

# THE CORPORATION OF THE CITY OF KAWARTHA LAKES

## BY-LAW 2004 -157

<b>A BY-LAW TO PROVIDE FOR THE FORMATION OF AN EMERGENCY MANAGEMENT PROGRAM FOR THE CITY OF KAWARTHA LAKES.</b>
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### **Recitals:**

1. The Emergency Management Act, R.S.O. 1990, Chapter E.9, as amended (the "Act"), requires the development and implementation of an emergency management program by the CITY OF KAWARTHA LAKES.
2. The Act requires the emergency management program to conform to standards promulgated by Emergency Management Ontario in accordance with international best practices, including the four core components of emergency management, namely: mitigation/prevention, preparedness, response and recovery; and also makes provisions for the municipality and council to develop and implement an emergency management program to protect public safety, public health, the environment, the critical infrastructure and property, and to promote economic stability and a disaster resilient community;
3. The Act makes provisions for the Head of Council to declare that an emergency exists in the community or in any part thereof, and also provides the Head of Council with authority to take such action or make such orders as he/she considers necessary and not contrary to law, to implement the emergency response plan and respond to an emergency;
4. The Act provides for the designation of one or more members of council who may exercise the powers and perform the duties of the Head of Council during his/her inability to act;
5. The Act authorizes employees of a community to respond to an emergency in accordance with the emergency response plan where an emergency exists but has not yet declared to exist.
6. The City of Kawartha Lakes Emergency Plan appended to this By-law as Schedule A was approved.
7. A by-law is needed to formally adopt the plan.

**Accordingly, the Council enacts this By-law No. 2004-157.**

<b>Article 1:00 Definitions and Interpretation</b>
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- 1.01 **Definitions:** definitions for specific words or acronyms appear within Schedule A.
- 1.02 **Interpretation Rules:**
  - (a) Whenever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable in the circumstances.
  - (b) References to items in the plural include the singular, as applicable.
  - (c) The word "include" is not to be read as limiting the phrase or descriptions that precede it.
  - (d) The recitals and the Schedule to this By-law, including its appendices, are integral parts of it.

- 1.03 **Statutes:** References to laws in this By-law are meant to refer to the current laws applicable within the Province of Ontario as at the time this By-law was passed. For Provincial laws, the reference is to the relevant chapter of the R.S.O. 1990 edition, as amended from time to time, including successor legislation.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to severed from the balance of the By-law, which will continue to operate in full force.

Article 2:00 Adoption of Emergency Management Program
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- 2.01 The City shall develop and implement an Emergency Management Program (the "Program"), in accordance with the standards published by Emergency Management Ontario, which standards are in accordance with international best practices. As part of the Program, the community emergency response plan attached hereto as Schedule "A" of this By-law (the "Plan") is hereby adopted.
- 2.02 The Mayor, or designated alternate as provided in the Plan, is empowered to declare an emergency and implement the Plan.
- 2.03 The appointed officials, or designated alternates as provided in the Plan, are empowered to cause an emergency notification to be issued to members of the Community Control Group, and to response plan where an emergency exists but not yet been declared to exist.
- 2.04 The Program shall be reviewed at least annually by the Emergency Management Program Committee, which will recommend changes to the program as considered appropriate and refer recommendations to Council for further review and approval.

Article 3:00 Effective Date
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- 3.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed.
- 3.02 By-law number 2001-123 of the City of Kawartha Lakes is repealed

By-law read a first, second and third time, and finally passed, this 17<sup>th</sup> day of August, 2004.

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Howard Robinson, Acting Mayor

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Judy Currins, Clerk

**SCHEDULE A TO BY- LAW 2004-157  
OF THE CORPORATION OF THE CITY OF KAWARTHA LAKES**