

**City of Chilliwack**

**Bylaw No. 3560**

**A bylaw to provide for a Comprehensive Emergency Program**

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WHEREAS under the provision of Section 6(2) of the *Emergency Program Act*, a local authority must prepare or cause to be prepared, local emergency plans respecting preparation for, response to and recovery from emergencies and disasters;

AND WHEREAS the Council of the City of Chilliwack wishes to provide a comprehensive program of emergency management by a coordinated response of Council, officers and employees of the City of Chilliwack, volunteer services and external agencies, that will respond to natural and man made hazards with the goal of preserving life, property, the local economy and the environment in a comprehensive approach using preparedness, response and recovery, all in a manner that will ensure continuity of government and civic services.

NOW THEREFORE the Council of the City of Chilliwack, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the **“Emergency Program Bylaw 2008, No. 3560”**.
2. The "Chilliwack Emergency Program Bylaw 1996, No. 2398" and amendments thereto are hereby repealed.

**INTERPRETATION**

3. In this bylaw:

“Act” means the *Emergency Program Act*;

“Chief Administrative Officer” (CAO) means the person appointed by Council as the Chief Administrative Officer or their designate;

“City” means the City of Chilliwack;

“Council” means the Municipal Council of the City of Chilliwack;

“Declaration of a state of local emergency” means a declaration, pursuant to Section 12(1) of the Act by the head of the local authority, may, if satisfied that an emergency exists or is imminent in the City for which the local authority has responsibility, declare a state of local emergency relating to all or any part of the City;

“Emergency Program” means the organization, plans and procedures established within the City in order to prepare for, respond to, or recover from, emergencies and disasters, including the procedures set out in this Bylaw;

“Emergency Program Coordinator” means the person appointed by the Chief Administrative Officer to act in that capacity for the City who is deemed to be the coordinator for the Emergency Management Organization of the City pursuant to Section 6(3) of the Act;

“EOC” means the Emergency Operation Centre as defined in the Emergency Program, or such other facility as may be designated from time to time as the EOC;

“EOC Director” means the person in charge of the EOC when it is activated; this person will normally be the CAO or their designate;

“Local Authority” means the Council for the City;

“Mayor” means the person elected as Mayor of the City of Chilliwack and includes the person designated as Acting Mayor at the relevant time if the Mayor is absent, ill or otherwise unable to carry out or exercise the duties and powers of the Mayor.

## **ADMINISTRATION**

4. The Council of the City of Chilliwack hereby delegates the responsibility placed upon it by the Act, except for the declaration of a state of local emergency, to the Emergency Program Organization.
5. The Emergency Program Organization shall consist of:
  - (1) Emergency Executive Committee composed of the Mayor, two appointed Councillors, the Chief Administrative Officer and the Emergency Program Coordinator;
  - (2) Emergency Program Committee composed of the Emergency Program Coordinator, representatives from each City department, each emergency response agency and other external agency representatives as required.
6. The Emergency Program Organization shall meet to develop and implement emergency plans and other preparedness, response and recovery measures for emergencies and disasters.
7. The Emergency Program Organization will be responsible for the following:
  - (1) Preparing an Emergency Plan based on the principles of the British Columbia Emergency Response Management System (BCERMS). Such plan shall provide a general direction and framework that covers preparedness, response and recovery to emergencies;
  - (2) Subject to approval of Council, negotiating agreements with other local authorities and governments for the purpose of establishing mutual aid protocols;
  - (3) Establishing such sub-committees or working groups as it deems necessary to carry out its duties and obligations.
8. The Chief Administrative Officer shall appoint an appropriate individual to act as the Emergency Program Coordinator.

**IMPLEMENTATION OF THE EMERGENCY PLAN**

- 9. A local authority or a person designated in the local authority’s Emergency Plan, whether or not a state of local emergency has been declared, shall cause the plan to be implemented if, in the opinion of the local authority or designated person, an emergency exists or appears imminent or a disaster has occurred or threatens.
- 10. Upon issuance of a declaration of a state of local emergency, the EOC Director or designate will activate whatever portions of the Emergency Plan are required to resolve, mitigate and recover from the conditions that led to the declaration.

**LIABILITY**

- 11. As enabled by the Act, no person, including, without limitation, a local authority, the head of the local authority, a member of the local authority, a volunteer and any other person appointed, authorized or required to carry out measures relating to emergencies or disasters, is liable for any loss, cost, expense, damage or injury to persons or property that results from:
  - (1) the person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this Act or the regulations, unless, in doing or omitting to do the act, the person was grossly negligent; or,
  - (2) any acts done or omitted to be done by one or more of the persons who were, under this Act or the regulations, appointed, authorized or required by the person to do the acts, unless in appointing, authorizing or requiring those persons to do the acts, the person was not acting in good faith.

Received first reading on the 5<sup>th</sup> day of August, 2008.

Received second reading on the 5<sup>th</sup> day of August, 2008.

Received third reading on the 5<sup>th</sup> day of August, 2008.

Reconsidered, finally passed and adopted on the 18<sup>th</sup> day of August, 2008.

“Clint Hames”

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Mayor

“Robert L. Carnegie”

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Clerk