

Municipal ERP

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Part 5

*Appendix “A”- NB Emergency Measures
Act*



CHAPTER 147

Emergency Measures Act

Deposited May 13, 2011

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Déposée le 13 mai 2011

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INTERPRETATION

Definitions

1 The following definitions apply in this Act.

“assisting force” means anyone sent by another jurisdiction to assist the Province during a state of emergency when that assistance has been requested by the Minister under an agreement authorized by paragraph 6(1)(a). (*force de soutien*)

“Director” means the Director and Deputy Director of the Emergency Measures Organization. (*directeur*)

“disaster” means any real or anticipated occurrence such as disease, pestilence, fire, flood, tempest, explosion, enemy attack or sabotage, which endangers property, the environment or the health, safety or welfare of the civil population. (*désastre*)

“emergency” means a present or imminent event in respect of which the Minister or 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. (*situation d’urgence*)

“Emergency Measures Organization” means the New Brunswick Emergency Measures Organization established under section 3. (*Organisation des mesures d’urgence*)

“emergency measures plan” means a plan, program or procedure prepared by the Province or a municipality, as the case may be, that is intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of the civil population and the protection of property and the environment in the event of such an occurrence. (*plan de mesures d’urgence*)

“fire marshal” means the fire marshal appointed under the *Fire Prevention Act*. (*prévôt des incendies*)

“Minister” means the Minister of Public Safety. (*ministre*)

“municipality” means a city, town, village or rural community. (*municipalité*)

“state of emergency” means a state of emergency declared by the Minister under subsection 10(1) or renewed under subsection 17(2). (*état d’urgence*)

INTERPRÉTATION

Définitions

1 Les définitions qui suivent s’appliquent à la présente loi.

« Commission de la santé, de la sécurité et de l’indemnisation des accidents au travail » La Commission de la santé, de la sécurité et de l’indemnisation des accidents au travail établie en vertu de la *Loi sur la Commission de la santé, de la sécurité et de l’indemnisation des accidents au travail et le Tribunal d’appel des accidents au travail*. (*Workplace Health, Safety and Compensation Commission*)

« désastre » Événement réel ou attendu, notamment une maladie, une pestilence, un incendie, une inondation, une tempête, une explosion, une attaque ennemie ou un acte de sabotage, qui compromet la santé, la sécurité ou le bien-être de la population civile ou menace la sécurité des biens ou l’environnement. (*disaster*)

« directeur » Le directeur et le directeur adjoint de l’Organisation des mesures d’urgence du Nouveau-Brunswick. (*Director*)

« état d’urgence » L’état d’urgence proclamé par le ministre en application du paragraphe 10(1) ou renouvelé en application du paragraphe 17(2). (*state of emergency*)

« état d’urgence locale » L’état d’urgence locale proclamé par une municipalité en application du paragraphe 10(2) ou renouvelé en application du paragraphe 18(2). (*state of local emergency*)

« force de soutien » Toute personne déployée par un autre ressort territorial pour venir en aide à la province lors d’un état d’urgence lorsque le ministre en a fait la demande en vertu d’un accord autorisé par l’alinéa 6(1)a). (*assisting force*)

« ministre » Le ministre de la Sécurité publique. (*Minister*)

« municipalité » Cité, ville, village ou communauté rurale. (*municipality*)

« Organisation des mesures d’urgence » L’Organisation des mesures d’urgence du Nouveau-Brunswick constituée en application de l’article 3. (*Emergency Measures Organization*)

“state of local emergency” means a state of local emergency declared by a municipality under subsection 10(2) or renewed under subsection 18(2). (*état d'urgence locale*)

“Workplace Health, Safety and Compensation Commission” means the Workplace Health, Safety and Compensation Commission established under the *Workplace Health, Safety and Compensation Commission and Workers' Compensation Appeals Tribunal Act*. (*Commission de la santé, de la sécurité et de l'indemnisation des accidents au travail*)

1978, c.E-7.1, s.1; 1981, c.80, s.29, s.30; 1986, c.8, s.36; 1989, c.55, s.29; 1992, c.2, s.17; 1994, c.70, s.3; 1998, c.41, s.46; 2000, c.26, s.102; 2000, c.42, s.1; 2005, c.7, s.27; 2014, c.49, s.32

ADMINISTRATION

Administration

2(1) The Minister is responsible for the administration of this Act.

2(2) The Minister shall coordinate emergency measures plans within the Province and may delegate powers vested in him or her by or under this Act.

1978, c.E-7.1, s.2

Emergency Measures Organization

3(1) The New Brunswick Emergency Measures Organization is established.

3(2) A Director, Deputy Director and other officers, as required, may be appointed in accordance with the *Civil Service Act* for the administration of the Emergency Measures Organization.

3(3) The Emergency Measures Organization has and shall exercise and perform the powers and duties that are

« plan de mesures d'urgence » Tout plan, tout programme ou toute mesure que prépare la province ou une municipalité, selon le cas, en vue de réduire les effets d'une situation d'urgence ou d'un désastre et d'assurer, dans un tel cas, la sauvegarde de la sécurité, de la santé ou du bien-être de la population civile ainsi que la protection des biens et de l'environnement. (*emergency measures plan*)

« prévôt des incendies » Le prévôt des incendies nommé en vertu de la *Loi sur la prévention des incendies*. (*fire marshal*)

« situation d'urgence » Événement réel ou imminent qui, d'après le ministre ou une municipalité, selon le cas, exige une action concertée immédiate ou l'assujettissement des personnes et des biens à certaines règles en vue de protéger les biens et l'environnement ou la santé, la sécurité ou le bien-être de la population civile. (*emergency*)

1978, ch. E-7.1, art. 1; 1981, ch. 80, art. 29; 1986, ch. 8, art. 36; 1989, ch. 55, art. 29, 30; 1992, ch. 2, art. 17; 1994, ch. 70, art. 3; 1998, ch. 41, art. 46; 2000, ch. 26, art. 102; 2000, ch. 42, art. 1; 2005, ch. 7, art. 27; 2014, ch. 49, art. 32

APPLICATION DE LA LOI

Application de la Loi

2(1) Le ministre est chargé de l'application de la présente loi.

2(2) Le ministre coordonne les plans de mesures d'urgence dans la province et peut déléguer les pouvoirs qui lui sont conférés par la présente loi ou sous son régime.

1978, ch. E-7.1, art. 2

Organisation des mesures d'urgence

3(1) Est constituée l'Organisation des mesures d'urgence du Nouveau-Brunswick.

3(2) Peuvent être nommés conformément aux dispositions de la *Loi sur la fonction publique* un directeur, un directeur adjoint et les autres fonctionnaires nécessaires à l'administration de l'Organisation des mesures d'urgence.

3(3) L'Organisation des mesures d'urgence exerce les pouvoirs et les fonctions qui lui sont conférés par la pré-

vested in it by or under this Act and those assigned to it by the Minister.

1978, c.E-7.1, s.3

Committee of Executive Council appointed by Lieutenant-Governor in Council

4 The Lieutenant-Governor in Council may appoint from among the members of the Executive Council a committee to advise the Executive Council on matters relating to emergencies and disasters.

1978, c.E-7.1, s.4

Committees appointed by the Emergency Measures Organization

5(1) The Emergency Measures Organization may appoint the committees that it considers necessary or desirable to advise or assist it, the Minister or the committee appointed under section 4.

5(2) A member of a committee appointed under subsection (1) who is not an employee of the Crown or of an agency of the Crown may be paid for his or her services and expenses at rates fixed by the Minister.

1978, c.E-7.1, s.5

PLANNING FOR AN EMERGENCY

Agreement in respect of emergency measures

6(1) Subject to the approval of the Lieutenant-Governor in Council, the Minister may

(a) enter into agreements with the Government of Canada, the government of a province or territory of Canada or the government of a state of the United States of America, or an agent of any of them, with respect to emergency measures plans;

(b) enter into agreements with the Government of Canada and the Workplace Health, Safety and Compensation Commission for the administration and payment of compensation benefits to persons engaged in training or carrying out duties related to a state of emergency or a state of local emergency; and

(c) acquire by purchase or lease real and personal property for the purposes of administering the Emergency Measures Organization.

sente loi ou sous son régime ainsi que ceux que lui attribue le ministre.

