

BY-LAW NUMBER 36-2015

OF

THE REGIONAL MUNICIPALITY OF DURHAM

Being a by-law to provide for the establishment and adoption of an Emergency Management Program for the Regional Municipality of Durham.

WHEREAS, under section 2.1(1) of the *Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9*, as amended (the "Act"), the Council shall pass a by-law formulating or providing for the formulation and implementation of an emergency management program. The emergency management program shall consist of an emergency plan, training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery efforts, and public education on risks to public safety and on public preparedness;

AND WHEREAS, the Act requires the emergency management program to conform to standards promulgated by the Ontario Fire Marshal and Emergency Management (OFMEM), including the four core components of emergency management, namely: mitigation/prevention, preparedness, response and recovery; and also requires every municipality to identify and assess the various hazards and risks to public safety and identify elements of the infrastructure that are at risk of being affected by emergencies;

AND WHEREAS, the Act authorizes the Regional Chair to declare that an emergency exists in the Region or in any part thereof, and allows the Regional Chair to take such action or make such orders as he or she considers necessary and that are not contrary to law, to implement the emergency plan to protect the property and the health, safety and welfare of the residents of the Region;

AND WHEREAS, the Act authorizes one or more members of Council to perform the duties of the Regional Chair during his/her absence or his/her inability to act;

AND WHEREAS, the Act authorizes employees of the Region to respond to an emergency in accordance with the emergency plan where an emergency exists but has not yet been declared to exist;

NOW THEREFORE, the Council of the Regional Municipality of Durham enacts as follows:

1. Definitions

1.1. In this by-law:

"Emergency Plan" means a plan formulated pursuant to the *Emergency Management and Civil Protection Act*

The "Durham Region Emergency Master Plan" (DREMP) describes the overall authority, principles, policies, emergency levels, operational concepts and organizational arrangements of the Durham emergency management structure. .

2. Emergency Management Structure

2.1. There shall be established within the Region, a formal emergency management structure, consisting of:

- a) the Community Emergency Management Co-ordinator (CEMC),
- b) the Durham Emergency Management Office (DEMO),

- c) the Durham Emergency Management Program Committee (DEMPC) and the Durham Emergency Management Working Group (DEMWG)
 - d) the Regional Control Group (RCG).
- 2.2. The designated Community Emergency Management Coordinator (CEMC) for the Region shall be the Director of Emergency Management. The CEMC shall be responsible for the development, implementation and maintenance of the emergency management program.
- 2.3. The head of DEMO shall be the Director of Emergency Management and he or she shall co-ordinate the effective preparedness, response and recovery to an emergency in the Region.
- 2.4. The responsibilities of DEMO shall include:
- a) write and update Regional nuclear and non-nuclear plans and procedures;
 - b) co-ordinate emergency plans with local municipalities, regional departments and agencies;
 - c) develop and conduct Regional emergency management training programs;
 - d) develop and conduct Regional training exercises;
 - e) develop and implement Regional public education programs; and
 - f) during an emergency, provide advice to the Regional Control Group.
- 2.5. The DEMPC shall be established to provide the Region with a higher-level co-ordinating body that will facilitate inter-departmental and municipal level co-operation regarding policy for emergency management and its four components: mitigation, preparedness, response and recovery.
- 2.6. The DEMPC shall be chaired by the Chief Administrative Officer (CAO) of the Region and its members shall include the following, or their designated alternates:
- a) CAO of each local municipality in the Region,
 - b) Chief of Police,
 - c) Regional Fire Co-ordinator,
 - d) Commissioner and Medical Officer of Health,
 - e) Director/Chief, Emergency Medical Services
 - f) Commissioner of Social Services,
 - g) Commissioner of Works,
 - h) Commissioner of Corporate Services
 - i) General Manager, Durham Region Transit
 - j) Director of Corporate Communications
 - k) Director of Emergency Management, and
 - l) Other organizational representatives as determined by the Chair
- 2.7. The members of the DEMPC shall designate at least two alternates to act in their place should the named member be unavailable or unable to fulfill their role.
- 2.8. The DEMPC shall review the state of emergency management in the Region and provide policy advice regarding emergency management to

facilitate co-ordination between the various jurisdictions in the Region. The DEMPC may, as it deems necessary, establish sub-committees and working groups such as the Durham Emergency Management Working Group.

