

CITY OF MERRITT

BYLAW NO. 2374

A BYLAW TO ESTABLISH AND MAINTAIN AN EMERGENCY MANAGEMENT ORGANIZATION AND EMERGENCY PROGRAM

The Council for the Corporation of the City of Merritt, enacts as follows:

CITATION

- 1.1 This bylaw may be cited as the “City of Merritt Emergency Measures Bylaw No. 2374, 2024.”

REPEAL

- 2.1 The “City of Merritt Emergency Measures Bylaw No. 1725, 2002”, and all amendments thereto, is hereby repealed.

INTERPRETATION

- 3.1 This bylaw is to be construed in accordance with the *Emergency and Disaster Management Act, S.B.C. 2023, c. 37*, and all Regulations, as amended from time to time, made thereunder.

DEFINITIONS

- 4.1 In this bylaw:
- a) “Act” means the *Emergency and Disaster Management Act, S.B.C. 2023, c. 37*, as amended from time to time;
 - b) “City” means the City of Merritt;
 - c) “Council” means the Municipal Council of the City;
 - d) “Emergency” means a state that
 - (1) is the result of any of the following:
 - (A) an event that
 - i. has occurred, is ongoing or appears imminent, and
 - ii. is caused by one or more incidents, whether or not those incidents occur in the same location or at the same time, of accident, fire, explosion, technical failure, rioting, security threat, terrorist activity within the meaning of section 83.01 of

the Criminal Code, force of nature or a prescribed type of incident;

- (B) the presence, suspected presence or imminent spread of a transmissible disease or an environmental toxin;
 - (C) a prescribed type of event or the presence or suspected presence of prescribed circumstances, and
- (2) requires the prompt coordination of action, or the special regulation of persons or property, to protect
- (A) the health, safety or well-being of persons, or,
 - (B) the safety of property or of objects or sites of heritage value;
- e) “Emergency Program” means the policies, plans, and procedures of the City intended to prepare for, mitigate, respond to, and recover from emergencies;
 - f) “Emergency Volunteer Organization” means a volunteer organization operating within the municipal boundaries of the City that is authorized by the Province of BC in accordance with Division 5 of the Act;
 - g) “Local Recovery Period” means a declaration made by the City in accordance with Division 2 of Part 6 of the Act;
 - h) “State of Local Emergency” means a declaration made by the City in accordance with Division 1 of Part 6 of the Act.

ADMINISTRATION

- 5.1 Council will appoint an Emergency Management Coordinator to perform the day-to-day administration of the emergency program.
- 5.2 Council will establish and maintain an Emergency Executive Committee.
- 5.3 The Emergency Executive Committee shall be composed of:
 - a) the Mayor and two Councillors (one of whom will be the Committee Chairperson);
 - b) the Chief Administrative Officer, or their designate; and,
 - c) the Emergency Management Coordinator, or their designate.
- 5.4 Subject to the approval of the Council, the Emergency Executive Committee may:

- a) make and amend its terms of reference, policies, and procedures;
- b) develop, maintain, and implement an emergency program; and,
- c) enter into emergency agreements in accordance with the Act.

5.5 The Emergency Executive Committee will be considered an Emergency Management Organization for the purpose of the Act.

DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE

6.1 The Emergency Executive Committee will consult with and keep informed relevant parties regarding the development of the emergency program.

6.2 The Emergency Executive Committee will prepare and present to the Council for approval:

- a) a risk assessment as described in the Act;
- b) an emergency plan as described in the Act;
- c) a business continuity plan as described in the Act;
- d) a plan overviewing the communications procedures to be used to distribute information to the public during an emergency;
- e) a plan overviewing how the emergency program is to be financed; and,
- f) a budget for the emergency program.

6.3 The Emergency Executive Committee is responsible for providing general reports respecting the emergency program to the Province of BC in accordance with the Act.

6.4 The Emergency Executive Committee is responsible for providing reports to the Province of BC respecting the declaration of a State of Local Emergency or Local Recovery Period in accordance with the Act.

POWERS OF THE COUNCIL

7.1 The Council by resolution, or the Mayor by order, may perform the following actions in accordance with the Act:

- a) declare, amend or extend, and cancel a State of Local Emergency;
- b) exercise response powers;
- c) declare, amend or extend, and cancel a Local Recovery Period; and,

- d) designate a person or entity to perform the actions listed in sections 7.1 (a), (b), and (c).

7.2 The Council by resolution may perform the following actions in accordance with the Act:

- a) exercise recovery powers;
- b) authorize the City to borrow money when:
 - (1) a State of Local Emergency is in effect; and,
 - (2) a Local Recovery Period is in effect.

EMERGENCY VOLUNTEER ORGANIZATIONS

8.1 The City may provide for the administration of emergency volunteer organizations.

LIABILITY

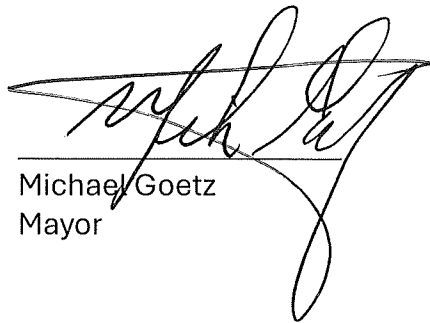
9.1 As enabled by the Act, no person, including, without limitation, the Council, the Mayor, members of the Emergency Executive Committee, employees of the City, a volunteer and any other persons appointed, authorized or required to carry out measures relating to emergencies is liable for any loss, cost, expense, damages or injury to persons or property that result from:

- a. the person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this bylaw, unless, in doing or omitting to do the act, the person was grossly negligent; or,
- b. any acts done or omitted to be done by one or more of the persons who were, under this bylaw, 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.

SEVERABILITY

10.1 If any part, section, sub-section, clause or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

READ A FIRST TIME this	27 th day of August, 2024
READ A SECOND TIME this	27 th day of August, 2024
READ A THIRD TIME this	27 th day of August, 2024
ADOPTED this	24 th day of September, 2024



Michael Goetz
Mayor



Linda Brick
Corporate Officer

