



TOWN OF PRESCOTT

EMERGENCY PLAN

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Section 1 – Administration

1.0 Emergency Quick Reference Guide

- ⇒ Upon the arrival of three or more members, the Municipal Emergency Control Group (MECG) may initiate its function.
- ⇒ Ensure that all Community Departments have been notified and either activated or placed on standby. Each MECG member is responsible for their own department.
- ⇒ The Mayor must inform the Province of Ontario that the **Town of Prescott** has declared an emergency, and specify the nature of the emergency situation. The provision of a return contact number is required for communications purposes. The call is made to the Emergency Management Ontario.

The number to use for this purpose is **(416) 314-0472 or 1-866-314-0472**

Fax: (416) 314-0474

- ⇒ Turn to individual responsibilities within the plan. Provide input and assistance as required.
- ⇒ Each member of the MECG will report and respond to immediate needs in accordance with the Operations Cycle format.

Section 1 – Administration

1.1 Introduction

This Plan has been prepared to provide key officials, agencies and departments within the Town of Prescott with a general guideline to initiate response to an emergency, and an overview of their responsibilities during an emergency.

All concerned should be aware of the Plan's provisions and every official, agency and department should be prepared to carry out their assigned functions and responsibilities.

The Emergency Management and Civil Protection Act, 2009 is the legal authority for this plan (which is administered by the Office of the Fire Marshal and Emergency Management [OFMEM]) and is also included as a specific Town by-law. It states that the Head of Council may declare that an emergency exists in the community, or any part thereof, and may take such action and may make such orders as he/she considers necessary, and are not contrary to law, to implement the emergency plan of the community and to protect property and the health, safety, and welfare of the inhabitants of the emergency area.

Emergencies are defined as *situations or the threat of impending situations that could abnormally affect property, and the health, safety and welfare of the community, which would require a coordinated response by a number of agencies (including those outside the community), under the direction of the Municipal Emergency Control Group (MECG)*. These responses would be distinct from normal responses from first response agencies.

The four components of emergency management are as follows:

- **Mitigation/Prevention:** Eliminating or reducing the degree of long-term risk to human life and property from natural, technological, and human-caused hazards. Preventive measures include relevant legislation, regulations, codes, and hazard reviews.
- **Preparedness:** Developing operational capabilities for an effective response prior to an emergency. Preparedness measures include plans, training, exercises, and public education.
- **Response:** Taking immediate action before, during and after an emergency to save lives, minimize damage to property and enhance recovery. Response measures include activating emergency plans and providing staff and additional resources.
- **Recovery:** Restoring critical public safety systems and essential services to minimum operating levels following an emergency. Recovery measures include damage assessment, counseling, debris clearance, infrastructure renewal and decontamination.

Emergencies that might affect the Town of Prescott are (and not restricted to) **major fires; dangerous goods fume releases; snow/ice storms; explosions; flooding; public health emergencies; road/rail/shipping crashes; flammable gas leaks; utility outages; building or structural collapse; adverse environmental incidents; forest fires; an agricultural emergency; or a combination of any of the above.**

This emergency plan will focus on the components **Preparedness, Response and Recovery.**

Section 1 – Administration

1.2 Aim

The Aim of this plan is to protect the health, safety, welfare and property of our citizens from the effects of a natural, technological or human caused emergency.

Section 1 – Administration

1.3 Authority

This Plan has been developed and will be implemented in accordance with the Emergency Management and Civil Protection Act, detailed in Section 4 which is the Provincial statute under which all emergency management activities are conducted in the Province of Ontario.

Our By-law No.36-2004 and 52-2016 is the local authority for this plan and related activities. The By-law is itself Section 5 of this Emergency Plan.

Section 1 – Administration

1.4 Glossary of Terms

Term

Definition

Emergency

Emergency is defined as situation caused by a natural, accidental, or intentional act, or otherwise that constitutes an actual or impending danger to life or property.

Emergency Operations Centre (EOC)

An EOC is the structure/facility wherein the MECG conducts its emergency management functions. There is a primary and secondary EOC identified to ensure operational viability.

