

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. BL-2024-020

A by-law to repeal by-law 2014-076 and to adopt an Emergency Management Program and Emergency Plan, pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 as amended, and Regulations made thereunder.

WHEREAS under section 2.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 as amended, (the "Act") every municipality is required to develop and implement an emergency management program;

AND WHEREAS the Act requires the emergency management program to conform to the standards set by the Solicitor General, and to comprise an emergency management program committee, an emergency management program coordinator, an emergency plan, public education on risks to public safety and on public preparedness, and 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 WHEREAS the Act requires every municipality, in developing its emergency management program, to identify and assess the various hazards and risks to public safety and the facilities and other elements of the infrastructure that are at risk of being affected by emergencies, and to conform to standards set by Regulation;

AND WHEREAS under section 3 of the Act, every municipality is required to formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency;

AND WHEREAS the Act requires every municipality to adopt by by-law its emergency management program and emergency plan and to review and, if necessary, revise the program and plan every year;

AND WHEREAS the Act requires every municipality to submit a copy of its emergency plan and any revisions thereof to the Chief, Emergency Management Ontario;

AND WHEREAS the Act requires that the emergency plan of a municipality be made available to the public for inspection and copying during normal business hours at an office of the municipality;

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

AND WHEREAS the Act makes provision for one or more members of council of the municipality to be designated to exercise the powers and to perform the duties of the head of council under the Act or the emergency plan during his/her absence or inability to act;

AND WHEREAS the Act provides for the head of council, the council of the municipality or the Premier at any time to declare that an emergency has terminated;

AND WHEREAS the Act authorizes a municipality to exercise a municipal power in response to an order of the Premier or his or her delegate made under section 7.0.3 (2) of the Act without a by-law;

AND WHEREAS the Act authorizes employees of the municipality to take actions under the emergency plan where an emergency exists but has not yet been declared to exist;

AND WHEREAS the Act authorizes a municipality a right of action against any person who caused the emergency for the recovery of such money expended or cost incurred by a municipality in implementation of an emergency plan or in connection with an emergency;

AND WHEREAS the Act authorizes the council of a municipality to make an agreement with the council of any other municipality or with any person for the provision of any personnel, service, equipment or material during an emergency;

AND WHEREAS the Act requires that emergency plan of a lower-tier municipality in an upper tier municipality shall conform to the emergency plan of the upper-tier municipality and has no effect to the extent of any inconsistency;

AND WHEREAS by motion it is deemed expedient that the Council of The Corporation of the Town of Caledon repeal By-law 2014-076, being a by-law to appoint certain individuals as members of the Municipal Emergency Control Group, and to authorize the preparation and maintenance of an emergency plan in accordance with the *Emergency Plans Act*, R.S.O. 1990, c. E.9;

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law,

"Act" means the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended.

"Chief Administrative Officer" means the Chief Administrative Officer for The Corporation of the Town of Caledon.

"Commissioner" means the representative in charge of a department and/or group of departments.

"Committee" means the Emergency Management Program Committee of The Corporation of the Town of Caledon.

"Community Emergency Management Coordinator" means the person designated to carry out the role of this position pursuant to the *Emergency Management and Civil Protection Act* and Regulations made thereunder.

"Community Control Group" means the Municipal Emergency Control Group of The Corporation of the Town of Caledon that will direct the Town's response in an emergency, including implementation of the Town's emergency plan.

"Council" means the Council of The Corporation of the Town of Caledon.

"Declaration of Emergency" means a situation where the Head of Council or the Premier of Ontario declares an emergency in accordance with the *Emergency Management and Civil Protection Act*.

"Emergency" means a situation or an impending situation caused that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or act whether intentional or otherwise.

"Emergency Area" means the area in which an emergency exists.

"Emergency Control Group Manager" means the person designated to co-ordinate the emergency operations of the Control Group.

"Emergency Plan" means a plan formulated pursuant to the Act.

"Head of Council" means the Mayor as defined in the Town's Procedural By-law.

"Mayor" is as defined in the Town's Procedural By-law.

"Program" means an emergency management program established pursuant to the Act that conforms to standards promulgated by the Solicitor General, and in accordance with international best practices, is risk-based and includes the four core components of

emergency management, namely: mitigation/prevention, preparedness, response, and recovery.

