

**TOWN OF NORMAN WELLS**

**BY-LAW NO. 16-01**

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**A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF NORMAN WELLS IN THE NORTHWEST TERRITORIES IS RESPONSIBLE TO ESTABLISH AN EMERGENCY MEASURES COMMITTEE UNDER THE CIVIL EMERGENCY MEASURES ACT, R.S.N.T. 1988, c.C-9 AND THE CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C-22.**

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**WHEREAS** the Council of the Town of Norman Wells is responsible for the direction and control of its emergency response and is required to prepare and approve emergency plans and programs; appoint an Emergency Measures Committee, establish and maintain a Emergency Measures Organization; appoint a Coordinator of the Emergency measures Organization and establish the duties of the coordinator.

**NOW, THEREFORE,** The Council of the Town of Norman Wells, in regular session duly assembled, hereby enacts as follows:

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| Title                        | 1. This by-law may be cited as the "Emergency Measures By-law".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Interpretation               | 2. In this by-law;<br><br>"Act" means Civil Emergency Measures Act, R.S.N.T. 1988.<br>c. C-9;<br><br>"Council" means the Council of the Town/Village;<br><br>"Community" means the geographic area under the jurisdiction of the local authority;<br><br>"Coordinator of the Emergency Measures Organization" means the person appointed as the Coordinator under Section 5 of this by-law;<br><br>"Emergency Measures Organization" means the Organization established under this By-law,<br><br>"Emergency Measures Committee" means the committee established under this By-law,<br><br>"Emergency Plan" means the Emergency Measures Plan of the Town/Village;<br><br>"Emergency Meeting of Council" means an emergency meeting of Council as described in the Cities, Towns and Villages Act, S.N.W.T. 2003, C-22;<br><br>"Mayor" means the Mayor of the Town/Village or alternate Identified by Council;<br><br>"Minister" means the Minister responsible for the Civil Emergency Measures Act<br><br>"Town Manager" means the Senior Administrative Officer of the city, town or village or designate appointed pursuant to the Cities Towns & Villages Act; and<br><br>"Town" means the community government of the Town of Norman Wells |
| Emergency Measures Committee | 3. There is hereby established an Emergency Measures Committee to advise Council on the development of emergency plans and programs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

- Emergency Measures Organization 4. There is hereby established an Emergency Measures Organization to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, or the powers contained in Sections 7 and 11 of this By-law.
- Coordinator 5. The S.A.O. of the Town or his/her designate is hereby appointed the Coordinator of the Emergency Measures of the Town
- Council Duties 6. Council shall:
- a) by resolution, appoint three of its members to serve on the Emergency Measures Committee;
  - b) provide for the payment of expenses of the members of the Emergency Measures Committee;
  - c) by resolution, appoint a Deputy Coordinator of Emergency Measures who shall do those things delegated by or required of the Coordinator of Emergency Measures in that person's absence,
  - d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Norman Wells,
  - e) ensure the public is informed of the emergency measures program and community risks;
  - f) approve the Town of Norman Wells emergency plans and programs; and
  - g) review the status of the Emergency Plan and related plans and programs at least once each year.
7. Council may
- a) by By-law borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Emergency Measures Organization;
  - b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency plans or programs, including mutual aid plans and programs; and c) during or within 60 days after the declaration of a state of local emergency, by bylaw, borrow the necessary funds to pay for the expenses of the emergency under the provisions and conditions of Sections 17 (4) and (5) of the Act .
- Committee Structure 8. That the Emergency Measures Organization committee shall consist of eighteen (20) members who shall be appointed by resolution of Council.
- a. That members of the Committee shall include:  
2 Council members, and
- Representatives from each of the following organizations:
- I. Senior Administrative Officer Town Of Norman Wells
  - II. Fire Chief or designate
  - III. GNWT Public Works and Services Manager or designate
  - IV. Representative from Health Center
  - V. Representative from RCMP
  - VI. Manager of Arctic Airports or designate
  - VII. Principal of Mackenzie Mountain School or designate

- VIII. Representative from Municipal and Community Affairs
- IX. Representative from Health and Social Services
- X. Representative from Environment & Natural Resources
- XI. Representative from NWT Power Corporation
- XII. President of Norman Wells Chamber of Commerce or designate
- XIII. Coroner
- XIV. Representative from Norman Wells Land Corporation

