

CITY OF YORKTON BYLAW NO. 7/98

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**CITY OF YORKTON
SASKATCHEWAN**

BYLAW NO. 7/98

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF
SASKATCHEWAN TO ESTABLISH A MUNICIPAL EMERGENCY
MEASURES DISASTER SERVICES AGENCY**

WHEREAS, the Council of the City of Yorkton is responsible for the direction and control of all emergency responses and is required under *The Emergency Planning Act* to appoint an Emergency Planning Committee and to establish and maintain an Emergency Measures Organization.

AND WHEREAS, it is desirable in the public interest and in the interest of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under *The Emergency Planning Act*.

NOW THEREFORE, the Council of the City of Yorkton in Council assembled enacts as follows:

1. This bylaw may be cited as the Emergency Measures Organization Bylaw.
2. In this bylaw:
 - a) "Act" means *The Emergency Planning Act*.
 - b) "Council" means the Council of the City of Yorkton.
 - c) "Disaster" means a situation that has exceeded or has the potential to exceed the capabilities of local emergency resources.
 - d) "Emergency" means a present or imminent event that requires prompt coordination of actions or special regulations of persons or property to protect the health, safety, or welfare of people or to limit damage to property.
 - e) "Emergency Measures Organization" means the agency as established under this bylaw.
 - f) "Emergency Planning Committee" means the committee as

established by this bylaw.

- g) “Major Emergency” means situations that require substantial commitment and coordination of all or a number of resources of the City of Yorkton. Normally, major emergencies are confined to a single location and their control is within the combined capabilities of the local emergency resources.
 - h) "Minister" means the Minister of Municipal Government.
 - i) "Municipal Emergency Plan" means the emergency plan(s) prepared by the E.M.O. Coordinator to coordinate response to an emergency, major emergency or a disaster.
3. There is hereby established an Emergency Planning Committee to advise Council on the development of emergency plans and programs.
4. There is hereby established an Emergency Measures Organization to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does “not” include the power to declare, renew or terminate a State of Local Emergency, nor the powers contained in Article 12 of this bylaw.
5. Council shall:
- a) By resolution, appoint the Mayor and a minimum two (2) of its members to serve on the Emergency Planning Committee.
 - b) Provide for the payment of expenses of the members of the Emergency Planning Committee.
 - c) By resolution, on the recommendation of the Committee, appoint a Chairperson and Deputy Chairperson.
 - d) Ensure that emergency plans and programs are prepared to address potential major emergencies or disasters in the City of Yorkton.
 - e) Approve the City of Yorkton's emergency plans and programs, and
 - f) Review the status of the Municipal Plan, related plans and programs at least annually.

6. Council may:
 - a) By bylaw; borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Emergency Measures Organization; and
 - b) Enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development of or implementation of emergency plans and programs, including mutual aid programs.
7. The Emergency Planning Committee shall:
 - a) Review the Municipal Emergency Plan and all related plans and programs on a regular basis; and
 - b) Advise Council, duly assembled, on the status of the Municipal Emergency Plan and programs at least annually.
8. The make up of the Local Municipal E.M.O. shall consist of:
 - a. The EMO Coordinator,
 - b. The Deputy Coordinator,
 - c. The City Commissioner, City Clerk, City Treasurer and Support Staff,
 - d. The Chief of Police/designate,
 - e. The Fire Chief/designate,
 - f. The Public Information Officer/designate,
 - g. The Director of Public Works/designate,
 - h. The Ambulance Service Manager,
 - i. The Public Health Officer,
 - j. The Local Hospital Director,
 - k. The Manager of Social Services,
 1. Anyone else who might serve the City in a useful manner in the preparation of emergency planning.
9. The E.M.O. Coordinator shall:
 - a) Prepare and coordinate the Municipal Plan and all related plans and programs for the City of Yorkton.

- b) Act as Director of emergency operations, or ensure that an alternate is designated to act on behalf of the Local Municipal E.M.O.
 - c) Coordinate all emergency services and other resources used during an emergency situation.
10. The powers to declare or renew a State of Local Emergency under the Act, the powers specified in Article 12 of this bylaw, and the requirements specified in Article 15 of this bylaw are hereby delegated to the Committee consisting of the Mayor, City Commissioner and any two (2) members of City Council. This Committee may, at any time when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a State of Local Emergency.
11. When a State of Local Emergency is declared, the Committee making the declaration shall:
- a) Ensure that the declaration identifies the nature of the emergency and the area of the City of Yorkton affected by the emergency.
 - b) Cause the details of the emergency to be published immediately by any means of public communication available to notify the affected population.
 - c) Notify Saskatchewan Emergency Planning as soon as is practical, and;
 - d) Forward a written copy of the declaration to the Minister.
12. Subject to Article 15, when a State of Local Emergency is declared the Committee making the declaration may:
- a) Cause the Municipal Plan, related plan or program to be put into effect.
 - b) Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster.
 - c) Authorize or require any qualified person to render aid of a type that person is qualified to provide.

- d) Control or prohibit travel to or from any area of the City of Yorkton affected by the situation.
- e) Provide for the restoration of essential facilities and the distribution of supplies and provide, maintain and coordinate emergency medical, welfare and other essential services.
- f) Cause the evacuation of persons and the removal of livestock and personal property from any area of the City of Yorkton affected by the situation and make arrangements for the adequate care and protection of these persons or livestock and secure any such personal property.
- g) Authorize the entry into any buildings or on any property -or land, without warrant by any persons acting on behalf of the local E.M.O. in the course of implementing an emergency action plan.
- g) Cause the demolition or removal of any trees, structure or crops if the demolition or removal is necessary or appropriate in order to reach the scene of a disastrous situation, or to attempt to forestall its occurrence or to combat it's progress.
- h) Procure at fixed prices, food clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources or equipment within the City of Yorkton for the duration of the declared state of emergency.

13. When a State of Local Emergency is declared:

- a) Neither Council nor any Member of Council; and
- b) No person appointed by Council to carry out measures relating to major emergencies or disasters.

is liable in respect of damage caused by or through any action taken under the authority of this bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

14. Notwithstanding Article 13:

- a) Council or any Member of Council; and

- b) Any person acting under the direction and authorization of Council, is liable for gross negligence in carrying out their duties under this bylaw.
15. When, in the opinion of the Committee declaring a State of Local Emergency, an emergency no longer exists in relation to which the declaration was made, the Committee shall, by resolution, terminate the declaration for a State of Local Emergency.
16. A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when:
- a) A resolution is passed as per Article 15,
 - b) A period of seven (7) days lapsed since it was declared, unless it was renewed by resolution,
 - c) The Lieutenant Governor in Council makes an Order for State of Local Emergency under the Act relating to the same area; or
 - d) The Minister cancels the State of Local Emergency.
17. When a declaration of a State of Local Emergency has been terminated, the Committee who made the declaration shall cause all details of the termination to be published immediately by what ever means of communication is most Rely to notify the general population of the affected area and shall notify Saskatchewan Emergency Planning as soon as is reasonably practical.
18. Bylaw No. 22/1981, passed on October 5, 1981 providing for the establishment of an Emergency Measures Control Organization, is hereby repealed.

MAYOR

CITY CLERK

Introduced and read a first time this 9th day of February, A.D., 1998.

Read a second time this 9th day of February, A.D., 1998.

Read and adopted a third time this 9th day of February, 1998.