

## **DISTRICT OF MACKENZIE**

### **BYLAW NO. 1530**

A Bylaw of the District of Mackenzie to provide for a comprehensive program of emergency planning and management.

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

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

**NOW THEREFORE** Council of the District of Mackenzie in open meeting assembled ENACTS AS FOLLOWS:

#### **TABLE OF CONTENTS**

##### **PART 1 – INTRODUCTION**

- 1.1 Title
- 1.2 Duties & Responsibilities

##### **PART 2 – INTERPRETATION AND GENERAL PROVISIONS**

- 2.1 Words and Phrases
- 2.2 Definitions
- 2.3 Conflict
- 2.4 Application
- 2.5 Duty of Care
- 2.6 Emergency Program

##### **PART 3 – ADMINISTRATION**

- 3.1 Authority and Powers of Mayor and Council
- 3.2 Emergency Program Coordinator
- 3.3 Authority of the Emergency Program Coordinator
- 3.4 Emergency Management Team
- 3.5 Authority of the Emergency Management Team

##### **PART 4 – LIABILITY**

- 4.1 Bylaw Liability

##### **PART 5 – PLANNING & TRAINING**

- 5.1 Emergency Planning
- 5.2 Training

##### **PART 6 – FEES**

- 6.1 Wages

##### **PART 7 – MISCELLANEOUS**

- 7.1 Severability
- 7.2 Repeal

## **PART 1 – INTRODUCTION**

### **1.1. Title**

- A) This Bylaw shall be known and cited for all purposes as “Emergency Program Bylaw, No. 1530, 2026”

### **1.2. Duties and Responsibilities**

- A) This Bylaw outlines the duties and responsibilities of the District of Mackenzie, as required under the *Emergency Disaster Management Act*.

## **PART 2 - INTERPRETATION AND GENERAL PROVISIONS**

### **2.1. Words and Phrases**

- A) Unless specifically defined herein, words and phrases used in this Bylaw shall be construed in accordance with the meanings assigned to them by the *Emergency Disaster Management Act* or the *Community Charter*, all as may be amended or replaced, as the context and circumstances require.

### **2.2. Definitions**

In this Bylaw:

“**Act**” means the Emergency Disaster Management Act, SBC 2023, Chapter 37, as amended or replaced.

“**Authority Having Jurisdiction**” means the governmental agency having regulatory authority over a specific aspect of a project.

“**CAO**” means the Chief Administrative Officer or their authorized designate.

“**Community Charter**” means the Community Charter, SBC 2003, c. 26, as amended or replaced.

“**Declaration of a State of Local Emergency**” means a declaration, pursuant to Section 95(1) of the Act, by the Chair, or by a municipal council or Mayor, or by a Band Council or Chief as the case may be, that an emergency exists or is imminent.

“**Director**” means the person appointed as the head of a Department of the Municipality or their designate.

**"Disaster"** having the same meaning under the Act, meaning a calamity that:

- i. is caused by accident, fire, explosion or technical failure or by the forces of nature, and;
- ii. has resulted in serious harm to the health, safety or welfare of people, or in widespread damage to property.

**"Emergency Program Coordinator"** means the person appointed under section 20 (2)(a) of the Act as head of the District of Mackenzie Emergency Program, or their authorized designate.

**"Emergency"** having the same meaning under the Act, meaning 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.

**"Emergency Management Program"** means the organization, plan and procedures established from time to time for overall coordination of emergency planning, preparedness, response, and recovery actions within the District of Mackenzie.

**"Emergency Management Team"** means District of Mackenzie staff, the Emergency Program Coordinator, and any other persons appointed, as well as functional groups established, to carry out emergency preparedness, response, and recovery activities.

**"Emergency Plan"** means the District of Mackenzie Emergency Response and Recovery Plan as amended or replaced.

**"Employee"** means an exempt staff member that is employed by the District of Mackenzie.

**"EOC"** means the Emergency Operations Centre as defined in the Emergency Management Program, or such other facility as may be designated from time to time as the EOC.

**"EPC"** means the Emergency Program Coordinator.

**"ESS"** means Emergency Support Services.

**"Municipality"** means the District of Mackenzie or the geographic area within the municipal boundaries, as the context requires.

**"Municipal Council"** or **"Council"** means the elected council of the Municipality.

**"Mayor"** means the member of Council who is head and chief executive officer of the Municipality, or their designate.

**"Manager"** means any exempt employee directly responsible for the management of District of Mackenzie staff members, and the day-to-day operations, coordination, and planning of a department.