1978, ch. E-7.1, art. 3

Comité du Conseil exécutif constitué par le lieutenant-gouverneur

4 Le lieutenant-gouverneur en conseil peut constituer au sein du Conseil exécutif un comité chargé de lui donner son avis sur les questions relatives aux situations d'urgence et aux désastres.

1978, ch. E-7.1, art. 4

Comités constitués par l'Organisation des mesures d'urgence

5(1) L'Organisation des mesures d'urgence peut constituer les comités qu'elle juge nécessaires ou souhaitables pour la conseiller et l'aider, ainsi que pour conseiller et aider le ministre et le comité constitué en vertu de l'article 4.

5(2) Les membres des comités constitués en application du paragraphe (1) qui ne sont pas des employés de la Couronne ou d'un organisme de la Couronne peuvent recevoir pour leurs services la rémunération et les indemnités que fixe le ministre.

1978, ch. E-7.1, art. 5

PLANIFICATION D'URGENCE

Accord portant sur des mesures d'urgence

6(1) Le ministre peut, sous réserve de l'approbation du lieutenant-gouverneur en conseil :

a) conclure avec le gouvernement du Canada, le gouvernement d'une province ou d'un territoire du Canada ou le gouvernement d'un État des États-Unis d'Amérique, ou leur représentant, un accord portant sur des plans de mesures d'urgence;

b) conclure avec le gouvernement du Canada et la Commission de la santé, de la sécurité et de l'indemnisation des accidents au travail un accord portant sur la gestion et le versement d'indemnités aux personnes en formation ou exerçant des fonctions se rattachant à un état d'urgence ou à un état d'urgence locale;

c) acheter ou louer les biens réels et personnels nécessaires à l'administration de l'Organisation des mesures d'urgence.

6(2) The Workplace Health, Safety and Compensation Commission is authorized and empowered to execute and administer an agreement mentioned in paragraph (1)(b).

1978, c.E-7.1, s.6; 1981, c.80, s.30; 1994, c.70, s.3; 2000, c.42, s.2

Powers of the Emergency Measures Organization

7 Subject to the approval of the Minister, the Emergency Measures Organization may do the following:

- (a) review and approve, or require modification to, Provincial and municipal emergency measures plans;
- (b) make surveys and studies to identify and record actual and potential hazards which may cause an emergency or disaster;
- (c) make surveys and studies of resources and facilities to provide information for the effective preparation of emergency measures plans;
- (d) conduct public information programs related to the prevention and mitigation of damage by disaster;
- (e) conduct training and training exercises for the effective implementation of emergency measures plans;
- (f) procure food, clothing, medicines, equipment and goods of any nature or kind for the purposes of emergencies and disasters; and
- (g) authorize or require the implementation of an emergency measures plan.

1978, c.E-7.1, s.7; 1982, c.3, s.20

Powers of Minister

8(1) The Minister may do the following:

- (a) divide the Province into districts and subdistricts for the purposes of this Act;
- (b) after consultation with a municipality, designate the boundaries of the municipality to include areas adjacent to it for the purposes of this Act;

6(2) La Commission de la santé, de la sécurité et de l'indemnisation des accidents au travail est habilitée à signer et à appliquer un accord mentionné à l'alinéa (1)b).

1978, ch. E-7.1, art. 6; 1981, ch. 80, art. 30; 1994, ch. 70, art. 3; 2000, ch. 42, art. 2

Pouvoirs de l'Organisation des mesures d'urgence

7 Sous réserve de l'approbation du ministre, l'Organisation des mesures d'urgence peut :

- a) examiner et approuver les plans de mesures d'urgence de la province ou d'une municipalité ou en exiger la modification;
- b) effectuer des enquêtes et des études afin de déterminer et de répertorier les dangers réels ou potentiels qui peuvent provoquer une situation d'urgence ou un désastre;
- c) effectuer des enquêtes et des études sur les ressources et les installations afin de fournir les renseignements nécessaires à la préparation efficace des plans de mesures d'urgence;
- d) mettre en oeuvre des programmes d'information publique sur la prévention et la limitation des dommages découlant d'un désastre;
- e) organiser la formation et des exercices d'entraînement en vue de la mise en oeuvre efficace des plans de mesures d'urgence;
- f) procurer les vivres, les vêtements, les médicaments, les équipements et les autres biens nécessaires pour faire face aux situations d'urgence et aux désastres;
- g) autoriser ou prescrire la mise en oeuvre de tout plan de mesures d'urgence.

1978, ch. E-7.1, art. 7; 1982, ch. 3, art. 20

Pouvoirs du ministre

8(1) Le ministre peut :

- a) diviser la province en circonscriptions et sous-circonscriptions pour l'application de la présente loi;
- b) déterminer, en vue de l'application de la présente loi, les limites d'une municipalité, après consultation avec celle-ci, afin d'y inclure des régions adjacentes;

(c) require municipalities to prepare emergency measures plans, including mutual assistance programs, and to submit them to the Emergency Measures Organization for review for adequacy and integration with the Provincial emergency measures plans;

(d) establish procedures for the prompt and efficient implementation of emergency measures plans; and

(e) require any person to develop emergency measures plans in conjunction with the Emergency Measures Organization or the municipalities to remedy or alleviate any hazard to persons, property or the environment that is or that may be created by

(i) a condition that exists or may exist on the person's property,

(ii) the person's use of property,

(iii) an operation in which the person is or may be engaged, or

(iv) a process that the person is or may be utilizing.

8(2) Where the boundaries of a municipality include areas adjacent to it as designated under paragraph (1)(b), that area is bound by any action taken by the municipality with respect to the provisions of this Act.

1978, c.E-7.1, s.8; 2000, c.42, s.3

Powers of municipalities

9 Each municipality

(a) shall establish and maintain a municipal emergency measures organization,

(b) shall appoint a director of the municipal emergency measures organization and prescribe his or her duties, which shall include the preparation and coordination of emergency measures plans for the municipality,

(c) shall appoint a committee consisting of members of its council to advise it on the development of emergency measures plans,

c) obliger les municipalités à élaborer des plans de mesures d'urgence, notamment des programmes d'entraide, et à les soumettre à l'Organisation des mesures d'urgence pour qu'elle vérifie s'ils sont compatibles et s'ils peuvent s'intégrer aux plans provinciaux;

d) établir les mesures à prendre pour la mise en oeuvre rapide et efficace des plans de mesures d'urgence;

e) obliger toute personne à élaborer un plan de mesures d'urgence en collaboration avec l'Organisation des mesures d'urgence ou les municipalités afin d'éliminer ou de réduire tout danger pour les personnes, les biens ou l'environnement, qui découle ou peut découler selon le cas :

(i) d'une situation qui existe ou qui peut exister sur les biens de cette personne,

(ii) de l'utilisation que cette personne fait des biens,

(iii) d'une activité que cette personne exerce ou qu'elle pourrait exercer,

(iv) d'un procédé que cette personne utilise ou qu'elle pourrait utiliser.

8(2) Les régions adjacentes incluses dans les limites d'une municipalité en application de l'alinéa (1)b) sont assujetties aux mesures que prend la municipalité au titre de la présente loi.

1978, ch. E-7.1, art. 8; 2000, ch. 42, art. 3

Pouvoirs des municipalités

9 Chaque municipalité :

a) met sur pied et maintient une organisation municipale des mesures d'urgence;

b) nomme un directeur de l'organisation municipale des mesures d'urgence et prescrit ses fonctions, qui doivent comprendre la préparation et la coordination des plans de mesures d'urgence pour la municipalité;

c) nomme parmi les membres de son conseil un comité chargé de la conseiller sur l'élaboration des plans de mesures d'urgence;

(d) shall prepare and approve emergency measures plans,

(e) may pay the expenses of members of the committee appointed under paragraph (c),

(f) may enter into agreements with and make payments to persons and organizations for the provision of services in the development and implementation of emergency measures plans, and

(g) may appropriate and expend sums approved by it for the purposes of this section.

1978, c.E-7.1, s.9

STATES OF EMERGENCY

Declaration

10(1) When the Minister is satisfied that an emergency exists or may exist, the Minister may declare a state of emergency at any time with respect to all or any area of the Province.

