

By-Law Number 23-XXX

of

The Regional Municipality of Waterloo

A By-law to Establish an Emergency Management Program for the Regional Municipality of Waterloo and to Repeal By-law 19-028, as Amended

Whereas the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E-9 (the “Act”) requires the development, implementation and maintenance of an Emergency Management Program by The Regional Municipality of Waterloo;

And Whereas this Act provides for the establishment and maintenance of an organizational structure responsible for emergency management in Waterloo Region and for the provision of staff and financial resources to that organization;

And Whereas this Act and Ontario Regulation 380/04 require the Emergency Management Program to conform to standards promulgated by the Treasury Board Secretariat - Emergency Management Ontario Branch;

And Whereas the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides The Regional Municipality of Waterloo with the authority to enact by-laws for the health, safety and well-being of the persons of Waterloo Region;

Now Therefore the Council of The Regional Municipality of Waterloo enacts as follows:

1. An Emergency Management Program for the development, implementation and maintenance of the program in The Regional Municipality of Waterloo is hereby established.
2. The Regional Emergency Response Plan attached hereto as Schedule “A” of this By-law, and forming a part hereof, is hereby adopted. This plan shall supersede and replace any previous Regional Emergency Response Plan. The Region shall submit a copy of the Regional Emergency Response Plan and revisions to the Province of Ontario Treasury Board Secretariat via the Chief of Emergency Management Ontario.
3. In the event of a conflict or inconsistency between the provisions of the Regional Emergency Response Plan and the Emergency Response Plan of any area municipality within the Waterloo Region, the provisions of the Regional Emergency Response Plan shall prevail to the extent of the conflict or inconsistency.
4. The Regional Chair or designated alternate, as provided in the plan, is empowered to declare an emergency in Waterloo Region or any part thereof and take such actions or make such orders as they consider necessary and are not contrary to the law and implement the Regional Emergency Response Plan.

5. Those designated in the Regional Emergency Response Plan are empowered to cause an emergency notification to be issued to members of the Regional Emergency Control Group and Support & Advisory personnel, and are further empowered to respond to an emergency in accordance with the Regional Emergency Response Plan where an emergency exists but has not yet been declared to exist.
6. The Regional Chief Administrative Officer will cause the Regional Emergency Management Program to be reviewed annually and to recommend changes to the program as considered appropriate and refer significant changes to Regional Council through the Administration and Finance Committee for further review and approval.
7. The Regional Chief Administrative Officer shall be responsible to the Regional Council for the Regional Emergency Management Program and for the execution of Emergency Management Policies adopted by Council. The Chief Administrative Officer shall be Chair of the Regional Emergency Control Group.
8. In the potential unforeseen circumstance where the Regional Chief Administrative Officer is unavailable and unable to appoint an alternate Chief Administrative Officer, a member of the Corporate Leadership Team of the Regional Municipality of Waterloo will assume the role of alternate Chief Administrative Officer. This list is as outlined in the Regional Emergency Alerting List. The alternate Chief Administrative Officer role will be effective until such time that the Regional Chair is able to appoint an interim Chief Administrative Officer.
- 9.. The Manager of Emergency Management shall be the primary Regional Community Emergency Management Coordinator (CEMC) and be responsible and accountable for the development, implementation and maintenance of the Regional Emergency Management Program.
- 10.. The Manager, Emergency Management shall assist the Chief Administrative Officer and Corporate Leadership Team of the Regional Corporation in the preparation and implementation of Emergency Response Plans. The Manager of Emergency Management may also provide assistance to area municipalities within Waterloo Region in the preparation and implementation of their respective emergency response plans and Emergency Management Programs.
- 11.. The Manager, Emergency Management shall be responsible for planning and coordinating the personnel, procedures, materials and facilities required by The Regional Municipality of Waterloo to enable the Regional Emergency Control Group, together with other appropriate entities, to respond in a coordinated manner to any major emergency situation involving a threat to life, safety, convenience or property, whether such emergency is caused by the forces of nature, accident, or otherwise. Without limiting the generality of the foregoing, the Manager, Emergency Management shall:
 - (a) ensure that the Regional Emergency Management Program is

compliant with the Act which requires The Regional Municipality of Waterloo to perform specified activities on an annual basis to maintain compliance with legislated standards;