"Solicitor General" means the Minister of Community Safety and Correctional Services of the Province of Ontario or any successor minister of the Province of Ontario responsible for emergency planning and response issues.

"Town" means The Corporation of the Town of Caledon.

"Town Area" means the land within the geographic boundaries of the Town of Caledon.

EMERGENCY MANAGEMENT PROGRAM

2. There shall be established an emergency management program for the Town of Caledon to protect public safety, public health, the environment, the critical infrastructure, and property, and to promote economic stability and a disaster-resilient community.

3. The emergency management program shall consist of:

- (1) identification and assessment of the various hazards and risks to public safety that could give rise to emergencies and identification of the facilities and other elements of the infrastructure that are at risk of being affected by emergencies;
- (2) an emergency plan governing the provision of necessary services during an emergency and the procedures by which employees of the Town and others will respond to the emergency;
- (3) public education on the risks to public safety and on public preparedness for emergencies;
- (4) training programs and exercises to ensure the readiness of employees of the Town and others to act under the emergency plan; and
- (5) any other elements required by the standards for emergency management programs set by the Solicitor General.

EMERGENCY MANAGEMENT PROGRAM COMMITTEE

4. There shall be established an Emergency Management Program Committee with membership comprised of the persons serving in the capacity of:

- (1) Chief Administrative Officer (chair);
- (2) Deputy Fire Chief/Community Emergency Management Program Coordinator;
- (3) Commissioner of Finance and Chief Financial Officer;
- (4) Commissioner of Engineering, Public Works and Transportation;
- (5) Commissioner of Community and Human Services; and,

5. The persons serving in the capacity of or designated representatives of the following agencies, boards, commissions, corporations and organizations, may be invited by the Chair to participate in the Committee, with the consent of the appropriate agency, board, commission, corporation or organization:

- (1) Senior OPP Official;
- (2) Peel Regional Emergency Medical Service;
- (3) Officials or employees of any level of government who are involved in emergency management;

- (4) Representatives of organizations outside government who are involved in emergency management; and
 - (5) Representatives of industries who may be involved in emergency management.
6. The Committee shall provide overall guidance and direction to staff with respect to:
- (1) the strategic direction and priorities for the Emergency Management Program.
 - (2) the formulation and development of the Program and the Emergency Plan for all departments of the Town and agencies and local boards under the jurisdiction of Council.
 - (3) the co-ordination of any procedures for implementation of the emergency plans developed by such departments, agencies, and local boards for the purpose of integration with the Emergency Plan;
 - (4) the conduct of training programs and exercises to ensure the readiness of employees of the Town and other persons to act under the Emergency Plan;
 - (5) the conduct of public education on the risks to public safety and on public preparedness for emergencies;
 - (6) the conduct of an annual review of the Program and Emergency Plan and recommendation for revision to Council;
 - (7) ensuring that the Program and Emergency Plan are provided in accordance with the Act, and other relevant legislation and in accordance with corporate policies as well as national, provincial and industrial guidelines/standards; and
 - (8) ensuring that any and all emergency plans of the Town of Caledon conform to those of the Regional Municipality of Peel.
7. The Committee shall provide advice to the Mayor and Council with respect to:
- (1) the Program and Emergency Plan formulated pursuant to this by-law or any recommendation for revision thereto shall be submitted to Council for consideration and adoption by by-law; and
 - (2) all matters relating to the planning and co-ordination of response to emergencies affecting the Town area, or any part or parts thereof that have involved the Control Group, whether or not an emergency has been declared to exist.
8. The Chief Administrative Officer shall be the chair of the Committee and have the responsibility and authority to direct its operations, co-ordinate its activities and convene its meetings, and shall report on its behalf through Council Workshop to Council pursuant to the requirements of this by-law.
9. The Chief Administrative Officer may delegate to one or more members of the Committee all or part of the authority conferred upon him or her with respect to the Committee.
10. The Committee shall meet at a minimum of once per year.
11. A majority of the members of the Committee is necessary to constitute a quorum.
12. Any member of the Committee may designate another individual to attend meetings of the Committee and any such designate shall have all the powers of the member of the Committee for the purposes of such meetings.
13. Reports of the Committee proceedings are to be recorded and kept in accordance with the Town's records management practices.