Municipal Emergency Control Group (MECG)

The MECG is the group responsible for managing the emergency situation on a community wide basis. The membership, as detailed in the plan, consists of all key decision makers and officials who have the authority to direct or coordinate human and material resources within the community.

Reception Centre

The centre is a facility which is set up for the purpose of receiving evacuees, providing refreshments and temporary shelter. Its primary purpose is to register evacuees and if necessary direct them to an evacuation centre as required.

Evacuation Centre

The centre is a facility set up to provide emergency shelter, food, recreation and basic requirements to a group of people who have been evacuated from an area as a result of an emergency.

Information Centre

A facility set up to brief and inform the media

Section 1 – Administration

1.5 Plan Maintenance

The Plan was established in 2004 and it is essential that it be kept current and viable by adherence to a maintenance schedule. Responsibility for the plan being kept up to date rests with the Community Emergency Management Coordinator (CEMC) who may delegate tasks accordingly.

The emergency telephone numbers will be reviewed on an annual basis.

The notification system will be tested annually.

The plan will be exercised once every year as a minimum requirement.

The MCEG and Support Staff shall receive training and participate in an exercise once every year as a minimum requirement.

The Vital Services and/or Local Services Directory should be updated annually.

The Community Emergency Management Coordinator will determine the schedule under which the maintenance activities will be performed.

Section 1 – Administration

1.6 Distribution Lists

<u>Position/Location</u>	<u>Number of Copies</u>
Mayor	1*
CAO	1*
OPP	1 *
Fire Chief	1*
EMS/Ambulance	1*
Fire Dispatch	1 *
Director of Operations	1*
Clerk/Scribe	1*
Medical Officer of Health	1
Treasurer	1*
Emergency Information Officer	1*
CEMC	1*
Director of Social Services	1*
County Emergency Management Coordinator	1*
Office of the Fire Marshal and Emergency Management	1*
Emergency Operations Centre	10*

(* = complete copy of plan with Directories)

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Section 2 – Emergency Operations

2.0 Municipal Emergency Control Group (MECG) Membership

The MECG is the group that is responsible for the direction and control of the overall emergency response within the community. The MECG ensures the provision of the essential services necessary to minimize the effects of an emergency on the community.

The MECG is made up of the following members;

Mayor

CAO

Clerk/Scribe

Fire Chief

Director of Operations

Treasurer

Emergency Information Officer

CEMC

Alternate CEMC

Municipal Supporting Staff (as required)

IMPLEMENTATION:

Any member of the MECG may request, through the CAO, that the Emergency Plan be implemented.

It is the responsibility of the agency that is first at the scene of an emergency to decide whether the emergency plan should be implemented. If the size or seriousness of the emergency is beyond the capability or responsibility of that agency or enhanced communications is necessary, then the Emergency Plan will be activated. The Emergency Plan may be implemented in whole, or in part, based on conditions at the site or severity of the situation.

The CAO will immediately notify the Mayor and other members of the MECG. Notification lists and procedures are located in Appendix 2.

Section 2 – Emergency Operations

2.1 Emergency Operation Centre Procedures

The Emergency Operations Centre (EOC) has both a primary and a secondary or alternate location. During the notification process, direction as to which location members of the MCEG will report to will be given. For example, members will be told that this is emergency plan activation and that they should report to the primary EOC immediately. The primary and secondary locations are geographically separated so that if one or the other is endangered or rendered non-functional as a result of the emergency situation the other should be safe and operational.

The Town of Prescott has a dedicated Primary EOC location as well as a Secondary EOC Location prepared for use in case of an emergency (Appendix 1).

Upon receiving notification, the CAO will contact the administrative staff who have been assigned the task of setting up the EOC. The EOC will be set up and operational within one hour of activation. The CAO will supervise the set up and ensure operational viability.

Upon arrival at the EOC, each MCEG member/designate will;

- a. Sign In.
- b. Check telephone/communications devices.
- c. Open personal log.
- d. Contact their departments and obtain a status report (if applicable)
- e. Participate in the initial briefing.
- f. Participate in planning initial response/decision making process.
- g. Pass MCEG decisions on to member's agencies/areas of responsibility.
- h. Continue participation in the EOC Operations Cycle.

