



BY-LAW NO. 2025-03

FUNDY ALBERT EMERGENCY MEASURES BY-LAW

PREAMBLE

The Council of the Municipality of Fundy Albert, under the authority vested in it by Sections 9 and 10 of the Emergency Measures Act, S.N.B. 2011, c.147, the regulations thereunder, and Section 10(1) of the *Local Governance Act*, S.N.B. 2017, c.18, and amendments thereto, enacts as follows:

1. DEFINITIONS

For the purposes of this By-law:

- a) **"Disaster"** means any occurrence or anticipated occurrence, other than a war emergency, which endangers property, the environment, or the health, safety, or welfare of the civil population and/or property within the Municipality and which cannot be controlled by the use of normal services and resources of the Municipality;
- b) **"Emergency"** means a present or imminent event in respect of which the Minister of Public Safety and Solicitor General or the Municipality, as the case may be, believes prompt coordination of action or regulation of persons or property must be undertaken to protect property, the environment, or the health, safety, or welfare of the civil population;
- c) **"Municipal Emergency Measures Coordinator (MEMC)"** means the person appointed by Council to coordinate municipal emergency measures, act as the primary liaison with the New Brunswick Emergency Management Organization, and oversee the Emergency Response Plan;
- d) **"Emergency Measures Committee"** means a committee established under Section 3(e) which advises Council on the development and review of the Emergency Response Plan;
- e) **"Emergency Response Plan"** means any plan, program, or procedure adopted by Council and updated periodically, in accordance with provincial guidelines, to mitigate the effects of an emergency or disaster and to provide for the safety, health, and welfare of the civil population and the protection of property and the environment;
- f) **"Emergency Operations Centre (EOC)"** means a building, structure, or place designated by the Emergency Measures Committee as being the operations centre for administering, planning, and coordinating emergency measures;
- g) **"Emergency Operations Control Group (EOCG)"** means the persons designated under the Fundy Albert Emergency Response Plan who are responsible for the administration, planning, and coordination of emergency measures in accordance with the Emergency Response Plan;



- h) “**Emergency Measures Organization (EMO)**” means the New Brunswick Emergency Management Organization established under Section 2 of the *Emergency Measures Act*;
- i) “**Minister**” means the Minister of Public Safety and Solicitor General for the Province of New Brunswick, or successor designation;
- j) “**State of Emergency**” means a state of emergency declared by the Minister under subsection 10(1) or renewed under subsection 18(2) of the *Emergency Measures Act*;
- k) “**State of Local Emergency (SOLE)**” means a state of local emergency declared by the Municipality under section 10(2) of the *Emergency Measures Act* or renewed under section 18(2) of that Act;
- l) “**Municipality**” means the Municipality of Fundy Albert, in the County of Albert and the Province of New Brunswick.

2. DUTIES OF COUNCIL

The Council shall:

- a) appoint a **Municipal Emergency Measures Coordinator (MEMC)** and such other persons as may be required; and
- b) ensure the development and Council approval of an **Emergency Response Plan**, including the allocation of expenditures for the establishment, maintenance, and operation of the Plan and the Emergency Operations Centre, and ensure regular review and updating of the Plan at least once every three (3) years, or following a major emergency.

The Emergency Response Plan shall be developed and maintained in accordance with the **New Brunswick Emergency Management Organization (NBEMO) Municipal Planning Guidelines**.

3. EMERGENCY MEASURES COMMITTEE

- a) The **Emergency Measures Committee** shall consist of the Mayor and members of Council, with alternates designated if members are unavailable.
- b) Three (3) members of the Committee shall constitute a quorum.
- c) The Committee shall meet at least annually to review the Emergency Response Plan and recommend updates to Council.
- d) The **CAO** and the **Municipal Emergency Measures Coordinator** shall serve as **non-voting advisory members** to the Committee to support coordination and administration.

4. EMERGENCY RESPONSE PLAN

The **Emergency Operations Control Group**, under the direction of the **Municipal Emergency Measures Coordinator**, shall be responsible to manage emergencies as



outlined in the **Fundy Albert Emergency Response Plan** and to make recommendations for revisions to the Plan for Council approval.

The **Emergency Response Plan and any amendments thereto shall be approved by Council resolution** and shall comply with all applicable provincial emergency management guidelines.

5. GENERAL

5.1 Subject to the approval of Council, the Committee may negotiate, and on behalf of the Municipality, enter into agreements with other municipalities, other levels of government, or other agencies for mutual aid, the formation of joint organizations, or the use of resources, all within the terms of the Emergency Response Plan.

5.2 Upon activation of the Emergency Response Plan, each member of Council shall be advised through the **Voyent Alert System**, fan-out call, or successor notification systems as adopted by Council, that the Fundy Albert Emergency Operations Centre is active.

5.3 Before, upon the event of, or during an emergency, the **Mayor, Deputy Mayor**, or any two (2) Councillors may call members of Council to meet for the purpose of declaring a **State of Local Emergency (SOLE)** and carrying out related business. For the purposes of this By-law only, **any three (3) members of Council shall constitute a quorum**, but this quorum rule applies only when a State of Local Emergency is being considered.

5.4 If a quorum cannot be reached, the members present may contact the **New Brunswick Emergency Management Organization (NBEMO)** requesting that the **Minister of Public Safety and Solicitor General** declare a **State of Emergency** in Fundy Albert.

5.5 Continuity of Leadership:

If both the Mayor and Deputy Mayor are unavailable during an emergency, any Councillor designated by resolution of Council shall exercise the powers of the Mayor for the purposes of the *Emergency Measures Act* and this By-law.

6. STATE OF LOCAL EMERGENCY

6.1 Upon the declaration of a State of Local Emergency, all employees, servants, and agents of the Municipality shall promptly advise the **Emergency Operations Control Group** of their whereabouts and shall carry out duties as directed by the **Municipal Emergency Measures Coordinator**.

6.2 Each member of Council shall promptly advise the **Emergency Operations Centre** of their whereabouts during the continuation of a **State of Local Emergency** or **State of Emergency**.

6.3 During a State of Local Emergency, Council may appoint:

- a) as **auxiliary police**, persons recommended by the officer in command of the RCMP



Southeast District, or their designate;

b) as **auxiliary firefighters**, persons recommended by the Fire Chief, or their designate;

c) such other persons as deemed necessary by the **Municipal Emergency Measures Coordinator**.

6.4 All emergency appointments made under this section shall be **documented in writing** and filed with the **Municipal Clerk** as soon as practicable following the appointment.

7. SEVERABILITY

If any section, clause, sentence, or provision of this By-law is found to be invalid, the remainder of the By-law shall remain in full force and effect.

8. REPEAL

8.1 Alma: By-law entitled "Emergency Planning By-law, By-law #78" enacted on July 14, 1998, and amendments thereto, is hereby repealed.

8.2 Hillsborough: By-law entitled "Community Emergency Planning By-law, By-law #42" enacted on May 6, 2002, and amendments thereto, is hereby repealed.

8.3 Riverside-Albert: By-law entitled "Community Emergency Planning By-law, By-law #24" enacted on May 6, 2002, and amendments thereto, is hereby repealed.

9. ENACTMENT

This By-law comes into force on the date of its third reading and enactment.

IN WITNESS WHEREOF, the **Municipality of Fundy Albert** has caused its corporate seal to be affixed to this By-law.

READ FIRST TIME BY TITLE: _____

READ SECOND TIME BY TITLE: _____

READ IN ENTIRETY: _____

THIRD READING BY TITLE AND ENACTED: _____

Clerk

Mayor