10(2) When a municipality is satisfied that an emergency exists or may exist in all or any area of the municipality, it may declare a state of local emergency in respect of the municipality or the area of the municipality.

10(3) A declaration under this section shall identify the nature of the emergency and the area in which it exists.

1978, c.E-7.1, s.11

Publication of declaration

11 When a state of emergency or a state of local emergency has been declared under this Act, the Minister or the municipality, as the case may be, shall immediately cause the details of the declaration to be communicated or published by those means that the Minister or municipality considers the most likely to make the contents of the declaration known to the civil population of the area affected.

1978, c.E-7.1, s.12

Powers of Minister and municipality

12 On a state of emergency being declared in respect to the Province or an area of the Province, or on a state of local emergency being declared in respect to a municipality or an area of a municipality, the Minister may, during the state of emergency, in respect of the Province or an area of the Province, or the municipality may, dur-

d) élabore et approuve les plans de mesures d'urgence;

e) peut couvrir les dépenses des membres du comité nommés en application de l'alinéa c);

f) peut conclure des accords avec des personnes et des organisations et les payer pour la fourniture de services dans l'élaboration et la mise en oeuvre de plans de mesures d'urgence;

g) peut affecter et dépenser les crédits qu'elle a approuvés pour assurer l'application du présent article.

1978, ch. E-7.1, art. 9

ÉTAT D'URGENCE

Proclamation de l'état d'urgence

10(1) S'il est convaincu qu'une situation d'urgence existe ou pourrait se produire, le ministre peut proclamer à tout moment l'état d'urgence dans tout ou partie de la province.

10(2) Si elle est convaincue qu'une situation d'urgence existe ou pourrait se produire, une municipalité peut proclamer l'état d'urgence locale dans tout ou partie de son territoire.

10(3) Toute proclamation faite en vertu du présent article indique la nature de la situation d'urgence et le territoire concerné.

1978, ch. E-7.1, art. 11

Publication de la proclamation de l'état d'urgence

11 En cas de proclamation de l'état d'urgence ou de l'état d'urgence locale à laquelle il est procédé en vertu de la présente loi, le ministre ou la municipalité, selon le cas, en communique immédiatement la teneur à la population civile de la région touchée de la façon qu'il estime la plus efficace.

1978, ch. E-7.1, art. 12

Pouvoirs du ministre et de la municipalité

12 Dès la proclamation de l'état d'urgence ou de l'état d'urgence locale dans tout ou partie de la province ou d'une municipalité, le ministre ou la municipalité, selon le cas, peut prendre toutes les mesures nécessaires pour protéger les biens et l'environnement ainsi que la santé ou la sécurité des personnes concernées, et notamment :

ing the state of local emergency, in respect of the municipality or an area of the municipality, as the case may be, do everything necessary for the protection of property, the environment and the health or safety of persons therein, including

- (a) to cause an emergency measures plan to be implemented;
- (b) to acquire or utilize or cause the acquisition or utilization of any personal property by confiscation or by any means considered necessary;
- (c) to authorize or require any person to render the aid that the person is competent to provide;
- (d) to control or prohibit travel to or from any area or on any road, street or highway;
- (e) to provide for the maintenance and restoration of essential facilities, the distribution of essential supplies and the maintenance and coordination of emergency medical, social and other essential services;
- (f) to cause the evacuation of persons and the removal of livestock and personal property threatened by a disaster or emergency, and make arrangements for the adequate care and protection of them;
- (g) to authorize any person properly identified as authorized by the Minister, by the Emergency Measures Organization or by the municipal emergency measures organization to enter into any building or on any land without warrant;
- (h) to cause the demolition or removal of any building, structure, tree or crop if the demolition or removal is necessary or advisable for the purposes of reaching the scene of a disaster, of attempting to forestall its occurrence or of combatting its progress;
- (i) to procure or fix prices for food, clothing, fuel, equipment, medical or other essential supplies and the use of property, services, resources or equipment; and
- (j) to order the assistance, with or without remuneration, of persons needed to carry out the provisions mentioned in this section;

- a) mettre en oeuvre un plan de mesures d'urgence;
- b) procéder ou faire procéder à l'acquisition ou à l'utilisation de tous biens personnels par voie de confiscation ou par tout autre moyen jugé nécessaire;
- c) autoriser ou exiger l'aide de toute personne en fonction de sa compétence;
- d) réglementer ou interdire les déplacements à destination ou en provenance d'une région ou sur un chemin, une rue ou une route;
- e) prévoir le maintien et la restauration des installations essentielles, la distribution des fournitures indispensables ainsi que le maintien et la coordination des services d'urgence médicaux ou sociaux et des autres services essentiels;
- f) faire évacuer les personnes, le bétail et les biens personnels menacés par un désastre ou une situation d'urgence et prendre les mesures nécessaires pour leur assurer les soins et la protection dont ils ont besoin;
- g) autoriser toute personne dûment identifiée comme ayant l'autorisation du ministre, de l'Organisation des mesures d'urgence ou de l'organisation municipale des mesures d'urgence à pénétrer dans un bâtiment ou sur un bien-fonds sans mandat;
- h) faire démolir ou enlever des bâtiments, des constructions, des arbres ou des récoltes, si cela est nécessaire ou souhaitable pour permettre l'accès au lieu du désastre, pour tenter de le prévenir ou pour le circonscire;
- i) procurer les vivres, les vêtements, les combustibles, les équipements, les fournitures médicales ou les autres approvisionnements essentiels et assurer l'utilisation des biens, des services, des ressources ou des équipements ou en fixer le prix;
- j) requérir, avec ou sans rémunération, l'aide des personnes nécessaires pour assurer la mise en oeuvre des dispositions du présent article.

and in addition, the Minister may authorize or require a municipality to cause an emergency measures plan for the municipality, or any part of the municipality, to be implemented.

1978, c.E-7.1, s.13; 1982, c.3, s.20; 1983, c.29, s.1; 2000, c.42, s.4

Acceptance of qualifications of assisting forces

13 For the purpose of rendering aid under paragraph 12(c), a member of an assisting force who holds a licence, certificate or permit that evidences the meeting of professional, trade or other qualifications in the assisting jurisdiction shall be deemed to be similarly licensed, certified or permitted in the Province for the duration of the state of emergency, subject to any limitations or conditions imposed by the Lieutenant-Governor in Council.

2000, c.42, s.5

Duty of municipality to notify Minister, delegation of powers

14 On declaring a state of local emergency, a municipality

(a) shall immediately forward a copy of the declaration to the Minister, and

(b) may authorize any person or committee to exercise any power vested in it under section 12.

1978, c.E-7.1, s.14

Duty of fire marshal and RCMP officer

15 During a state of emergency,

(a) the fire marshal is the coordinator of all efforts in relation to the suppression and prevention of fires, and every fire brigade, fire department and firefighter in the area in which the state of emergency exists is subject to his or her direction and control, and

(b) the officer commanding "J" Division of the Royal Canadian Mounted Police is the coordinator of all efforts in relation to law enforcement, and every police officer, auxiliary police officer and auxiliary police constable in the area in which the state of emergency exists is subject to his or her direction and control.

1978, c.E-7.1, s.15; 1996, c.11, s.2

Le ministre peut en outre autoriser ou obliger une municipalité à mettre en oeuvre un plan de mesures d'urgence dans tout ou partie de la municipalité.

1978, ch. E-7.1, art. 13; 1982, ch. 3, art. 20; 1983, ch. 29, art. 1; 2000, ch. 42, art. 4

Acceptation des compétences des forces de soutien

13 Afin de fournir de l'aide en vertu de l'alinéa 12c), un membre de la force de soutien qui est titulaire d'une licence, d'un certificat ou d'un permis attestant ses compétences professionnelles, commerciales ou autres dans le ressort territorial de soutien est réputé être titulaire d'une licence, d'un certificat ou d'un permis semblable dans la province pour la durée de l'état d'urgence, sous réserve des restrictions ou des conditions imposées par le lieutenant-gouverneur en conseil.