Upon leaving the EOC, each MCEG member will;

- a. Conduct a hand over with the person relieving them.
- b. Sign out on the location board indicating where they can be reached.

Once the initial response is established, routines are put into place by the Incident Commander. The MCEG functions most efficiently on a system known as an Operations Cycle.

Section 2 – Emergency Operations

2.2 Operations Cycle

An operations cycle is how the MCEG manages overall emergency operations. MCEG members will come together usually around a planning board or map at which time they will in turn report their agencies' status to the CAO. It is essential that every member, covering each area of responsibility, be heard from during this process. The MCEG is a team, and the actions taken by one, or the lack of action by one, may have a significant impact upon operations.

The round table discussion should include problems, questions, resources requests and any other relevant information so that timely informed decisions can be made as a group. Once the meeting is completed, the members should contact their agencies and pass on any relevant information or directives that come out of the MCEG meeting. The frequency of the meetings is determined by the CAO in conjunction with the Mayor but should reflect the pace of the emergency and occur on a scheduled basis which may be adjusted accordingly.

During the period after the meeting and dissemination of information, members will be in the process of gathering information and preparing for the next scheduled meeting. MCEG members use this time to follow up and ensure decisions are being implemented. Each member is responsible for informing their respective agency of the schedule for MCEG meetings. No calls are to interrupt the proceedings. All calls must occur prior to or after the formal meetings of the MCEG.

It is essential that the EOC is comfortable, has good communications and is secure from unnecessary distractions. Only MCEG members and EOC support staff should have access to the EOC. No media are allowed into the EOC, nor is anyone who has not been authorized by the Incident Commander.

Section 2 – Emergency Operations

2.3 Municipal Emergency Control Group (MECG) Responsibilities and Procedures

The MECG is responsible for the following:

1. Implementing the Emergency Plan in whole or in part to respond to an impending, potential, or existing emergency.
2. Coordination and direction of community resources used to mitigate the effects of an emergency.
3. Ensuring that the composition of the MECG is appropriate to mitigate the effects of a given emergency, by determining which, if any, ad-hoc members are required.
4. Advising the Mayor regarding requests for assistance from the Province, and the Federal Government.
5. Ensuring the provision of essential resources and services to support emergency response activities.
6. Coordination of services provided by outside agencies.
7. Appointing or confirming an Emergency Site Manager.
8. Ensuring that the Emergency Information Officer is kept informed and up to date to facilitate the information flow to the media and the public.
9. Coordinating the evacuation of citizens who may be in danger.
10. Discontinuing utilities or services provided by public or private concerns, i.e. hydro, water, gas, closing businesses.
11. Appeals for volunteers.
12. Establishment of advisory subcommittees to work on specific problem areas related to the emergency, as required.
13. Authorization of expenditures during the emergency; provision for cost accounting and facilitation of cost recovery.
14. Maintenance of an operational log detailing the group's decisions and activities
15. Deactivating the plan and notifying all of those who had been notified of its activation.
16. Conducting and participating in a debriefing, generating a post-emergency report and implementing recommendations for improvement of the emergency response plan.

Section 2 – Emergency Operations

2.4 Mayor

The responsibilities of the Mayor are:

- a. Declaration of an Emergency within the Town.
- b. Termination of an Emergency.
- c. Notifying the Province of Ontario of the declaration of emergency, and termination of the emergency. (*Contact made through OFMEM*)
- d. Ensuring the members of Council are advised of the declaration and termination of an emergency and is kept informed of the emergency operational situation.
- e. Ensuring that the local MPP and MP, neighboring municipalities and the County are advised of the declaration and termination and kept informed of the emergency situation.
- f. Approving all major announcements and media releases prepared by the Public Information Officer, in conjunction with the CAO & MECG.
- g. Maintain a personal log of all actions taken.

