

Berwick Emergency Management By-law

The Council of the Town of Berwick pursuant to section 10(1)(a) [Emergency Management Act](#), S.N.S. 1990, c.8, enacts as follows:

SHORT TITLE

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

INTERPRETATION

2. In this By-law,
 - (a) **Act** means the [Emergency Management Act](#), S.N.S. 1990, c.8;
 - (b) **Agreement** means an Agreement entered into pursuant to section 10(2)(c) of the Act, and section 60 of the *Municipal Government Act* among the Municipality of the County of Kings and the Towns of Kentville, Wolfville and Berwick;
 - (c) **CAO** means Chief Administrative Officer of the Town of Berwick in accordance with the MGA;
 - (d) **Council** means the Council of the Town of Berwick;
 - (e) **Councillor** means a member of the Town of Berwick Council;
 - (f) **Emergency** means a present or imminent event in respect of which the Minister or a municipality, as the case may be, 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 Province;
 - (g) **Mayor** means the Mayor of the Town of Berwick;
 - (h) **MGA** means the *Municipal Government Act*, S.N.S., 1998 c.18, as amended;
 - (i) **Town of Berwick** means the Town of Berwick;
 - (j) **Emergency Management Advisory Committee** means the Advisory Committee established pursuant to s. 10(1)(d) of the Act;
 - (k) **Emergency Management Coordinator** means the person appointed by Council to coordinate plans and responses related to an Emergency;
 - (l) **Emergency Management Organization** means the organization required pursuant to s. 10(1)(b) of the Act;

- (m) **Emergency Management Planning Committee** means a committee comprising public sector staff and not-for-profit personnel with a mandate to assist the Emergency Management Coordinator and the Emergency Management Advisory Committee;
- (n) **Emergency Management Plans** means plans, programs or procedures prepared by the Emergency Management Organization that are intended to mitigate the effects of an emergency or a 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, as set out in clause 2(d) of the Act; and
- (o) **State of Local Emergency** means a state of local emergency declared by the Town of Berwick pursuant to the Act and enabled regulations, and this By-law.

DECLARING A STATE OF LOCAL EMERGENCY

- 3. In accordance with the Act, Council may declare a State of Local Emergency when satisfied that an Emergency exists or may exist in all or any area of the Town of Berwick.
- 4. If Council is unable to act promptly per section 15 of the Act, the Mayor may declare a State of Local Emergency.

LOCAL AND REGIONAL EMERGENCY MANAGEMENT

- 5. In accordance with s. 10 of the Act and with this By-law, the Town of Berwick may enter into an Agreement with the Municipality of the County of Kings and the Towns Kentville and Wolfville to form a Regional Emergency Management Organization (REMO). With an Agreement in effect, a Regional Emergency Advisory Committee shall act in the stead of the Town of Berwick's Emergency Advisory Committee. Similarly, a Regional Emergency Management Planning Committee and a Regional Emergency Management Coordinator will act in place of a Municipal Committee and Coordinator.
- 6. An Emergency may be declared a State of Local Emergency by the Council or by the Mayor in accordance with the Act regardless of whether the State of Local Emergency is exclusive to the Town of Berwick.
- 7. The Chief Administrative Officer shall appoint a municipal staff member to serve as a municipal liaison to the Regional Emergency Management Planning Committee.
- 8. Once the State of Local Emergency is declared, and when the declared State of Local Emergency involves two or more of the parties to an Agreement, the Mayor shall authorize REMO to act in their stead during the declared State of Local Emergency per subsection 15(1)(b) of the Act.
- 9. When there is an Agreement in effect, and when the declared State of Local Emergency is exclusive to the Town of Berwick, the Mayor shall authorize REMO to act in their stead during the declared State of Local Emergency per subsection 15(1)(b) of the Act.
- 10. Cost-recovery policy under REMO shall be detailed in the Agreement.

REGIONAL EMERGENCY MANAGEMENT ORGANIZATION AGREEMENT

11. The Council hereby authorizes the establishment of a REMO pursuant to an Agreement per section 10 of the Act.
12. Without limitation, an Agreement shall contain provisions respecting:
- (a) the composition and role of a Regional Emergency Advisory Committee;
 - (b) the terms of engagement and responsibilities of a Regional Emergency Management Coordinator; and
 - (c) the composition and role of a Regional Emergency Management Planning Committee.

DUTIES DURING AN EMERGENCY

13. Following the activation of any Emergency Plan or a declaration of a State of Local Emergency:
- (a) Every Councillor shall advise the Mayor as to their location and how they may be contacted;
 - (a) Every employee and agent of the Town of Berwick who has a role in such emergencies as assigned in the Emergency Management Plans, shall:
 - i. Advise the Emergency Management Coordinator or the Regional Emergency Management Coordinator, as the case may be, of their location and how they may be contacted; and
 - ii. Fulfill such duties as may be prescribed by the Emergency Management Coordinator or the Regional Emergency Management Coordinator, as the case may be.


REPEAL

14. Town of Berwick Emergency Measures By-law, as amended May 8, 2021, is repealed and replaced by this By-law.



I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL DOCUMENT.

Certified by Michael Payne
this 8th day of March, 2022


Michael R. Payne
Chief Administrative Officer
Town of Berwick



Date of First Reading: February 8, 2022

Date of advertisement of Notice of Intent to Consider: February 17, 2022
and February 24, 2022

Date of Second Reading: March 08, 2022

Date of mailing to Minister a Certified copy of the Bylaw: March 21, 2022

Date of Ministerial Approval: April 13, 2022

Effective Date of Bylaw: April 13, 2022