- (b) lead the formulation of Regional Emergency Response Plans;
 - (c) review the Emergency Response Plans of the area municipalities within Waterloo Region for conflicts or inconsistencies with the provisions of the Regional Emergency Response Plan;
 - (d) develop and co-ordinate arrangements for co-operation and mutual assistance between municipalities;
 - (e) provide, support and advice with regard to the Emergency Response Plans of individual departments and services of the Regional Corporation;
 - (f) review and recommend modifications to Emergency Response Plans;
 - (g) provide liaison with authorities of other participating municipalities, provincial ministries, federal departments and all other bodies having responsibilities in emergency or major incident situations;
 - (h) conduct training and training exercises for the effective implementation of Emergency Response Plans;
 - (i) develop and implement a community emergency management public awareness/ public education program;
 - (j) undertake hazard identification and risk assessment studies to identify and recommend action to overcome actual and potential hazards which may cause, or contribute to an emergency situation;
 - (k) undertake and maintain an inventory of existing resources and facilities to assist in an effective emergency response;
 - (l) to perform such other acts or activities as approved by the Regional Council to provide the desired level of emergency management for The Regional Municipality of Waterloo; and
 - (m) report to the Emergency Management Program Committee (EMPC) and the Regional Chief Administrative Officer on the implementation of the Regional Emergency Management Program.
12. (1) The Regional Emergency Planning Advisory Committee (REPAC) for The Regional Municipality of Waterloo is hereby established and shall be comprised of the following positions or any successor positions thereto:
- Regional Chief Administrative Officer

- Commissioner, Human Resources and Citizen Service
 - Director, Corporate Communications (Emergency Information Officer)
 - Director, Labour Relations and Emergency Management
 - Manager, Emergency Management
 - Commissioner, Transportation
 - Commissioner, Engineering and Environmental Services
 - Commissioner, Community Services
 - Commissioner, Public Health & Paramedic Services/Medical Officer of Health
 - Chief, Paramedic Services
 - Regional Police Chief
 - Regional Fire Coordinator
 - Regional Hydro Coordinator
 - Chief Administrative Officer (or designate) for each area municipality within Waterloo Region (7)
 - Waterloo Region Community Emergency Management Coordinators (CEMCs)
- (2) The Regional Chief Administrative Officer shall be the Chair of the Regional Emergency Planning Advisory Committee.
- (3) The Emergency Management Advisor is the Secretary to the Regional Emergency Planning Advisory Committee.
- (4) The Committee shall be kept informed of emergency management program initiatives at the Provincial, Regional and local municipal level at least once per year. This could be in form of an electronic communication or meeting.
13. The Regional Emergency Planning Advisory Committee shall:
- (a) provide a forum to share information, explore opportunities for collaboration, communication and cooperation among and between Emergency Management Programs for the various organizations and municipalities within the Waterloo Region, including but not limited to program strategies, policies, procedures and resources in connection with emergency mitigation, prevention, preparedness, response and recovery efforts;
 - (b) make recommendations to Regional and Municipal Council(s) concerning such emergency management arrangements, and the policies needed for a coordinated response to any type of emergency.
 - (c) provide strategic advice to the Community Emergency Management Coordinators in the implementation of mandated programs;
 - (d) ensure relevant emergency management information from the Regional Emergency Planning Advisory Committee meetings and correspondence is shared with emergency and support services within the Waterloo Region;