Section 2 – Emergency Operations

2.5 Chief Administrative Officer (CAO)

The responsibilities of the CAO are:

- a. Activating the emergency notification system.
- b. Coordinating all operations within the Emergency Operations Centre, including the scheduling of regular meetings.
- c. Chair meetings of the Municipal Emergency Control Group.
- d. Advising the head of council on policies and procedures as appropriate.
- e. Approving, in conjunction with the head of council, major announcements and media releases prepared by the Public Information Officer, in conjunction with the MCEG.
- f. Ensuring that a communication link is established between the MCEG and the Emergency Site Manager.
- g. Calling out additional staff as required.
- h. Ensuring a resolution for natural disaster relief is submitted to the Ministry of Municipal Affairs and Housing within the time frame required by legislations.
- i. Maintain a personal log of actions taken.

Section 2 – Emergency Operations

2.6 Clerk/Scribe

The responsibilities of the Clerk/Scribe are:

- a. Upon notification, report to the EOC.
- b. Upon direction of the CAO, notify the MCEG of the emergency and the location of the Emergency Operations Centre.
- c. Coordinating the provision of clerical staff to assist in all aspects of the Emergency Operations Centre, (e.g. record keeping, photocopying)
- d. Arranging for printing of material, as required
- e. Ensuring that the decisions and action items arising from the operating cycle meetings are documented and kept for future reference
- f. Disseminating to the Public Information Officer, emergency declarations, updates, and pertinent information relative to the emergency for Council and media updates
- g. Upon direction of the Mayor, arranging special meeting(s) of Council, as required, and advising members of Council of the time, date, location of the meeting.
- h. Liaise with and assist the CEMC as required.
- i. Maintain a personal log of actions taken.

Section 2 – Emergency Operations

2.7 Community Emergency Management Coordinator (CEMC)

The Community Emergency Management Coordinator shall co-ordinate the development and implementation of the ministry's emergency management plan.

Responsibilities of the CEMC are:

- a. Upon notification, report to the EOC
- b. Arrange the facilities identified as Emergency Operations Centre to be accessible and equipped.
- c. Ensuring the necessary plans, maps, supplies, and equipment are available for the operating cycle meetings at the Emergency Operations Centre
- d. Maintains a written log of all incident events.
- e. Gather information from other EOC positions for entry in the EOC Activity Log.
- f. At deactivation of the EOC, gather personal logs from all EOC and review for accuracy and completeness.
- g. Maintain a personal log of actions taken.

Section 2 – Emergency Operations

2.8 Fire Chief

The responsibilities of the Fire Chief are:

- a. Activating the emergency notification system.
- b. Providing the MCEG with the information and advice on fire fighting and rescue matters.
- c. Establishing an ongoing communications link with the senior fire official at the scene of the emergency.
- d. Initiating Mutual Aid as required.
- e. Determining if additional or specialized equipment is required, ie: protective suits etc.
- f. Coordinating or providing assistance with, rescue, first aid, casualty collection, evacuation etc.
- g. Providing an Emergency Site Manager as required.
- h. Maintain a personal log of actions taken.

Section 2 – Emergency Operations

2.9 Director of Operations

The Director of Operations is responsible for:

- a. Activating the emergency notification system.
- b. Liaison with the senior public works officers from the neighboring community(s) to ensure a coordinated response.
- c. Provide
- d. The provision of engineering assistance.
- e. The construction, maintenance, and repair of public roads.
- f. Assistance with road closures and/or roadblocks.
- g. Maintenance of sanitation and a safe supply of potable water as required.
- h. The provision of equipment for emergency pumping operations.
- i. Discontinuing any public works service to any consumer, as required, and restoring these services when appropriate.
- j. Liaise with Utilities.
- k. Providing Public Works Department vehicles and resources to any other emergency service, as required.
- l. Maintain liaison with flood control, conservation and environmental agencies and being prepared to take preventative action.
- m. Providing an Emergency Site Manager if required.
- n. Responsible for the work direction of all staff outside the Control Group.
- o. Arrange for back-up personnel.
- p. Maintain a personal log of actions taken.

Section 2 – Emergency Operations

2.10 Treasurer

The Treasurer is responsible for:

- a. Documentation of expenditures, accounts payable and receivable.
- b. Advice regarding all financial aspects of the emergency.
- c. Responsible for tracking all costs associated with the incident.
- d. Coordination of application for disaster relief funds through the Ministry of Municipal Affairs
- e. Plans for costs recovery.
- f. Maintain a personal log of actions taken.

