

**Village of Chase  
Emergency Management Bylaw No 715, 2009**

**A bylaw to provide for the Implementation of Emergency Plans in accordance  
with Chapter 111 of the *Emergency Program Act*, RSBC 1996**

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**WHEREAS** the Council of the Village of Chase must establish and maintain an emergency management organization to develop and implement emergency plans;

**AND WHEREAS** the Council of the Village of Chase wishes to provide a comprehensive management program to prepare for, respond to and recover from emergencies and disasters;

**NOW THEREFORE** the Council of the Village of Chase in open meeting assembled enacts as follows:

1. CITATION

1.1. This Bylaw shall be cited as the “**Village of Chase Emergency Management Bylaw No. 715, 2009**”.

2. REPEAL

“The Emergency Measures Bylaw No. 534” of the Village of Chase is hereby repealed.

3. INTERPRETATION

3.1. In this bylaw:

- a. “Council” means the Municipal Council of the Village of Chase,
- b. “Declaration of a State of Local Emergency” means a declaration of Council or the Mayor that an emergency exists or is imminent in the Municipality,
- c. “Emergency Coordinator” means the person appointed by the Thompson Nicola Regional District as head of the Emergency Management Organization,
- d. “Mayor” means a member of Council who is head and Chief Executive Officer of the Municipality or, in the absence of the Mayor, the person appointed Acting Mayor,

- e. "Municipality" means all of the area within the boundaries of the Village of Chase,
- f. "Village of Chase Management Emergency Organization" means the Thompson Nicola Regional District Emergency and Protection Services Committee, the Emergency Coordinator and such other persons and functional groups as they may establish, and which are charged with emergency preparedness, response and recovery measures,
- g. "TNRD" means Thompson Nicola Regional District (Board or its designate).
- h. "Emergency" means a present or imminent event that:
  - i. is caused by accident, fire, explosion or technical failure or by the forces of nature, and
  - ii. 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;

3.2. This bylaw shall be construed in accordance with the *Emergency Program Act*, RSBC 1996 Chapter 111 and all Regulations made there under. In this bylaw, "Act" means the *Emergency Program Act*.

#### 4. ADMINISTRATION

- a. The Village of Chase an Emergency Planning Committee shall be composed of members of the Thompson Nicola Regional District Emergency Management and Protective Services Committee (refer to TNRD Bylaw Nos. 2215 and 2242).

#### 5. POWERS

- 5.1. The Council or Mayor or the Chief Administrative Officer or the Emergency Coordinator, or other person designated by the TNRD may, whether or not a state of local emergency has been declared, cause the emergency plan to be implemented.
- 5.2. The Council by bylaw or resolution, or the Mayor by order when time is of the essence, may declare a state of local emergency when the extraordinary power or authority enabled by Section 12 of the *Act* is required to effectively deal with an emergency or disaster in any part of the municipality.
- 5.3. Upon a declaration of a state of emergency being made, Council or the Mayor or the TNRD or Chief Administrative Officer shall:

- a. Forward a copy of the declaration to the Minister; and
- b. Cause the details of the declaration to be published by a means of communication that the Council or Mayor or the TNRD considers most likely to make the contents of the declaration known to the majority of the population of the affected areas.

4.4. After a declaration of a state of local emergency is made under Section 4.2 in respect of all or any part of the Municipality, and for the duration of the state of emergency, the Council or Mayor or the TNRD may do any or all of the following acts and procedures that are considered to be necessary to prevent, respond to, or alleviate the effects of an emergency or disaster; including any or all of the following:

- a. Acquire or use any real or personal property considered necessary to prevent, respond to or alleviate the effects of an emergency or disaster;
- b. Authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to or alleviate the effects of an emergency or disaster;
- c. Control or prohibit travel to or from any part of the Municipality;
- d. 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 the Municipality;
- e. Cause the evacuation of persons and removal of livestock, animals and personal property from any part of the municipality that is or may be affected by an emergency or a disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and property;
- f. Authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program or if otherwise considered to be necessary to prevent, respond to or alleviate the effects of an emergency or disaster;
- g. Cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered to be necessary or appropriate in order to prevent, respond to or alleviate the effects of an emergency or disaster;
- h. Construct works considered to be necessary or appropriate to prevent, respond to or alleviate the effects of an emergency or disaster;

- i. Procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources or equipment within any part of the municipality for the duration of the local state of emergency; and
  - j. Authorize the Emergency Coordinator (or other person designated by Council or the TNRD to exercise, in any part of the Municipality affected by a declaration of a state of local emergency, those specific powers assumed by the Council or Mayor or the TNRD.
- 4.5. The Council or Mayor must, when of the opinion that an emergency no longer exists in the municipality to which a declaration of a state of local emergency is made;
- a. Cancel the declaration of a state of local emergency in relation to that part:
    - i. By bylaw or resolution, if cancellation is effected by the Council; or
    - ii. By order if the cancellation is effected by the Mayor; and
  - b. Promptly notify the Minister of the cancellation of the declaration of a state of local emergency.

## 5. LIABILITY

As enabled by the *Act*, no person, including, without limitation, the Council, the Mayor, the TNRD, members of the Thompson Nicola Regional District Emergency Management Organization, employees of the Village of Chase, volunteers and any other persons appointed, authorized or requested to carry out measures relating to the emergencies or disasters, is liable for any loss, cost, expense, damages or injury to persons or property that result from:

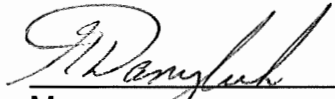
- a. The person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this bylaw, unless, in doing or omitting to do the act, the person was grossly negligent; or
- b. Any acts done or omitted to be done by one or more of the persons who were under this bylaw, appointed, authorized or required by the person to do the acts, unless in appointing, authorizing or requiring the person to do the acts, the person was not acting in good faith.

READ A FIRST TIME this **24** day of February, 2009.

READ A SECOND TIME this **24** day of February, 2009.

READ A THIRD TIME this **24** day of February, 2009.

RECONSIDERED AND FINALLY ADOPTED this **10**, day of March, 2009.

  
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Mayor

  
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Corporate Administrator

Certified to be a true and correct copy of  
"Village of Chase Emergency  
Management Bylaw No.715, 2009" as  
adopted by the Council of the Village of  
Chase this 9<sup>th</sup> day of JUNE,  
2009.

  
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Corporate Administrator