### **2.3. Conflict**

- A) In the event of a conflict, discrepancy, variation or inconsistency between any provision of this bylaw and the Act, the provisions of the Act, as the case may be, shall prevail over the provisions of this bylaw to the extent of any conflict, discrepancy, variation or inconsistency.

### **2.4. Application**

- A) The provisions of this bylaw apply to the District of Mackenzie in its entirety.

### **2.5. Duty of Care**

- A) This bylaw does not create any duty of care whatsoever on the Municipality or its elected officials, officers, employees or agents in respect of enforcement or failure to enforce this bylaw.

### **2.6. Emergency Program**

- A) The following entities and persons are part of the District of Mackenzie Emergency Program:
  - (1) Mayor and Council
  - (2) An EPC
  - (3) An Emergency Management Team

## **PART 3 – ADMINISTRATION**

### **3.1. Authority and Powers of Mayor and Council**

- A) The EPC or the CAO may, whether or not a state of local emergency has been declared, cause the Emergency Plan to be implemented.
- B) Council, by bylaw or resolution, or the Mayor, by order, may declare a state of local emergency when the extraordinary powers or authority enabled by the Act are required to effectively deal with an emergency or disaster in any part of the Municipality.
- C) Upon a Declaration of a State of Local Emergency being made, Council and the Mayor authorize the EOC to:
  - (1) forward a copy of the declaration to the Minister; and
  - (2) cause the details of the declaration to be published by a means of communication that the EOC considers most likely to make the contents of the declaration known to the majority of the population of the affected area.
- D) After a Declaration of a State of emergency is made under the Act in respect of all or any part of the Municipality, and for the duration of the state of emergency, Council or Mayor may do any or all acts considered necessary and implement procedures that Council or Mayor considers necessary to prevent, respond to or alleviate the effects of an emergency or a disaster, including any or all of the following:
  - (1) acquire or use any real or personal property considered necessary to prevent, respond to or alleviate the effects of an emergency or disaster;
  - (2) 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;
  - (3) control or prohibit travel to or from any part of the Municipality;
  - (4) 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;
  - (5) cause the evacuation of persons and the 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 personal property;
  - (6) 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 by Council or Mayor to be necessary to prevent, respond to or alleviate the effects of an emergency or disaster;

- (7) cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered by Council or Mayor to be necessary or appropriate in order to prevent, respond to or alleviate the effects of an emergency or disaster;
  - (8) construct works considered by Council or Mayor to be necessary or appropriate to prevent, respond to or alleviate the effects of an emergency or disaster;
  - (9) 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
  - (10) authorize the EPC, or the CAO to exercise, in any part of the Municipality affected by a declaration of a local state of emergency, those specific powers enabled in the Act and assumed by Council or Mayor.
- E) Unless extended under the Act, a declaration of a state of local emergency expires 14 days after being made. If Council or the Mayor, is of the opinion that an emergency no longer exists in the Municipality to which a declaration of local state of emergency was made, under the guidance of the EOC, Mayor or Council authorizes the Emergency Management Team to:
- (1) Cancel the Declaration of a State of Local Emergency in relation to that part
    - (i) by bylaw or resolution, if cancellation is effected by Council, or;
    - (ii) by order, if the cancellation is effected by the Mayor, and;
    - (iii) Promptly notify the Minister of the cancellation of the Declaration of a State of Local Emergency;
    - (iv) Publish the expiry or cancellation of the declaration.

### **3.2. Emergency Program Coordinator**

- A) The EPC:
- (1) shall be appointed by the Municipal Council; and
  - (2) is accountable to the CAO.

- B) Any references to the EPC in this bylaw shall include a reference to any person duly authorized by the EPC to exercise any of the EPC's powers or to carry out any of the EPC's duties under this bylaw.

### **3.3. Authority of the Emergency Program Coordinator**

- A) The EPC is authorized to:
  - (1) Provide leadership and administration for the emergency management program;
  - (2) Coordinate and/or supervise any sub-committees or work groups;
  - (3) Develop strategic plans, action plans, and budgets;
  - (4) Maintain all emergency plans and documentation;
  - (5) Coordinate a training and exercise program;
  - (6) Coordinate with other governments, non-government organizations, First Nations, and private sector organizations;
  - (7) Establish and maintain an EOC;
  - (8) Establish, coordinate, and support ESS programs;
  - (9) Manage and facilitate emergency preparedness, response, and recovery measures within the District of Mackenzie;
  - (10) Appoint or authorize staff members to exercise any of the Emergency Program Coordinator's powers on such terms and conditions as the Emergency Program Coordinator considers appropriate and revoke any such appointment or authorization;
  - (11) Carry out all other actions the EPC is authorized to perform pursuant to this bylaw, the Act and any statute or regulation.