Section 2 – Emergency Operations

2.11 Emergency Information Officer

The designated Emergency Information Officer is responsible for:

- a. Consult with the MECG on the need for news briefings and conferences, the granting of media interviews, the status of media monitoring, recommended responses to media misinformation and rumour, the content of official statements, announcements and other forms of public communication, and the release of any disaster-related information to the public.
- b. Consult with other members of the MECG on the status of the emergency and on any need for resources that could be fulfilled for the dissemination of information to the public for assistance.
- c. Apprise the MECG members of any significant information received by the public.
- d. Issue passes; ID to all bona fide media representatives assigned to direct coverage of the emergency by their organizations and keeps an up-to-date accreditation register.
- e. Provide technical and logistical supports to accredited media representatives as requested.
- f. Correct misinformation by contacting media program producer.
- g. Ensure that a log is kept of all media inquiries to be transformed into a media inquiry summary and assessment component of the final operational evaluation report of media activities.
- h. Prepare and submit an analysis of media coverage and recommend necessary adjustments.
- i. Maintain a personal log of actions taken.

Section 3 – Emergency Support

3.1 Medical Officer of Health

The Medical Officer of Health is responsible for:

- a. Acting as a coordinating link for all emergency health services at the MCEG.
- b. Liaison with the Ontario Ministry of Health, Public Health Branch.
- c. Liaison with the ambulance service representatives.
- d. Liaison with the Community Care Access Centre representative.
- e. Providing advice on any matters that may adversely affect public health.
- f. Providing authoritative instructions on health and safety matters to the public through the Emergency Information Officer.
- g. Coordinating the response to disease related emergencies or anticipated emergencies such as epidemics, according to Ministry of Health policies.
- h. Ensuring liaison with other public health units, as required, for augmenting and coordinating public health resources.
- i. Ensuring coordination of all efforts to prevent and control the spread of disease during an emergency.
- j. Ensuring the safety of drinking water in conjunction the Director of Operations.
- k. Liaison with the senior social services representative regarding health services in evacuee centres.
- l. Maintain a personal log of actions taken.

Section 3 – Emergency Support

3.2 United Counties of Leeds and Grenville Social Services

The United Counties of Leeds and Grenville Social Services is responsible for:

- a. Ensuring for the care, feeding and shelter of evacuees.
- b. Management of reception and evacuation centers:
 - South Grenville District High School – Edward Street, Prescott
 - Thousand Islands Secondary School – Stewart Blvd., Brockville
 - Rideau District High School - Main Street, Elgin
 - Gananoque Secondary School – William Street, Gananoque
- c. Liaison with the police regarding the pre-designation of evacuee centres which can be opened on short notice.
- d. Liaison with the MOH in areas regarding public health in evacuation centres.
- e. Liaison with the public and separate school boards regarding the use of school facilities for reception and evacuation centres.
- f. Liaison with the nursing homes and homes for the aged.
- g. Liaise with Director of Operations of the Town of Prescott.
- h. Maintain a personal log of actions taken.

Section 3 – Emergency Support

3.3 EMS/Ambulance

The EMS/Ambulance representative is responsible for:

- a. Requesting activation of the Emergency Plan.
- b. Providing the MCEG with information and advice on treatment and transport of casualties.
- c. Liaise with the Medical Officer of Health, area hospitals, police and fire officials during an emergency situation.
- d. Alert all staff using the Provincial Health Emergency Alert System.
- e. Take charge of casualties within the emergency area and be responsible for triage, lifesaving care, and the transport to area hospitals.
- f. Maintain a personal log of actions taken.