2000, ch. 42, art. 5

Obligation de la municipalité d'aviser le ministre, délégation de pouvoirs

14 Après avoir proclamé l'état d'urgence locale, la municipalité :

a) fait immédiatement parvenir au ministre une copie de la proclamation;

b) peut déléguer à toute personne ou à tout comité tout pouvoir que lui confère l'article 12.

1978, ch. E-7.1, art. 14

Rôle du prévôt des incendies et de la Gendarmerie royale

15 Pendant la durée de l'état d'urgence :

a) le prévôt des incendies coordonne toutes les actions en vue de l'extinction et de la prévention des incendies et les corps de pompiers, les services d'incendie et les pompiers de la région concernée sont placés sous sa direction et son autorité;

b) le commandant de la Division « J » de la Gendarmerie royale du Canada coordonne toutes les actions se rattachant au maintien de l'ordre et les agents de police, les agents de police auxiliaires et les gendarmes auxiliaires de la région pour laquelle l'état d'urgence est proclamé sont placés sous sa direction et son autorité.

1978, ch. E-7.1, art. 15; 1996, ch. 11, art. 2

Termination of state of emergency or state of local emergency**16(1)** The Minister may

(a) terminate a state of emergency with respect to an area identified by the Minister in his or her declaration of a state of emergency when, in his or her opinion, an emergency no longer exists in that area, and

(b) terminate a state of local emergency with respect to an area identified by a municipality in its declaration of a state of local emergency when, in his or her opinion, an emergency no longer exists in that area.

16(2) A municipality may terminate a state of local emergency with respect to an area identified by it in its declaration of a state of local emergency when, in its opinion, an emergency no longer exists in that area.

1978, c.E-7.1, s.16

When state of emergency ends or may be renewed**17(1)** A state of emergency ends

(a) when it is terminated by the Minister under subsection 16(1), or

(b) subject to subsection (2), 14 days after the day on which it was declared.

17(2) A state of emergency may be renewed by the Minister with the approval of the Lieutenant-Governor in Council, if it has not ended under paragraph (1)(a).

17(3) The provisions of this Act respecting a state of emergency, and the declaration of a state of emergency, apply with the necessary modifications to a renewal of a state of emergency.

1978, c.E-7.1, s.17

When state of local emergency ends or may be renewed**18(1)** A state of local emergency ends

(a) when the area identified by the municipality in its declaration of a state of local emergency is included in an area identified by the Minister in his or her declaration of a state of emergency,

Fin de l'état d'urgence**16(1)** Le ministre peut :

a) mettre fin à l'état d'urgence proclamé dans la région qu'il a désignée dans sa proclamation s'il estime que la situation d'urgence n'existe plus;

b) mettre fin à l'état d'urgence locale proclamé dans le territoire désigné dans la proclamation faite par une municipalité s'il estime que la situation d'urgence n'existe plus.

16(2) La municipalité peut mettre fin à l'état d'urgence locale dans tout ou partie du territoire qu'elle a désigné dans sa proclamation si elle estime que la situation d'urgence n'existe plus.

1978, ch. E-7.1, art. 16

Fin ou renouvellement de l'état d'urgence**17(1)** L'état d'urgence prend fin, selon le cas :

a) au moment que détermine le ministre en vertu du paragraphe 16(1);

b) quatorze jours après sa proclamation, sous réserve du paragraphe (2).

17(2) Le ministre peut, avec l'approbation du lieutenant-gouverneur en conseil, renouveler l'état d'urgence à condition qu'il n'ait pas pris fin conformément à l'alinéa (1)a).

17(3) Les dispositions de la présente loi relatives à l'état d'urgence et à sa proclamation s'appliquent, avec les adaptations nécessaires, à tout renouvellement qui en est fait.

1978, ch. E-7.1, art. 17

Fin ou renouvellement de l'état d'urgence locale**18(1)** L'état d'urgence locale prend fin, selon le cas :

a) si le territoire désigné par la municipalité dans la proclamation de l'état d'urgence locale est compris dans celui que le ministre désigne dans sa proclamation de l'état d'urgence;

(b) when it is terminated by the Minister under paragraph 16(1)(b) or by a municipality under subsection 16(2), or

(c) subject to subsection (2), seven days after the day on which it was declared.

18(2) A state of local emergency may be renewed by the municipality with the approval of the Lieutenant-Governor in Council if it has not ended under subsection (1).

18(3) The provisions of this Act respecting a state of local emergency, or the declaration of a state of local emergency, apply with the necessary modifications to a renewal of a state of local emergency.

1978, c.E-7.1, s.18

Application of section 11

19 The provisions of section 11 in respect of a declaration of a state of emergency or of a state of local emergency apply with the necessary modifications to the ending of it under section 18.

1978, c.E-7.1, s.19

DISASTER RELIEF FUND

Disaster relief fund

20(1) A disaster relief fund is established to receive and disburse donations from the public for disaster relief within and outside the Province.

20(2) The fund established under subsection (1) shall be administered and disbursed in accordance with the regulations by a disaster relief committee consisting of persons appointed by the Lieutenant-Governor in Council.

20(3) The provisions of subsection 5(2) in respect of members of a committee apply with the necessary modifications to members of the committee under subsection (2).

1978, c.E-7.1, s.20

b) au moment que détermine le ministre en vertu de l'alinéa 16(1)b) ou la municipalité en vertu du paragraphe 16(2);

c) sept jours après sa proclamation sous réserve du paragraphe (2).

18(2) La municipalité peut, avec l'approbation du lieutenant-gouverneur en conseil, renouveler l'état d'urgence locale à condition qu'il n'ait pas pris fin en vertu du paragraphe (1).

18(3) Les dispositions de la présente loi relatives à l'état d'urgence locale et à sa proclamation s'appliquent, avec les adaptations nécessaires, à tout renouvellement qui en est fait.

1978, ch. E-7.1, art. 18

Application de l'article 11

19 Les dispositions de l'article 11 relatives à la proclamation de l'état d'urgence ou de l'état d'urgence locale s'appliquent, avec les adaptations nécessaires, à la fin de l'état d'urgence ou de l'état d'urgence locale en vertu de l'article 18.

1978, ch. E-7.1, art. 19

FONDS DE SECOURS AUX VICTIMES DE DÉSASTRES

Fonds de secours aux victimes de désastres

20(1) Est constitué le Fonds de secours aux victimes de désastres chargé de recueillir les dons du public et de les distribuer aux victimes de désastres tant dans la province qu'ailleurs.

20(2) Le Fonds constitué au paragraphe (1) est géré et distribué conformément aux règlements pris en vertu de la présente loi par un comité de secours aux victimes de désastres formé des personnes que nomme le lieutenant-gouverneur en conseil.

20(3) Les dispositions du paragraphe 5(2) relatives aux membres d'un comité s'appliquent, avec les adaptations nécessaires, aux membres du comité en vertu du paragraphe (2).

1978, ch. E-7.1, art. 20

Expenditure by Province for municipality

21 When an expenditure in respect of a disaster is made within or for the benefit of a municipality by the Province, the Lieutenant-Governor in Council may

- (a) require the municipality to pay to the Minister of Finance the amount of it or the portion of it that the Lieutenant-Governor in Council specifies, and
- (b) establish terms for payment of the sum mentioned in paragraph (a) and the interest rate that applies to it.

1978, c.E-7.1, s.21

LIABILITY FOR DAMAGES**Immunity, order for compensation**

22(1) The Minister, a municipality, a committee established under this Act or a member of it, or any other person

- (a) is not liable for any damage arising out of any action taken under this Act or the regulations, and
- (b) is not subject to any proceedings by way of judicial review or injunction with respect to any action taken under this Act or the regulations.

22(2) The Lieutenant-Governor in Council may order compensation for damage arising out of any action taken under this Act if the Lieutenant-Governor in Council has reason to believe a person, municipality or committee, except for the operation of subsection (1), may have been liable for that damage.

1978, c.E-7.1, s.22; 1986, c.4, s.17

ENFORCEMENT**Right of entry**

23 When implementing an emergency measures plan under this Act or the regulations, any person properly identified as authorized by the Minister, by the Emergency Measures Organization or by the municipal emergency measures organization has the right at any time to enter on any property.