### **3.4. Emergency Management Team**

- A) The District of Mackenzie Emergency Management Team shall be composed of:
  - (1) The EPC;
  - (2) The CAO;

- (3) Directors and Managers of the Fire Department, Recreation Services Department, Public Works Department, Finance Department, and Corporate Services Department; and
  - (4) Such other members and Employees that the EPC or CAO may determine.
- B) The Emergency Management Team shall prepare and present to the Council for review:
- (1) A list of hazards to which the Municipality is subject and which also indicates the relative risk of occurrence;
  - (2) Plans respecting the preparations for, response to and recovery from the emergencies and disasters which include:
    - (i) A periodic review and updating of plans and procedures for that review;
    - (ii) Procedures by which physical and financial emergency resources or assistance may be obtained; and
    - (iii) Procedures by which emergency plans are to be implemented.

### **3.5. Authority of the Emergency Management Team**

- A) Mayor and Council hereby delegates its responsibilities and powers under the Act, except for the power to make, amend, or rescind a Declaration of a State of Local Emergency, to the Emergency Management Team.
- B) Subject to the approval of Council, the Emergency Management Team is authorized to:
- (1) Make and amend its terms of reference, policies, and procedures;
  - (2) Enter into agreements with regional districts, First Nations, or other municipalities for the purpose of emergency assistance or the formulation of coordinated emergency preparedness, response or recovery;
  - (3) Enter into agreements with individuals, bodies, corporations, or other non-government agencies for the provision of goods or services.

## **PART 4 – LIABILITY**

### **4.1. Bylaw Liability**

- A) As enabled by the Act, no person, including, without limitation, Council, the Mayor, members of the District of Mackenzie Emergency Management Team, employees of the District of Mackenzie, a volunteer and any other persons appointed, authorized or requested to carry out measures relating to emergencies or disasters, is liable for any loss, cost, expense, damages or injury to persons or property that result from:
- B)
  - (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 bylaw, 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 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.

## **PART 5 – PLANNING AND TRAINING**

### **5.1. Emergency Planning**

- A) The District of Mackenzie shall, in accordance with the Act:
  - (1) Prepare and maintain a risk assessment with respect to prescribed hazards;
  - (2) Prepare, maintain and implement an emergency management plan;
  - (3) Prepare and maintain a business continuity plan; and
  - (4) Prepare, maintain and implement emergency management and business continuity plans that outline critical infrastructure planning, assessments, and protection measures.
- B) The District of Mackenzie shall prepare an Emergency Plan in accordance with the Act that includes:
  - (1) Measures necessary or advisable for the purposes of each phase;
  - (2) The roles, powers, and duties of persons identified in the plan by name, title, or position;
  - (3) Requirements for emergency resources;
  - (4) Procedures for engaging emergency systems;

- (5) The emergency management training and exercise programs that will be conducted;
  - (6) Measures to mitigate any adverse effects of an emergency on
    - (i) Individuals who may experience intersectional disadvantage;
    - (ii) Vulnerable individuals, animals, places or things;
  - (7) Measures to promote cultural safety;
  - (8) Any additional information as required to complete the plan.
- C) Additionally, in accordance with the Act, the District of Mackenzie shall:
- (1) Create a plan for the evacuation and care of individuals and animals in the area within the local jurisdiction, which is to be included in the Emergency Management Plan.

## **5.2. Training**

- A) The EPC shall be responsible for developing and maintaining an Emergency Management Team Training Program in accordance with the Act that:
- (1) Provides introductory training to new staff members;
  - (2) Provides annual training and professional development to team members; and
  - (3) Provides basic introductory and awareness training to Mayor and Council.
- B) Staff members who are part of the Emergency Management Team shall be required to actively participate in training and exercise events.

## **PART 6 – FEES**

### **6.1. Wages**

- A) Council and Mayor hereby authorizes staff members to be compensated at a rate in accordance with provincial and federal employment standards during the course of their duties within the District of Mackenzie Emergency Program, and during an EOC activation.

## **PART 7 – MISCELLANEOUS**

### **7.1. Severability**

- A) If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

**7.2. Repeal**

- A) "Emergency Measures Bylaw, 2002, No. 1102" and all its amendments are hereby repealed, and all references in other bylaws of the District to "Emergency Measures Bylaw, 2002, No. 1102" are hereby amended to refer to this "Emergency Program Bylaw, 2026, No. 1530".

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

I hereby certify the foregoing  
to be a true and correct copy  
of District of Mackenzie Bylaw  
No. 1530 cited as "Emergency  
Program Bylaw No. 1530, 2026".

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

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Corporate Officer