Section 3 – Emergency Support

3.4 Ontario Provincial Police

The OPP Police Representative is responsible for:

- a. Activating the emergency notification system.
- b. Establishing and maintaining ongoing communications with the senior police at the emergency site.
- c. The provision of traffic control to facilitate the movement of emergency vehicles.
- d. Co-ordination of evacuation routes.
- e. Liaison with Social Services regarding security of reception/evacuation centres.
- f. The protection of life and property and the provision of law and order.
- g. The provision of police services in evacuation centres, morgues, and other facilities as required.
- h. Coordinating or providing assistance with, rescue, first aid, casualty collection, evacuation etc.
- i. Notifying the coroner of fatalities.
- j. Liaison with external police agencies, as required.
- k. Providing an Emergency Site Manager, as required.
- l. Maintain a personal log of actions taken.

Section 3 – Emergency Support

3.5 Legal Advisor

- a. Provide legal opinions and advice to the MEEG as required
- b. Provide legal representation as required.

Section 3 – Emergency Support

3.6 Provided through the United Counties of Leeds and Grenville

Boards of Education

- a. Provide schools for reception centers.
- b. Provide schools for evacuation centers.
- c. Provide liaison with the Director, Social Services and the MECG.

Canadian Red Cross

- a. Upon receiving notification, activate the local Red Cross Emergency Response Plan
- b. Provide support to the emergency response
- c. Provide registration and inquiry services if required
- d. Liaise with Regional Red Cross to access additional resources (i.e. Emergency Response Team)
- e. Establish and maintain contact with the Director, Social Services in the EOC to coordinate activities

Section 4 – Emergency Management and Civil Protection Act, 2009 Emergency Management and Civil Protection Act

R.S.O. 1990, CHAPTER E.9

Consolidation Period: From December 15, 2009 to the [e-Laws currency date](#).

Last amendment: 2009, c. 33, Sched. 9, s. 4.

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Section 4 – Emergency Management and Civil Protection Act, 2009

Definitions

1. In this Act,

"emergency" means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage.

to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise; ("situation d'urgence")

"emergency area" means the area in which an emergency exists; ("zone de crise")

"emergency management program" means a program developed under section 2.1 or 5.1; ("programme de gestion des situations d'urgence")

"emergency plan" means a plan formulated under section 3, 6, 8 or 8.1; ("plan de mesures d'urgence")

"employee of a municipality" means an employee as defined in section 278 of the *Municipal Act, 2001* or a designated employee as defined in section 217 of the *City of Toronto Act, 2006*, as the case may be; ("employé municipal")

"head of council" includes a chair of the board of an improvement district; ("président du conseil")

"local board" means a local board as defined in the *Municipal Affairs Act*; ("conseil local")

"local services board" means a Local Services Board established under the *Local Services Boards Act*; ("régie locale des services publics")

"member of council" includes a trustee of the board of an improvement district; ("membre du conseil")

"public servant" means a public servant within the meaning of the *Public Service of Ontario Act, 2006*. ("fonctionnaire") R.S.O. 1990, c. E.9, s. 1; 1999, c. 12,

Sched. P, s. 3; 2002, c. 14, s. 3; 2002, c. 17, Sched. C, s. 10 (1, 2); 2006, c. 13, s. 1 (2); 2006, c. 32, Sched. C, s. 17; 2006, c. 35, Sched. C, s. 32 (1, 2).

Administration of Act

2. The Solicitor General is responsible for the administration of this Act. R.S.O. 1990, c. E.9, s. 2.

Cabinet advisory committee

2.0.1 The Lieutenant Governor in Council may appoint, from among the members of the Executive Council, a committee to advise the Lieutenant Governor in Council on matters relating to emergencies. 2006, c. 13, s. 1 (3).

Municipal **emergency management programs**

2.1 (1) Every municipality shall develop and implement an **emergency management program** and the council of the municipality shall by by-law adopt the **emergency management program**. 2002, c. 14, s. 4.

Same (2) The **emergency management program** shall consist of,

Section 4 – Emergency Management and Civil Protection Act, 2009

- (a) an emergency plan as required by section 3;
- (b) training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
- (c) public education on risks to public safety and on public preparedness for emergencies; and
- (d) any other element required by the standards for [emergency management](#) programs set under section 14. 2002, c. 14, s. 4.

Hazard and risk assessment and infrastructure identification

(3) In developing its [emergency management](#) program, every municipality shall identify and assess the various hazards and risks to public safety that could give rise to emergencies and identify the facilities and other elements of the infrastructure that are at risk of being affected by emergencies. 2002, c. 14, s. 4.