- 2.9. The DEMPC shall sit as the Durham Region Nuclear Emergency Management Coordinating Committee (DRNEMCC) in compliance with its obligations set out in the Provincial Nuclear Emergency Response Plan (PNERP). The DEMPC will review nuclear emergency management. When so sitting, the following will be included as *ex officio* members of the DEMPC: a representative of the Darlington and Pickering Nuclear Generating Stations and a representative of Ontario Fire Marshal and Emergency Management (OFMEM).
- 2.10. The Regional Control Group (RCG) shall control Regional operations during an emergency. Members of the RCG are the following, or their designated alternates:
 - a) Regional Chair (the Executive Authority)
 - b) CAO (RCG Manager)
 - c) Chief of Police
 - d) Regional Fire Co-ordinator
 - e) Commissioner and Medical Officer of Health
 - f) Director/Chief of Emergency Medical Services
 - g) Commissioner of Corporate Services
 - h) Commissioner of Social Services
 - i) Commissioner of Works
 - j) General Manager of Durham Transit
 - k) Director of Corporate Communications
 - l) Director of the Emergency Management

The Regional Chair is hereby authorized to appoint a member of Council as his or her alternate to act in his or her absence. In addition, each member of the RCG shall designate at least two alternates who have the authority to act on his or her behalf should they be unavailable or unable to fulfill their duties.

- 2.11. Depending on the nature of the emergency, the RCG Manager may authorize additional members from other departments or organizations to become members of the RCG.
- 2.12. The RCG shall assemble as soon as is reasonably possible when directed to do so by the Manager of the RCG or the Regional Chair. DEMO shall be responsible for notifying members of the RCG of the direction to assemble.

3. Emergency Management Program

- 3.1. The emergency management program shall be developed and implemented in accordance with the Act and Regulations published by the Ontario Fire Marshal and Emergency Management. The program shall include a hazard identification and risk assessment, an emergency plan, training and exercise programs, and public education on risks and personal preparedness.
- 3.2. The Durham Region Emergency Master Plan (DREMP) shall govern the provision of necessary services during an emergency and the procedures under, and the manner in which employees of the Region will respond. In accordance with the Act, local municipalities' emergency plans shall conform to the DREMP.
- 3.3. The Region shall submit a copy of the DREMP and revisions, to the Chief, OFMEM.

- 3.4. The Director of Emergency Management may add any risk specific support plans to the DREMP, as deemed to be required. These plans will be co-ordinated with appropriate stakeholders and issued under the authority of the CAO.
- 3.5. These plans shall be updated as required and as determined by the Director of Emergency Management.
- 3.6. The DREMP shall be made available to the public.
4. Declaration of an Emergency
 - 4.1. In accordance with the provisions with the Act, the Regional Chair may declare that an emergency exists in the Region or any part thereof (“Regional Emergency”) and may take such action and make such orders as is reasonable and necessary to protect the health, safety and property of the residents of the Region.
 - 4.2. The Regional Chair shall notify the Minister of Community Safety and Correctional Services and local municipalities immediately upon the declaration of a Regional Emergency.
 - 4.3. A Regional Emergency may be declared at the request of the Mayor of the local municipality where the emergency exists, when the resources of the local municipality are overwhelmed, or, when the emergency event affects a significant portion of the residents of more than one local municipality, and only with the concurrence of the Mayors of the affected local municipalities.
 - 4.4. This by-law hereby authorizes employees of the Region to take action in accordance with the Emergency Plan where an emergency exists but has not yet been declared to exist.
 - 4.5. This by-law hereby designates all Regional employees as emergency workers in the event of a Regional Emergency and therefore all Regional employees may be called out and assigned responsibilities to assist in the implementation of the Emergency Plan.
5. This by-law may be referred to as the “EMERGENCY MANAGEMENT BY-LAW”.
6. By-law 04-2004 and 84-2004 are hereby repealed.
7. This by-law shall become effective upon enactment.

BY-LAW read and passed this 24th day of June, 2015.

R. Anderson, Regional Chair and CEO

D. Bowen, Regional Clerk