1978, c.E-7.1, s.23; 1983, c.29, s.2

Dépenses engagées par la province au profit d'une municipalité

21 Dans le cas où un désastre a amené la province à engager des dépenses dans une municipalité ou à son profit, le lieutenant-gouverneur en conseil peut :

- a) exiger de la municipalité qu'elle rembourse au ministre des Finances la totalité ou la fraction de ces dépenses qu'il détermine;
- b) fixer les modalités de remboursement de la somme mentionnée à l'alinéa a) et le taux d'intérêt applicable.

1978, ch. E-7.1, art. 21

RESPONSABILITÉ EN CAS DE DOMMAGES**Immunité, ordonnance d'indemnisation**

22(1) Le ministre, les municipalités, les comités constitués en vertu de la présente loi, leurs membres ou toutes autres personnes ne peuvent :

- a) être tenus pour responsables des dommages découlant de mesures prises en application de la présente loi ou de ses règlements;
- b) faire l'objet, à raison de telles mesures, de procédures par voie de révision judiciaire ou d'injonction.

22(2) Le lieutenant-gouverneur en conseil peut ordonner l'indemnisation des dommages découlant de mesures prises en application de la présente loi s'il a des raisons de croire qu'une personne, une municipalité ou un comité, sauf application du paragraphe (1), pourrait être responsable de ces dommages.

1978, ch. E-7.1, art. 22; 1986, ch. 4, art. 17

EXÉCUTION DE LA LOI**Droit d'entrée**

23 Toute personne dûment identifiée comme ayant l'autorisation du ministre, de l'Organisation des mesures d'urgence ou de l'organisation municipale des mesures d'urgence a le droit de pénétrer à tout moment dans un bien-fonds lors de la mise en oeuvre d'un plan de mesures d'urgence en vertu de la présente loi ou de ses règlements.

1978, ch. E-7.1, art. 23; 1983, ch. 29, art. 2

Offences and penalties

24(1) A person commits an offence punishable under Part 2 of the *Provincial Offences Procedure Act* as a category F offence who

(a) obstructs the Minister, a municipality, a committee established under this Act or any person in the performance of any action, matter or thing authorized by this Act, or

(b) violates or fails to comply with a direction, order or requirement made under this Act or the regulations.

24(2) A person who violates or fails to comply with a provision of the regulations commits an offence punishable under Part 2 of the *Provincial Offences Procedure Act* as a category B offence.

1978, c.E-7.1, s.24; 1990, c.61, s.42

REGULATIONS**Regulations**

25 On the recommendation of the Minister, the Lieutenant-Governor in Council may make regulations respecting

(a) emergency planning for the continuity of functions of departments, boards, commissions, corporations and other agencies of the Government of New Brunswick;

(b) the vesting of special powers and duties in various departments and agencies of the Government for the purposes of emergency planning and the implementation of emergency measures plans;

(c) the organization, responsibilities, powers, duties and operation of fire auxiliary forces throughout the Province or any part of it;

(d) authority to be delegated under this Act;

(e) costs incurred in emergency and disaster operations;

Infractions et peines

24(1) Commet une infraction punissable en vertu de la partie 2 de la *Loi sur la procédure applicable aux infractions provinciales* à titre d'infraction de la classe F quiconque, selon le cas,

a) gêne le ministre, une municipalité, un comité constitué en vertu de la présente loi ou toute autre personne dans l'accomplissement de toute action ou chose autorisée par la présente loi,

b) contrevient ou ne se conforme pas à une directive, à une ordonnance ou à une prescription établie en vertu de la présente loi ou de ses règlements.

24(2) Commet une infraction punissable en vertu de la partie 2 de la *Loi sur la procédure applicable aux infractions provinciales* à titre d'infraction de la classe B quiconque contrevient ou omet de se conformer à une disposition réglementaire.

1978, ch. E-7.1, art. 24; 1990, ch. 61, art. 42

RÈGLEMENT D'APPLICATION**Règlements**

25 Sur recommandation du ministre, le lieutenant-gouverneur en conseil peut, par règlement, prévoir :

a) la planification des mesures d'urgence pour assurer la permanence des services des ministères, des conseils, des commissions, des sociétés et des autres organismes gouvernementaux du Nouveau-Brunswick en cas d'urgence;

b) l'attribution à divers ministères et organismes du gouvernement de responsabilités et de pouvoirs spéciaux pour assurer la préparation et la mise en oeuvre des plans de mesures d'urgence;

c) l'organisation et l'administration de corps de pompiers auxiliaires dans tout ou partie de la province et leurs responsabilités, pouvoirs et fonctions;

d) les pouvoirs à déléguer en vertu de la présente loi;

e) les frais engagés lors des opérations d'intervention en cas d'urgence et de désastre;

(f) the sharing of costs incurred by the Province or by a municipality in implementing emergency measures plans;

(g) the administration of and disbursement from the disaster relief fund;

(h) any matter or thing that the Lieutenant-Governor in Council considers necessary for the administration of this Act.

1978, c.E-7.1, s.25; 1996, c.11, s.3

N.B. This Act was proclaimed and came into force September 1, 2011.

N.B. This Act is consolidated to April 1, 2015.

f) le partage des frais engagés par la province ou par une municipalité à l'occasion de la mise en oeuvre des plans de mesures d'urgence;

g) la gestion et l'utilisation du Fonds de secours aux victimes de désastres;

h) tout ce qu'il estime nécessaire à l'application de la présente loi.

1978, ch. E-7.1, art. 25; 1996, ch. 11, art. 3

N.B. La présente loi a été proclamée et est entrée en vigueur le 1^{er} septembre 2011.

N.B. La présente loi est refondue au 1^{er} avril 2015.

Municipal ERP
November 2022

Part 5

*Appendix “B”- Emergency Management Act
(Canada)*



CANADA

CONSOLIDATION

CODIFICATION

Emergency Management Act

Loi sur la gestion des urgences

S.C. 2007, c. 15

L.C. 2007, ch. 15

Current to June 1, 2022

À jour au 1 juin 2022

Last amended on August 3, 2007

Dernière modification le 3 août 2007

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Minister means the Minister of Public Safety and Emergency Preparedness. (*ministre*)

provincial emergency means an emergency occurring in a province if the province or a local authority in the province has the primary responsibility for dealing with the emergency. (*urgence provinciale*)

Minister's Responsibilities

Ministerial responsibilities — general

3 The Minister is responsible for exercising leadership relating to emergency management in Canada by coordinating, among government institutions and in cooperation with the provinces and other entities, emergency management activities.

Responsibilities — Canada

4 (1) The Minister's responsibilities under section 3 include

(a) establishing policies, programs and other measures respecting the preparation, maintenance, testing and implementation by a government institution of emergency management plans;

(b) providing advice to government institutions respecting the preparation, maintenance, testing and implementation of emergency management plans;

(c) analysing and evaluating emergency management plans prepared by government institutions;

(d) monitoring potential, imminent and actual emergencies and advising other ministers accordingly;

(e) coordinating the Government of Canada's response to an emergency;

(f) coordinating the activities of government institutions relating to emergency management with those of the provinces — and supporting the emergency management activities of the provinces — and through the provinces, those of local authorities;

(g) establishing arrangements with each province whereby any consultation with its lieutenant governor in council with respect to a declaration of an emergency under an Act of Parliament may be carried out effectively;

(h) coordinating the provision of assistance to a province in respect of a provincial emergency, other than the provision of financial assistance and the

b) soit par les Forces canadiennes pour faire face à une urgence civile conformément à la *Loi sur la défense nationale*. (*emergency management plan*)

urgence provinciale Urgence survenant dans une province et à laquelle la province ou une autorité locale est chargée de faire face en premier lieu. (*provincial emergency*)

Responsabilités ministérielles

Responsabilités ministérielles

3 Le ministre est chargé d'assumer un rôle de premier plan en matière de gestion des urgences au Canada en coordonnant, au sein des institutions fédérales et en collaboration avec les gouvernements provinciaux et d'autres entités, les activités de gestion des urgences.