Confidentiality for defence reasons

(4) Subject to subsection (5), a head of an institution, as defined in the *Municipal Freedom of Information and Protection of Privacy Act*, may refuse under that Act to disclose a record if,

- (a) the record contains information required for the identification and assessment activities under subsection (3); and
- (b) its disclosure could reasonably be expected to prejudice the defence of Canada or of any foreign state allied or associated with Canada or be injurious to the detection, prevention or suppression of espionage, sabotage or terrorism. 2002, c. 14, s. 4.

Same

(5) A head of an institution, as defined in the *Municipal Freedom of Information and Protection of Privacy Act*, shall not disclose a record described in subsection (4),

- (a) if the institution is a municipality and the head of the institution is not the council of the municipality, without the prior approval of the council of the municipality;
- (b) if the institution is a board, commission or body of a municipality, without the prior approval of the council of the municipality or, if it is a board, commission or body of two or more municipalities, without the prior approval of the councils of those municipalities. 2002, c. 14, s. 4.

Confidentiality of third party information

(6) A head of an institution, as defined in the *Municipal Freedom of Information and Protection of Privacy Act*, shall not, under that Act, disclose a record that,

- (a) contains information required for the identification and assessment activities under subsection (3); and
- (b) reveals a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence implicitly or explicitly. 2002, c. 14, s. 4

Section 4 – Emergency Management and Civil Protection Act, 2009

Meetings closed to public

(7) The council of a municipality shall close to the public a meeting or part of a meeting if the subject matter being considered is the council's approval for the purpose of subsection (5). 2002, c. 14, s. 4.

Application of *Municipal Freedom of Information and Protection of Privacy Act*

(8) Nothing in this section affects a person's right of appeal under section 39 of the *Municipal Freedom of Information and Protection of Privacy Act* with respect to a record described in this section. 2002, c. 14, s. 4.

Municipal emergency plan

3. (1) Every municipality shall formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency and the council of the municipality shall by by-law adopt the emergency plan. 2002, c. 14, s. 5 (1).

(2) Repealed: 2002, c. 14, s. 5 (1).

Co-ordination by county

(3) The council of a county may with the consent of the councils of the municipalities situated within the county co-ordinate and assist in the formulation of their emergency plans under subsection (1). R.S.O. 1990, c. E.9, s. 3 (3).

Specific emergencies may be designated

(4) The Lieutenant Governor in Council may designate a municipality to address a specific type of emergency in its emergency plan and, if so required, the municipality shall include the type of emergency specified in its emergency plan. 2002, c. 14, s. 5 (2).

Training and exercises

(5) Every municipality shall conduct training programs and exercises to ensure the readiness of employees of the municipality and other persons to act under the emergency plan. 2002, c. 14, s. 5 (3).

Review of plan

(6) Every municipality shall review and, if necessary, revise its emergency plan every year. 2002, c. 14, s. 5 (3).

Declaration of emergency

4. (1) The head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area. R.S.O. 1990, c. E.9, s. 4 (1).

Declaration as to termination of emergency

(2) The head of council or the council of a municipality may at any time declare that an emergency has terminated. R.S.O. 1990, c. E.9, s. 4 (2).

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Solicitor General to be notified

(3) The head of council shall ensure that the Solicitor General is notified forthwith of a declaration made under subsection (1) or (2). R.S.O. 1990, c. E.9, s. 4 (3).

Premier may declare emergency terminated

(4) The Premier of Ontario may at any time declare that an emergency has terminated. R.S.O. 1990, c. E.9, s. 4 (4).

Conformity with upper-tier plan

5. The emergency plan of a lower-tier municipality in an upper-tier municipality, excluding a county, shall conform to the emergency plan of the upper-tier municipality and has no effect to the extent of any inconsistency and, for the purposes of this section, The Corporation of the County of Lambton shall be deemed to be an upper-tier municipality. 2002, c. 17, Sched. C, s. 10 (3).