Committee Procedures

9. The following are the committee procedures:
- a. That meetings of the Committee shall be held at a time as deemed necessary to be set by resolution of the Committee.
  - b. That a quorum for regular and special meetings of the Committee shall be six (6) members from six different organizations, one of whom shall be a Councillor.
  - c. That the Chairperson or Alternate Chairperson may call special meetings. Special meetings of the Committee may be called on forty-eight (48) hours written notice by the Chairperson at the request of any three (3) members of the Committee.
  - d. That the Chairperson, when present and every Committee member shall vote on every matter unless, in a specific case, the Chairperson or any member is excused by resolution of the Committee from voting.
  - e. That any Conflict of Interest legislation or policy adopted by Council shall be applicable to the Committee.
  - f. That neither the Committee nor any member thereof, shall have the power to pledge the credit of the Town in connection with any matters whatsoever, nor shall the said Committee, or any member thereof, have any power to authorize any expenditure charged against the Town.
  - g. That meeting procedures shall be conducted in accordance with good meeting practices.
  - h. That all meetings of the committee shall be open to the public.

Duties of the Emergency Measures Committee

10. The Emergency Measures Committee shall
- a) review the Emergency Plan and related plans and programs on a regular basis; and
  - b) advise Council, duly assembled, on the status of the Emergency Plan and related plans and programs at least once each year.

Composition of the Emergency Measures Organization

11. The Emergency Measures Organization shall be composed of those listed in the Emergency Plan of the Town of Norman Wells

Duties of the Coordinator

12. The Coordinator of Emergency Measures shall
- a) prepare and co-ordinate the Emergency Plan and related plans and programs for the Town of Norman Wells
  - b) act as director of emergency operations, or ensure that someone is designated under the Emergency Plan to so act, on behalf of the Emergency Measures Organization;

- c) submit to Council an accounting of the costs of an emergency measures response,
  - d) co-ordinate all emergency services and other resources used in an emergency; and
  - e) develop and implement an annual public education and awareness program ;
- or ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), (c), (d) and (e).

State of Local  
Emergency

- 13. Council may declare, terminate or renew by resolution, a state of local emergency in accordance with Section 14, 15, 16 and 17 of Civil Emergency Measures Act, R.S.N.T. 1988. c. C-9 and Section 27 of the Cities, Towns and Villages Act.
- 14. The power to declare, terminate or renew a state of local emergency specified in Section 11 of this By-law are hereby delegated to a committee composed of the Mayor and the Deputy Mayor, alone, or in their absence, any two members of Council.
- 15. On making a declaration of a state of local emergency a state of local emergency, the local authority may for the duration of the order, do all acts and take all necessary proceedings including:
  - a) cause the Emergency Plan or any related plans or programs to be put into operation;
  - b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
  - c) authorize or require any qualified person to render aid of a type he or she is qualified to provide; or
  - d) cause the demolition or removal of vegetation, structures, equipment or vehicles, any trees, structures or crops if this is necessary or appropriate to reach the scene of a disaster or to attempt to prevent or combat a disaster.
- 16. Immediately on making a declaration, termination or renewal of a state of local emergency details of these orders shall be notified to the public and the Minister in accordance with Section 14, 15 and 16 of Civil Emergency Measures Act, R.S.N.T. 1988. c. C-9.
- 17. When a state of local emergency is declared,
  - a) neither Council nor any member of Council, and
  - b) no person appointed by Council to carry out measures relating to emergencies or disasters, is liable in respect of damage caused through any action taken under this By-law, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
- 18. Notwithstanding Section 15,
  - a) Council and any member of Council, and
  - b) Any person acting under the direction or authorization of Council is liable for gross negligence in carrying out their duties under this By-law.

19. When, in the opinion of the person or persons declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration and shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.
20. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when
  - a) a resolution is passed under Section 11;
  - b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;
  - c) the Minister makes an order for a state of emergency under the Act relating to the same area; or
  - d) the Minister cancels the state of local emergency.
21. By-law No. 09-20 is hereby repealed and this By-law shall come into effect upon receiving Third and final Reading and otherwise meets the requirements of Section 58 of the Cities, Towns and Villages Act S.N.W.T. 2003, C-22.

READ a First Time this 5th day of April, A.D., 2016.

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MAYOR

\_\_\_\_\_  
SENIOR ADMINISTRATIVE OFFICER

READ a Second Time this 5th day of April, A.D., 2016.

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MAYOR

\_\_\_\_\_  
SENIOR ADMINISTRATIVE OFFICER

READ a Third Time and Finally Passed this 5th day of April, A.D., 2016.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SENIOR ADMINISTRATIVE OFFICER

It is hereby certified that this By-Law No. 09-20 has been made in accordance with the requirement of the Cities, Towns and Villages Act and the By-Laws of the Town of Norman Wells.

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Town Manager