Responsabilités — Canada

4 (1) Dans le cadre de la mission que lui confère l'article 3, le ministre est chargé :

a) d'établir des principes, programmes et autres mesures relativement à l'élaboration, la mise à jour, la mise à l'essai et la mise en œuvre des plans de gestion des urgences par les institutions fédérales;

b) de conseiller les institutions fédérales relativement à l'élaboration, la mise à jour, la mise à l'essai et la mise en œuvre de leurs plans de gestion des urgences;

c) d'analyser et d'évaluer les plans de gestion des urgences des institutions fédérales;

d) de suivre l'évolution de toute urgence — réelle, imminente ou potentielle —, et de conseiller les autres ministres en conséquence;

e) de coordonner les activités d'intervention des autorités fédérales relativement à toute urgence;

f) de coordonner les activités des institutions fédérales en matière de gestion des urgences avec celles des provinces et, par leur intermédiaire, avec celles des autorités locales, et d'appuyer les activités des provinces et, par leur intermédiaire, celles des autorités locales;

g) de conclure avec chaque province des ententes relatives aux consultations à engager, dans les meilleures conditions d'efficacité, avec le lieutenant-gouverneur en conseil de la province en cas de déclaration de situation de crise dans le cadre d'une loi fédérale;

accordance with those plans, coordinate Canada's response to emergencies in the United States and provide assistance in response to those emergencies.

Ministers' Responsibilities

Ministers' responsibilities

6 (1) The emergency management responsibilities of each minister accountable to Parliament for a government institution are to identify the risks that are within or related to his or her area of responsibility — including those related to critical infrastructure — and to do the following in accordance with the policies, programs and other measures established by the Minister:

- (a)** prepare emergency management plans in respect of those risks;
- (b)** maintain, test and implement those plans; and
- (c)** conduct exercises and training in relation to those plans.

Contents of emergency management plans

(2) Each minister shall include in an emergency management plan

- (a)** any programs, arrangements or other measures to assist provincial governments and, through the provincial governments, local authorities;
- (b)** any federal-provincial regional plans;
- (c)** any programs, arrangements or other measures to provide for the continuity of the operations of the government institution in the event of an emergency; and
- (d)** in the case of war or other armed conflict, the programs, arrangements or other measures that
 - (i)** support the overall defence effort,
 - (ii)** support the Canadian Forces and the armed forces of Canada's allies in the conduct of military operations,
 - (iii)** contribute to meeting Canada's military and civil wartime obligations to its allies, and
 - (iv)** mitigate the effects of foreign armed conflict on Canada.

urgences et, conformément à ceux-ci, coordonner l'intervention du Canada en cas d'urgence survenant aux États-Unis et fournir son aide à cet égard.

Responsabilités des ministres

Responsabilités

6 (1) Il incombe à chaque ministre responsable d'une institution fédérale devant le Parlement de déterminer les risques qui sont propres à son secteur de responsabilité ou qui y sont liés, notamment les risques concernant les infrastructures essentielles; il est aussi chargé de mener les activités ci-après conformément aux principes, programmes et autres mesures établis par le ministre :

- a)** élaborer les plans de gestion des urgences à l'égard de ces risques;
- b)** les mettre à jour, à l'essai et en œuvre;
- c)** tenir des exercices et assurer la formation à leur égard.

Contenu des plans de gestion des urgences

(2) Tout plan de gestion des urgences prévoit les éléments suivants :

- a)** les programmes, dispositions et autres mesures visant à aider les provinces et, par leur intermédiaire, les autorités locales;
- b)** les plans régionaux fédéro-provinciaux;
- c)** les programmes, dispositions et autres mesures visant à assurer la continuité des activités de l'institution fédérale advenant une urgence;
- d)** en cas de guerre ou de toute autre forme de conflit armé, les programmes, dispositions et autres mesures dont la mise en œuvre :
 - (i)** appuierait l'effort de défense global,
 - (ii)** appuierait les Forces canadiennes et les forces armées alliées dans la conduite des opérations militaires,
 - (iii)** contribuerait à l'acquittement envers ses alliés des obligations militaires et civiles du Canada en temps de guerre,
 - (iv)** atténuerait les effets sur le Canada de conflits armés survenant à l'étranger.

Coming into Force

Order in council

***14 This Act other than section 12 comes into force on a day to be fixed by order of the Governor in Council.**

* [Note: Section 12 in force on assent June 22, 2007; Act, other than section 12, in force on August 3, 2007, *see* SI/2007-79.]

Entrée en vigueur

Décret

***14 La présente loi, à l'exception de l'article 12, entre en vigueur à la date fixée par décret.**

* [Note : Article 12 en vigueur à la sanction le 22 juin 2007; loi, à l'exception de l'article 12, en vigueur le 3 août 2007, *voir* TR/2007-79.]

Municipal ERP

November 2022

Part 5

Appendix “C”- By-Law 500-05-02

*A By-Law Relating to the Emergency
Planning & Procedures for the Town of
Riverview*

UNOFFICIAL OFFICE CONSOLIDATION – FOR REFERENCE ONLY



BY-LAW 500-05-02

A BY-LAW RELATING TO THE EMERGENCY PLANNING & PROCEDURES FOR THE TOWN OF RIVERVIEW

BE IT ENACTED by the Town Council of the Town of Riverview, under the authority vested in it by the Local Governance Act R.S.N.B. 2018, c. 18 and the Emergency Measures Act R.S.N.B., C.E-7.1 as follows:

Definitions

1. For the purpose of this by-law,
 - a. "Emergency" means a present or imminent event in respect of which the Minister or 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.
 - b. "Emergency measures plan" means any plan, program or procedure prepared by the Province or a municipality, as the case may be, that is intended to mitigate the effects of an emergency or emergency and to provide for the safety, health or welfare of the civil population and the protection of property and the environment in the event of such an occurrence.
 - c. "State of local emergency" means a state of local emergency declared by a municipality under subsection 10 (2) or renewed under subsection 18 (2) of the New Brunswick Emergency Measures Act.

Declaration of a "State of Local Emergency"

2. Upon being satisfied that an emergency exists or may exist in all or any area of the municipality the Mayor or Deputy-Mayor may declare a, "State of Local Emergency". In their absence any two Councillors may convene a meeting of Council for the purpose of declaring a, "State of Local Emergency" and of carrying out business pertaining thereto. As soon as a quorum is present, the meeting may be called to order and for the purposes of this by-law only, any three members of Council shall constitute a quorum.
3. At such meetings only matters directly pertaining to the emergency may be considered by Council and business will be conducted according to the laws of the municipality where they do not conflict with this by-law.
4. The "State of local Emergency" may be renewed in accordance to Section 18 (2) of the New Brunswick Emergency Measures Act.

Termination of a "State of Local Emergency"

5. The decision to terminate of the "State of Local Emergency" will be in accordance to Section 18 (1) of the New Brunswick Emergency Measures Act.

Emergency Measures Committee

6. Standing Committee of Council hereinafter called "the Committee" shall be appointed by Council, and shall meet at least twice per year. The Committee will consists of members of its council to advise it on the development and preparation of the emergency measures plan.

Council may add additional members to this committee such as citizens, technical experts, etc.

General

7. Additional powers and authority are granted to the municipality in accordance to section 9 and section 12 of the New Brunswick Emergency Measures Act.

Repeal

8. A By-Law of the Town of Riverview, By-Law R500-5 and all amendments thereto, respecting the Emergency Planning & Procedures for the Town of Riverview is hereby repealed.

First Reading: April 9, 2018
Second Reading: May 14, 2018
Third Reading: May 14, 2018

**Original By-Laws and amendments thereto are on file in the Office of the Town Clerk.
This document is for convenient reference purposes only. Any questions should be
forwarded to the Office of the Town Clerk.**

Municipal ERP

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*Appendix “D”- Emergency Mutual Aid
Agreement*

THIS AGREEMENT made this day of Jan. 28, 2020

EMERGENCY MUTUAL AID AGREEMENT

BETWEEN: **The City of Dieppe**, a municipal corporation duly incorporated under and by virtue of a Special Act of the Legislative Assembly of the Province of New Brunswick, of the first part;

- And -

The City of Moncton, a municipal corporation duly incorporated under and by virtue of a Special Act of the Legislative Assembly of the Province of New Brunswick, of the second part;

- And -

The Town of Riverview, a municipal corporation duly incorporated under and by virtue of a Special Act of the Legislative Assembly of the Province of New Brunswick, of the third part;

Article 1

- 1.1 The respective municipal councils of the parties to this agreement do hereby agree to assist each other in the event of an emergency that may require such assistance. An "emergency" means a present or imminent event in respect of which one or more municipalities, 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..

