a) every councillor shall keep the Executive Standing Committee posted respecting their whereabouts.

Done and passed in Council this fourteenth day of May 1996.

(SIGNED)

MAYOR

(SIGNED)

MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of Halifax Regional Council held on May 14th, 1996.

(SIGNED)

Vi Carmichael
Municipal Clerk

(SIGNED) June 6, 1996

APPROVAL OF MINISTER
RESPONSIBLE FOR EMERGENCY
MEASURES ACT

(SIGNED) June 13, 1996

MINISTER OF HOUSING
AND MUNICIPAL AFFAIRS

BY-LAW E-100

Notice of Motion:	April 16, 1996
First Reading:	April 30, 1996
Second Reading:	May 14, 1996
Third Reading:	May 14, 1996
Approval of Minister Responsible for Emergency Management Act:	June 6, 1996
Approval of Minister of Housing & Municipal Affairs:	June 13, 1996
Effective Date:	June 22, 1996

Amendment # 1 (E-101)

Replace all references to emergency measures with emergency management

Notice of Motion:	August 11, 2009
First Reading:	September 8, 2009
Notice of Public Hearing Publication:	September 12, 2009
Second Reading:	September 29, 2009
Approval of Minister of Service Nova Scotia and Municipal Relations:	December 9, 2009
Effective Date:	January 9, 2010