- (e) perform such other acts or activities as approved by the Regional Council to provide the desired level of emergency management for The Regional Municipality of Waterloo; and
 - (f) receive reports from the Regional Fire Coordinator concerning their role as Chair of the Regional Emergency Services Coordinating Unit (RESCU).
14. (1) The Emergency Management Program Committee (EMPC) is hereby established and shall be comprised of following positions or any successor positions thereto:
- Manager, Emergency Management (Chair)
 - Emergency Management Advisors
 - Region of Waterloo Community Emergency Management Coordinator(s)
 - Director Labour Relations and Emergency Management
 - Commissioner, Human Resources and Citizen Service
 - Director, Corporate Communications
 - Medical Officer of Health
 - Director Health Protection and Investigation, Public Health and Paramedic Services
 - Chief, Paramedic Services
 - Commissioner, Community Services
 - Commissioner, Transportation
 - Director, Water Services
 - Commissioner, Corporate Services
 - Director, Facilities and Fleet Management
 - Director, Information Technology Services
 - Supervisor, Geographic Information Systems
 - Commissioner, Planning, Development and Legislative Services
- (2) Additional personnel, other officials, experts or representatives may be called upon or added to the Emergency Management Program Committee if required by the Manager, Emergency Management.
- (3) Through this By-law Council appoints the Manager, Emergency Management as the Chair of the Emergency Management Program Committee and shall report to the Regional Chief Administrative Officer on the recommendations and activities of the Emergency Management Program Committee.
- (4) The Emergency Management Advisor is the Secretary to the Emergency Management Program Committee.
- (5) The Committee shall meet at least once per year.
- (6) The role of the Emergency Management Program Committee is to conduct activities as prescribed in the Regional Emergency Management Program and the Terms of Reference of the Committee. Members of this Committee shall be responsible for

- carrying out those duties and responsibilities of the Regional Emergency Management Program as may be applicable to their respective departmental and agency functions.
- (7) Through the Chair, the committee shall advise Council
- i. on the development and implementation of the municipality's Emergency Management Program, and
 - ii. shall make recommendations, following an annual review of the Region's Emergency Management Program, for its revision if necessary.
15. This By-law hereby designates all Regional employees as emergency workers in the event of a Regional Emergency and therefore all Regional employees may be called out and assigned responsibilities to assist in the implementation of the Regional Emergency Response Plan.
16. (1) Every person who fails to comply with an order under section 4 of this By-law or who interferes with or obstructs any person in the exercise of a power or the performance of a duty conferred under that section, and every officer and director of a corporation who knowingly concurs in the contravention, is guilty of an offence and is liable on conviction,
- (a) in the case of an individual, subject to subsection (b), to a fine of not more than \$10,000;
 - (b) in the case of an individual who is an officer or director of a corporation, to a fine of not more than \$50,000; and
 - (c) in the case of a corporation, to a fine of not more than \$100,000.
- (2) A person is guilty of a separate offence on each day that an offence under subsection (1) occurs or continues.
- (3) This section may be enforced by a police officer and a municipal law enforcement officer appointed by The Regional Municipality of Waterloo.
17. If an order under section 4 of this By-law is contravened, in addition to any other remedy and to any penalty imposed by this By-law, the contravention may be restrained by court application at the instance of The Regional Municipality of Waterloo, as directed by the Regional Chair or designated alternate.
18. Where any person is in default of an order under section 4 of this By-law, The Regional Municipality of Waterloo, as directed by the Regional Chair or designated alternate, may take remedial actions at the sole cost of the person contravening the order to ensure that the order is complied with, and The Regional Municipality of Waterloo may recover the costs of such remedial work, by court action or in like manner as property taxes.

19. If any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, only that invalid portion of the By-law shall be severed and the remainder of the By-law shall still continue in force.
20. (1) This By-law shall come into force and effect on the final passage hereof.

(2) By-law 19-028, as amended, of The Regional Municipality of Waterloo shall be repealed effective on the coming into force of this By-law.

By-law read a first, second and third time and finally passed in the Council Chamber in the Regional Municipality of Waterloo this XXXX, August, A.D., 2023

Regional Clerk

Regional Chair