14. The Committee may, as it deems necessary, establish ad hoc committees and working groups of its members and/or of citizens at large to deal with any special study or assignment coming within its jurisdiction. Such ad hoc committees shall deal only with the matter of question that is referred to it for consideration and shall be disbanded upon completion of the assignment.
15. The Committee may add any risk specific support plans to the Emergency Plan, as deemed to be required. These plans shall be coordinated with all appropriate stakeholders and issued under the authority of the Chief Administrative Officer.

COMMUNITY EMERGENCY MANAGEMENT PROGRAM COORDINATOR

16. The person serving in the capacity of Deputy Chief, Training and Emergency Management of Caledon Fire and Emergency Services is hereby designated the Community Emergency Management Program Coordinator (CEMC) for the Town of Caledon.
17. The Program Committee shall designate two additional members of staff to be alternate CEMCs, trained and qualified to assume the powers and duties of the CEMC during the absence of the CEMC or during his or her inability to act.
18. The CEMC shall be responsible for the development, implementation, and maintenance of the Town of Caledon's emergency management program in accordance with the Act and any regulations passed thereunder.
19. The duties of the Community Emergency Management Coordinator shall include:
 - (1) coordinating the development, implementation, maintenance and review of the Emergency Management Program and Emergency Plan, including the development of supporting plans;
 - (2) coordinating the effective preparedness, response and recovery to emergencies in the Town of Caledon, including participation in training required under the Act;
 - (3) coordinating the Emergency Plan of the Town as necessary with agencies carrying out operations locally;
 - (4) developing and conducting emergency management training and exercise programs for Town of Caledon employees and such other persons, agencies and authorities as may agree to participate to ensure readiness to act under the Emergency Plan;
 - (5) developing and implementing public awareness and education programs;
 - (6) ensuring, in accordance with the Act, that the Chief, Emergency Management Ontario has at all times the most current version of the Emergency Plan and amendments;
 - (7) providing advice and information during an emergency to the Emergency Control Group and carrying out other duties as may be assigned by the Emergency Plan; and
 - (8) reporting to the Emergency Management Program Committee on all matters pertaining to the Emergency Management Program and Emergency Plan.

EMERGENCY CONTROL GROUP

20. The Emergency Control Group (ECG) shall direct the Town's response during an emergency.
21. Members of the Group are the individuals serving the capacity of:
 - (1) Chief Administrative Officer (ECG Manager);
 - (2) Town Clerk;
 - (3) Alternate ECG Manager;

- (4) Deputy Fire Chief/Community Emergency Management Program Coordinator (CEMC);
 - (5) Health and Safety Officer
 - (6) Commissioner of Finance
 - (7) Manager of Communications (Emergency Information Officer); and
 - (8) any other employees as the ECG Manager deems appropriate to the current emergency.
22. The persons serving in the capacity of or designated as representatives of the following agencies, boards, commissions, corporations and organizations, may be invited by the Chair to participate in the Committee, with the consent of the appropriate agency, board, commission, corporation or organization:
- (1) Senior OPP Official;
 - (2) Peel Regional Medical Service;
 - (3) Region of Peel Medical Officer of Health;
 - (4) Region of Peel Commissioner of Social Services; and
 - (5) any other persons as the ECG Manager deems appropriate to the current emergency.
23. The Chief Administrative Officer shall be the Emergency Control Group Manager, with the responsibility and authority to co-ordinate its activities, authorize any extraordinary expenditures, as may be required, and convene and chair its meetings.
24. The Deputy CAO shall be the alternate Emergency Control Group Manager.
25. The person serving in the capacity of Manager of Communications is hereby designated the Emergency Information Officer for the Town of Caledon for the purposes of the Act.
26. The Emergency Information Officer shall advise the Emergency Control Group on matters pertaining to public information, public affairs, and media relations, and shall provide information and updates to the media and the public.
27. Any member of the Control Group may designate another individual to act in his or her stead as a member of the Control Group.
28. In the event of an emergency, whether or not declared under this by-law or under the Act, the Control Group is authorized to:
- (1) initiate, co-ordinate, direct and otherwise bring about the implementation of a plan formulated pursuant to this by-law;
 - (2) expend funds required to obtain and distribute emergency materials, equipment and supplies, notwithstanding the requirements of any by-law governing the commitment of funds and the payment of accounts; and
 - (3) obtain volunteer support from public agencies and other persons as considered necessary and to indemnify such agencies, their personnel, and other persons engaged in work that resulting has been authorized pursuant to this by-law or any other law, from liability for any acts or omissions from any actions taken pursuant to this by-law or any other law.
29. The Chief Administrative Officer shall ensure that the Mayor and Council are kept informed of the progress of the Town's response.