Article 2 **IMPLEMENTATION**

- 2.1 If in the opinion of the person in charge at the scene of an emergency determines that emergency aid such as personnel and equipment is required, the parties to this agreement shall respond to such requests as they are able, subject to availability of resources and equipment at that time.
- 2.2 When the municipality requested to give aid is unable or incapacitated for any reason, it shall not be compelled to respond; nor shall they be excluded from this agreement in future for such reason.
- 2.3. Upon arriving at the scene of the emergency, the responding municipality will report to the person in charge and receive instructions and assigned duties at that time.
- 2.4 Any Standard Operating Procedures jointly developed by the participating municipalities of this Agreement will form part of this agreement and will be attached as an appendix and shall be reviewed annually.

- 2.5 The municipality requesting the emergency assistance shall be in command of the operation in their jurisdiction. The responding municipality assumes no responsibility for the procedures or the conduct of the operations unless requested to take command by the person in charge, and such command is assumed. Members from the responding communities may be placed in command roles but the requesting municipality will still be responsible for the overall command of the emergency in their jurisdiction.

Article 3 **EQUIPMENT RESPONSIBILITIES**

- 3.1 In instances where apparatus and/or equipment are loaned for emergency purposes, without the presence of personnel, the loaning municipality shall ensure that the equipment is fully fueled and in good working condition and the municipality receiving the loan of the equipment will ensure that the equipment is returned fully fueled and in good working condition.
- 3.2 In instances where apparatus and/or equipment are made available with an operator, the municipality receiving the equipment shall not be responsible for any damage or loss thereto, unless the equipment is loaned without accompanying personnel, in which case the receiving municipality shall be responsible for damage or loss.

Article 4 **STAFFING**

- 4.1 In situations where a municipality does not have sufficient emergency staff, one or more of the other municipalities may supply its own emergency staff to that municipality. In such instances, the municipality receiving staff shall be responsible for the supervision of those staff members, and hold harmless and indemnify the supplying municipality from any and all damage or loss occasioned thereby.

Article 5 **SPECIAL PROVISIONS**

- 5.1 In situations where the responding municipality is providing assistance, the municipality receiving the emergency aid shall provide food and beverages for the benefit of the responding municipality.
- 5.2 The municipality receiving the emergency aid shall provide sufficient fuel and oil to the responding apparatus and equipment during the emergency and allow the vehicles to return to their respective home.
- 5.3 The parties to this agreement will ensure that the municipality's equipment is suitably marked for ease of identifying equipment used at a mutual aid emergency incident.

Article 6 **AREA OF PROTECTION**

- 6.1 The normal areas of jurisdiction of each party to this agreement are considered the areas in which this agreement will operate.

Article 7 **INSTRUCTIONS**

- 7.1 Each municipality will ensure that their personnel receive instruction regarding the contents of this agreement on an annual basis so that this agreement will be carried out in an efficient manner.

Article 8 **TERM**

- 8.1 Subject to Article 8.3, this agreement will continue in force until notification in writing by a party or parties wishing to opt out of same. A 30 days' written notice of this intention shall be delivered to the Mayor of each party to this agreement. If one party drops out, this agreement will remain intact with the remaining parties until a new agreement between the remaining parties has been mutually agreed upon.
- 8.2 If at any time another municipality wishes to become party to this agreement, a letter in writing to a party to this agreement requesting same shall be produced and presented to the parties on the most current agreement. All municipalities on the current agreement must approve and ratify the changes in the agreement.
- 8.3 This agreement will continue in force for 10 years. During this time all parties will review this agreement and make appropriate recommendations for changes as necessary. This agreement must be adjusted to reflect the necessary changes and be re-approved and ratified by all municipalities.
- 8.4 This agreement shall supersede and replace all previous agreements related to Emergency Mutual Aid between the Municipalities.

IN WITNESS WHEREOF the parties hereto have affixed their respective corporate seals, attested by the hands of their respective officers duly authorized in that behalf the day and year first above written.

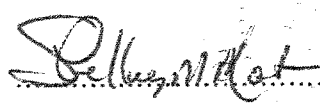
SIGNED, SEALED AND DELIVERED

The City of Dieppe

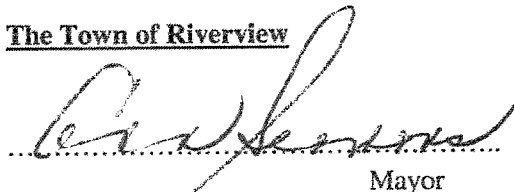

.....
Mayor

.....
City Clerk

The City of Moncton


.....
Mayor

.....
City Clerk

The Town of Riverview


.....
Mayor

.....
Town Clerk



Municipal ERP

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*Appendix “E”- Declaration of State of Local
Emergency (Template)*

MUNICIPALITY OF _____

Declaration of a State of Local Emergency

WHEREAS that the situation described below is an immediate or imminent danger that has resulted or may result in serious harm to the safety, health or welfare of the people, or in wide spread damage to the property of our residents and businesses in the jurisdiction of the Municipality of _____;

NATURE OF EMERGENCY

AND WHEREAS the undersigned is satisfied that an Emergency as defined in the Emergency Measures Act, 2011, exists or threatens the City or Town of _____;

AND WHEREAS the Council has by resolution approved () or in the absence of sufficient number of Council members, the undersigned has consulted with the majority of the members of the Municipal Emergency Measures Organization ();

THE UNDERSIGNED HEREBY DECLARES, pursuant to section 10 (2) of the Emergency Measures Act, 2011, that a state of local emergency exists in the City or Town of _____ as of _____ am/pm on the _____ day of _____ 20__.

THE UNDERSIGNED HEREBY AUTHORISES, pursuant to section 12 of the Emergency Measures Act, 2011, municipal staff to do everything necessary for the protection of property, the environment and the health and safety of persons, including:

() cause an emergency measures plan to be implemented;

- () acquire or utilize or cause the acquisition or utilization of any personal property by confiscation or by any means considered necessary;
- () authorize or require any person to render the aid that the person is competent to provide;
- () control or prohibit travel to or from any area or on any road, street or highway;
- () provide for the maintenance and restoration of essential facilities, the distribution of essential supplies and the maintenance and coordination of emergency medical, social and other essential services;
- () cause the evacuation of persons and the removal of livestock and personal property threatened by a disaster or emergency, and make arrangements for the adequate care and protection of them;
- () authorize any person properly identified as authorized by the Minister, by the Emergency Measures Organization or by the municipal emergency measures organization to enter into any building or on any land without warrant;
- () cause the demolition or removal of any building, structure, tree or crop if the demolition or removal is necessary or advisable for the purposes of reaching the scene of a disaster, of attempting to forestall its occurrence or of combatting its progress;
- () procure or fix prices for food, clothing, fuel, equipment, medical or other essential supplies and the use of property, services, resources or equipment; and to order the assistance, with or without remuneration, of persons needed to carry out the provisions mentioned in this section;

DATED at _____, in the County of _____, Province of New Brunswick, this _____ day of _____ 20__.

Mayor (or Delegate) Signature

Mayor (or Delegate) Print

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*Appendix “F”- Termination of State of
Local Emergency (Template)*

MUNICIPALITY OF _____

Termination of the State of Local Emergency

WHEREAS that a situation described below has resulted in a declaration of a "State of Local Emergency" within in the jurisdiction of the Municipality of _____;

NATURE OF EMERGENCY

AND WHEREAS the undersigned is satisfied that an Emergency as defined in the Emergency Measures Act, 2011, existed or threatened to exist in the Municipality of _____;

AND WHEREAS the Council by resolution () or in the absence of sufficient number of Council members, the undersigned has consulted with the majority of the members of the Municipal Emergency Measures Organizations () approved the declaration of a state of local emergency;

THE UNDERSIGNED HEREBY DECLARES, the "State of Local Emergency" terminated for the following reason(s)

- () The Municipality is of the opinion that an emergency no longer exists
- () The minister is of the opinion that an emergency no longer exists
- () The area identified by the Municipality in the declaration of a state of local emergency has been included by the minister in declaration of a state of emergency
- () After 7 days from which it was declared (*note: A state of local emergency may be renewed by the municipality with the approval of the Lieutenant-Governor in Council if it has not ended under subsection 18(1) of the Emergency Measures Act*)

pursuant to section 16(1)(b), and section 18(1) and 18(2) of the Emergency Measures Act,
2011, in the City or Town of _____ as of _____am/pm on the _____ day of
_____ 20__.

