

BYLAW
EMERGENCY MEASURES ORGANIZATION

Pursuant to the powers vested in it under and by virtue of Section 7 of the Emergency Measures Act, the Town Council of the Town of Gander in regular session convened on this 19th day of October, A.D. 1994, hereby passes and enacts the following Bylaw to provide for the establishment of an Emergency Measures Organization.

Claude Elliott
Deputy Mayor

James Butler
Town Clerk

BYLAW

WHEREAS the Emergency Measures Act, pursuant to Section 7 provides that the local authority of each municipality may appoint a Committee of members of the local authority area, to advise on the development of emergency plans and programs and shall fix the expenses of the committee members;

AND SHALL establish and maintain a municipal emergency measures organization;

AND MAY, borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the municipal agency;

AND SHALL appoint a co-ordinator of the municipal agency and prescribe his or her duties which shall include the preparation and co-ordination of emergency plans and programs for the municipality;

AND SHALL prepare and approve emergency plans and programs;

NOW THEREFORE the Town Council of the Town of Gander enacts as follows;

1. In this bylaw,
 - a. “Disaster” means a calamity caused by accident, by an act of war or insurrection or by forces of nature, that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property.
 - b. “Emergency” means a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.
2. The term “Co-ordinator” shall mean the person appointed by the Council of the Town of Gander to organize Emergency Measures in the Town of Gander.

3. The Emergency Measures Organization of the Town of Gander shall comprise the Public Safety Committee, the Emergency Measures Planning Committee, municipal departments and voluntary organizations within the municipality.
4. The responsibility for Emergency Measures Control will be vested in the Public Safety Committee of Council.
5. The Public Safety Committee shall be responsible for:
 - a. Exercise of overall responsibility of planning and coordinating of emergency measures in the Town of Gander.
 - b. Submission to Council of estimates of expenditures for the maintenance and operation of the Emergency Measures Organization;
 - c. Submission to Council at least once per year of a progress report of activities;
 - d. Submission to Council, for approval, of a municipal emergency plan.
6. Subject to Section 5 of this bylaw and subject to any directions of the Town Council, the Public Safety Committee shall be responsible for the carrying out of any emergency measures or emergency activities or works in furtherance of the Emergency Measures Act or this bylaw, and to that end, shall have and is hereby granted and delegated to it the duties and powers of the Town Council, except the power to borrow money, to pass a bylaw or enter into any contracts. Provided however, such delegation of the duties and powers of the Town Council is expressly limited to only the powers of the Town Council necessary to carry out its rights, responsibilities, or duties under the Emergency Measures Act.
7. The Co-ordinator shall have the following duties and responsibilities:
 - a. Acts as Chairman of the Emergency Measures Planning Committee established under this bylaw;
 - b. Stimulates and co-ordinates the development of an emergency plan for the community in cooperation with the departments and agencies of the municipality;
 - c. Provides emergency plans from guidelines laid down by the Public Safety Committee;
 - d. Submits regular reports to the Public Safety Committee to keep them fully informed of progress;

- e. Correlates all activities of those persons and/or organizations involved within the Town of Gander and designated for Emergency Measures Organizations;
- f. Ensures that a continuous program of training for local Emergency Measures Organization personnel is carried out, either by local training classes or attendance at Provincial or Federal training schools;
- g. Cooperates with the Mutual Aid Area and the Emergency Measures Organization on all matters pertaining to planning and operation;
- h. Submits a projected budget to cover costs of emergency measures operations within the municipality;
- i. Acts as advisor to the Municipal Government during emergencies or disasters.

8.

- a. There shall be an Emergency Measures Planning Committee comprised of the Emergency Measures Co-ordinator, the Officer in Charge of the Municipal Police Department, the Fire Chief, and the Director of Public Works and Utilities (or their delegates who are hereby empowered to act on their behalf), and such other person or organizations when required, that may be deemed necessary to formulate a municipal emergency plan.
- b. There shall be a minimum of one joint meeting of the Public Safety Committee and the Emergency Measures Planning Committee annually.

9. The Emergency Measures Planning Committee, as a whole, under the co-ordination of the Chairman will integrate the municipal and voluntary emergency services emergency plans into one comprehensive plan.

10. Each municipal department or voluntary organization of the municipality shall be responsible to develop and execute the emergency plan of the service he or she represents, train municipal employees and volunteers and make a comprehensive study of existing resources.

11. The Council may, from time to time, appropriate and expend monies required to meet the ordinary operating expenses of the said organization.

12. The Town of Gander may enter into agreement with the Province or any other governmental agency as authorized by the provisions of the Emergency Measures Act or regulations thereunder.

13. In the case of an emergency or disaster, the Mayor, or in his/her absence, the Deputy Mayor, is hereby authorized to declare a state of local emergency in the Town of Gander. Upon such

declaration being made, the Town of Gander Emergency Measures Organization shall exercise all powers conferred upon him/her and it by the Emergency Measures Act of the Province of Newfoundland.

14. On the making of the declaration and for the duration of the state of local emergency, the Mayor, or in his/her absence, the Deputy Mayor, may do all acts and take all necessary proceedings including the following:
 - a. Put into operation an emergency plan or program;
 - b. Authorize or require a local authority to put into effect an emergency plan or program for the Town of Gander;
 - c. Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - d. Authorize or require any qualified person to render aid of a type he is qualified to provide;
 - e. Control or prohibit travel to or from an area of the Town of Gander.
 - f. Provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare, and other essential services in any part of the Town of Gander.
 - g. Cause the evacuation of people and the removal of livestock and personal property from any area of Gander that is or may be affected by an emergency or disaster and make arrangements for the adequate care and protection of those people or livestock and or the personal property;
 - h. Authorize the entry into any building or onto any land, without warrant, by any person in the course of implementing an emergency plan or program;
 - i. Cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the scene of an emergency or disaster, or to attempt to forestall its occurrence or to combat its progress;
 - j. Procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within any property, services, resources or equipment within any part of the Town of Gander for the duration of the state of local emergency.
 - k. Authorize the recruitment of persons needed to meet an emergency.

15. In the absence of the Mayor and Deputy Mayor, a majority of the members of the Town Council present are hereby authorized to declare a state of local emergency in the Town of gander under this bylaw.
16. This bylaw shall come into force and take effect on the day of the final passing thereof.