DECLARATION OF EMERGENCY

30. The Head of Council, may, in accordance with the provisions of the Act, declare that an emergency exists in the Town area or in any part thereof and may take such action, including authorizing extraordinary expenditures, and make such orders as he or she considers reasonable and necessary and not contrary to law to declare in effect and implement the Emergency Plan and to protect property and the health, safety and welfare of the inhabitants of the emergency area.
31. The Head of Council shall ensure that the Solicitor General, the Members of Council and the Region of Peel are notified forthwith of a declaration made pursuant to this by-law.
32. The Head of Council shall call a special meeting of Council within 72 hours of the declaration that an emergency exists in the Town area or in any part thereof, or as

soon thereafter as practicable for the purpose of providing information about the emergency, unless the emergency has been terminated prior to that time.

33. The Head of Council or Council may declare the termination of an emergency at any time and the Head of Council shall ensure that the Solicitor General and the Members of Council and the Region of Peel are notified forthwith of such declaration.

34. A declaration made under this by-law shall contain:

- (1) a statement of the circumstances which caused it to be made; and
- (2) a designation of the part or parts of the Town area to which the declaration applies.

EMERGENCY PLAN

35. Schedule A, attached hereto, the Town of Caledon "Community Emergency Response Plan", also known as the "Emergency Plan" is hereby adopted. The Emergency Plan shall govern the provision of necessary services during an emergency and the procedures under, and the manner in which employees of the Town will respond.

36. The Emergency Plan and support plans shall be updated as required and the CEMC is authorized to promulgate, without prior reference to the Council, such amendments as are of an administrative and non-operational nature and are necessary to maintain the currency of the Emergency Plan.

37. The Emergency Plan, or any amendments to the Plan, shall be filed immediately with the Town Clerk and shall be submitted to the Chief, Emergency Management Ontario as identified in the Act.

38. The Emergency Plan and any risk specific plans shall be made available to the public for inspection and copying at the office of the Town Clerk during ordinary business hours.

39. Employees of the Town are authorized to take such action in accordance with the Emergency Plan as is reasonable and necessary where an emergency exists but has not yet been declared to exist.

40. Employees of local boards, agencies, public utilities and all other persons participating in the implementation of a plan during a declaration of emergency under the direction of the Control Group or of municipal employees acting thereunder shall, for the purposes of the Act, be deemed to be employees of the Town to the extent to which Council is authorized to do so.

41. In the event of any dispute with respect to the contents of the Emergency Plan, the information contained in the Emergency Plan held by the Town Clerk shall be deemed to be correct.

REPEAL OF BY-LAW 2014-076

42. By-law 2014-076, being a by-law to establish an Emergency Measures Plan and Program, to appoint a Municipal Emergency Services Coordinator is hereby repealed.

VALIDITY

43. In the event any Provision, or portion thereof, of this by-law (including all schedules) is found by a court of competent jurisdiction, to be ultra vires, such provision or part thereof shall be deemed to be severed and the remaining portion of such provisions and all other provisions of this by-law (including all schedules) shall remain in full force and effect.

44. This by-law may be referred to as the "EMERGENCY MANAGEMENT BY-LAW".

FORCE AND EFFECT

45. This by-law shall come into force and effect immediately upon the final passing thereof.

Enactment

This By-law shall come into full force and effect on the day of its passing.

Enacted by the Town of Caledon Council this 26th day of March, 2024.

Annette Groves, Mayor

Kevin Klingenberg, Municipal Clerk