DATED at _____, in the County of _____, Province of
New Brunswick, this _____ day of _____ 20__

Mayor (or Delegate) Signature

Mayor (or Delegate) Print

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*Appendix “G”- Evacuation Advisory
Template*

MUNICIPALITY OF _____

Evacuation Advisory

This is _____

(Name and position)

The City or Town of _____ has declared a State of Local Emergency in the
area of (specify location) _____

WHEREAS the emergency is an immediate or imminent danger that has resulted or may result
in serious harm to the safety, health or welfare of the people, or in wide spread damage to the
property of our residents and businesses, and pursuant to section 12 (d), and section 12 (f) of
the Emergency Measures Act, 2011, an orderly voluntary () / mandatory () evacuation of
(specify location) _____

is necessary due to _____

The collection points for the evacuation are:

1. _____
2. _____
3. _____
4. _____

NOTE: Please ensure you bring your medication.

If you require transportation, go to the collection point in your area. If you are evacuating with your own car, please go via the collection point in your area to pick up people without transportation. If you are physically unable to go to the collection point, call _____ (phone #) to make arrangements for pick up.

The evacuation route(s) is/are as follow:

(Describe route to avoid danger)

All evacuees are requested to report and register at the Reception Centre(s) located at:

- a) _____
- b) _____
- c) _____
- d) _____
- e) _____

If you are planning to stay with friends or family, please contact _____ (phone #).

You will be advised when the emergency has ended, and it is safe to return to your homes.

DATED at _____, in the County of _____, Province of New Brunswick, this _____ day of _____ 20__.

Mayor (or Delegate) Signature

Mayor (or Delegate) Print

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Appendix “H”- Activation Time Line

ACTIVATION TIMELINE

Critical Infrastructure (CI) is defined as those physical and information technology facilities, networks, services and assets, which, if disrupted or destroyed, would have a serious impact on the health, safety, security or economic well-being of the community or the effective functioning of government. CI impacts that require an immediate assessment in accordance with the recommended Activation Timeline.

LOW: Potential, imminent or actual threats, vulnerabilities or incidents. Active Monitoring is mandatory.

MEDIUM: Potential, imminent or actual threats, vulnerabilities or incidents assessed as limited in scope but having possible impacts on critical infrastructure. Active monitoring is required. An escalation in MEOC activation will likely be necessary.

HIGH: Potential, imminent or actual threats, vulnerabilities or incidents where precautions and actions are required immediately.

Energy and Utilities – Electrical power, Natural gas, Oil production.	Low: A-1	Medium: B-1	High: B-7
Transportation - Roads, Air, Rail, Marine.	Low: B-1	Medium: D-1	High: D-7
Information and Communication Technology – Telecommunications.	Low: B-1	Medium: B-7	High: C-1
Food - Food safety at production, Sales and use nodes, Distribution.	Low: A-1	Medium: B-2	High: C-2
Government - Services, Public facilities, Information and information networks.	Low: A-1	Medium: B-1	High: B-7
Finance - Banking, Securities, Investments, Integrity of electronic banking systems.	Low: A-1	Medium: A-3	High: B-1
Health - Hospitals, Healthcare, Blood Supply.	Low: A-1	Medium: C-1	High: D-1
Water - Drinking water, Waste water contamination.	Low: B-1	Medium: C-1	High: D-1
Safety - Hazardous substances, Explosives, Nuclear waste, Emergency services.	Low: A-1	Medium: B-7	High: C-1
Manufacturing - Chemical and strategic manufacturers.	Low: A-1	Medium: B-1	High: C-1

Activation Timeline: Used in conjunction with the graduated response concept, it provides for a common operating tempo between municipalities.

Appendix "H" – Activation Timeline

Ser	Timeline	1	2	3	4	5	6	7	8
A	0 – 12 hrs	Initial CI Impact Assessment	Liaise with REMC	Maintain Situational Awareness	Municipal Departments provide update to MEOC Coordinator	MEOC Activation Level 1	Submit Report to Council REMC		
B	12 – 24 hrs	Detailed CI Impact Assessment	Liaise with REMC	Maintain Situational Awareness	Municipal Departments provide update to MEOC Coordinator	MEOC Activation Level 1	Minor Impacts Case by Case	Municipal Emergency Response Plan Activated	Submit Report to Council and REMC
C	24 – 36 hrs	Final CI Impact Assessment	Liaise with REMC	MEOC Activation	REOC Activation in support of municipal activation(s)	Municipal Departments provide update to MEOC Coordinator	Maintain Situational Awareness		Submit Report to Council and REMC
D	36-48 hrs	Response Activities to CI	Liaise with REMC	MEOC Activation	Maintain Situational Awareness	Open Warming Centers or Reception Centers as required	Municipal Mutual Aid Requests (if required)	REOC Support to Municipalities / LSDs	Submit Report to Council and REMC
E	48 – 60 hrs	Monitor CI Recovery Efforts	Liaise with REMC	MEOC Activation	Maintain Situational Awareness	Regional Visits from REMC / NBEMO	Submit Report to Council and REMC		
F	60 – 72 hrs	Monitor Final CI Recovery Efforts	Liaise with REMC	Maintain Situational Awareness	Recommend Warming Centers / Reception Centers closures if no longer required	Monitor EOC Deactivations	Submit Report to Council and REMC		
G	72 + hrs	CI Restoration Efforts Ongoing or Completed	Final Liaison with REMC	Submit Final Report to REMC	MEOC Deactivation	Disaster Financial Assistance (if applicable)	Conduct an AAR		

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Appendix “I”- Contact List

CONTACT LIST

DEPARTMENT	POSITION	SURNAME	PHONE #1	PHONE #2	E-MAIL
Mayor and Council	Mayor				
	Deputy Mayor				
	Councillor				
	Councillor				
	Councillor				
	Councillor				
	Councillor				
	Councillor				
	Councillor				
	Councillor				
	Councillor				
	Councillor				
Fire Department and EMO	EMO Director (Fire Chief)				
	Deputy Director (Deputy Chief)				
	Platoon Chief				
	Platoon Chief				
	Director of MEMO & PC				
	Recorder/Admin. Support				
PSCC	Specialist				
Leisure Services	Operations Manager				
	Deputy Commissioner				
	Leisure Services Coordinator				

DEPARTMENT	POSITION	SURNAME	PHONE #1	PHONE #2	E-MAIL
Information Technology	24 Hour Service Desk				
	Manager				
	Telecommunications Specialist				
	Network Specialist				
GIS SUPPORT	Manager GIS				
	GIS Support Coordinator				
	Technologist GIS				
City Manager's Office	A/Director Corporate Performance				
Council Emergency Measures Committee	Common Clerk				
	Assistant Common Clerk				
Emergency PIO	Manager Corporate Communications				
	Communications Officer				
Municipal Operations	Deputy Commissioner Transportation & Env.				
	Municipal Engineer				
Logistics Services	Manager, Materials Management				
	Procurement Specialist				
	Manager Fleet				

DEPARTMENT	POSITION	SURNAME	PHONE #1	PHONE #2	E-MAIL
Utilities	Deputy Commissioner				
Support Services	Manager Human Resources				
	Staffing Officer, HR				
Police Dept.	Chief of Police				
	Inspector – OIC Patrol Services				
	Staff Sergeant				
	Inspector – CID				
Red Cross	Provincial Manager Disaster Management				
	Disaster Management Associate				
Emergency Support Services	Salvation Army				
Emergency Medical Services	Operations Manager – SJ District ANB				
	Operations Manager – SJ District ANB				
NB Power	President & CEO NB Power				
	VP, Engineering & Operations, NB Power				
	Manager, Operations, NB Power				
Transportation	Manager of Transit Commission				

DEPARTMENT	POSITION	SURNAME	PHONE #1	PHONE #2	E-MAIL