Emergency management programs of provincial government bodies

5.1 (1) Every minister of the Crown presiding over a ministry of the Government of Ontario and every agency, board, commission and other branch of government designated by the Lieutenant Governor in Council shall develop and implement an emergency management program consisting of,

- (a) an emergency plan as required by section 6;
- (b) training programs and exercises for public servants and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
- (c) public education on risks to public safety and on public preparedness for emergencies; and
- (d) any other element required by the standards for emergency management programs set under section 14. 2002, c. 14, s. 7; 2006, c. 35, Sched. C, s. 32 (3).

Hazard and risk assessment and infrastructure identification

(2) In developing an emergency management program, every minister of the Crown and every designated agency, board, commission and other branch of government shall identify and assess the various hazards and risks to public safety that could give rise to emergencies and identify the facilities and other elements of the infrastructure for which the minister or agency, board, commission or branch is responsible that are at risk of being affected by emergencies. 2002, c. 14, s. 7.

Confidentiality of third party information

(3) A head of an institution, as defined in the *Freedom of Information and Protection of Privacy Act*, shall not, under that Act, disclose a record that,

- (a) contains information required for the identification and assessment activities under subsection (2); and
- (b) reveals a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence implicitly or explicitly. 2002,

c. 14, s. 7.

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Application of *Freedom of Information and Protection of Privacy Act*

(4) Nothing in this section affects a person's right of appeal under section 50 of the *Freedom of Information and Protection of Privacy Act* with respect to a record described in this section. 2002, c. 14, s. 7.

Emergency plans of provincial government bodies

6. (1) It is the responsibility of,

- (a) each minister of the Crown presiding over a ministry of the Government of Ontario; and
- (b) each agency, board, commission or other branch of government designated by the Lieutenant Governor in Council,

to formulate an emergency plan for the ministry or branch of government, as the case may be, in respect of the type of emergency assigned to it by the Lieutenant Governor in Council, governing the provision of necessary services during an emergency and the procedures under and the manner in which public servants and other persons will respond to the emergency. R.S.O. 1990, c. E.9, s. 6 (1); 2006, c. 35, Sched. C, s. 32 (3).

Training and exercises

(2) Every minister of the Crown described in clause (1) (a) and every agency, board, commission or other branch of government described in clause (1) (b) shall conduct training programs and exercises to ensure the readiness of public servants and other persons to act under their emergency plans. 2002, c. 14, s. 8; 2006, c. 35, Sched. C, s. 32 (3).

Review of plan

(3) Every minister of the Crown described in clause (1) (a) and every agency, board, commission or other branch of government described in clause (1) (b) shall review and, if necessary, revise its emergency plan every year. 2002, c. 14, s. 8.

Chief, Emergency Management Ontario

6.1 The Lieutenant Governor in Council shall appoint a Chief, Emergency Management Ontario who, under the direction of the Solicitor General, shall be responsible for monitoring, co-ordinating and assisting in the development and implementation of emergency management programs under sections 2.1 and 5.1 and for ensuring that those programs are co-ordinated in so far as possible with emergency management programs and emergency plans of the Government of Canada and its agencies. 2002, c. 14, s. 9.

Emergency plans submitted to Chief

6.2 (1) Every municipality, minister of the Crown and designated agency, board, commission and other branch of government shall submit a copy of their emergency plans and of any revisions to their emergency plans to the Chief, Emergency Management Ontario, and shall ensure that the Chief, Emergency Management Ontario has, at any time, the most current version of their emergency plans. 2002, c. 14, s. 10.

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Repository for emergency plans

(2) The Chief, [Emergency Management](#) Ontario shall keep in a secure place the most current version of every emergency plan submitted to him or her. 2002, c. 14, s. 10.

Definitions

[7.](#) In sections 7.0.1 to 7.0.11,

"animal" means a domestic animal or bird or an animal or bird that is wild by nature that is in captivity; ("animal")

"Commissioner of [Emergency Management](#)" means the person appointed from time to time by order in council as the Commissioner of [Emergency Management](#); ("commissaire à la gestion des situations d'urgence")

"municipality" includes a local board of a municipality, a district social services administration board and, despite subsection 6 (2) of the *Northern Services Boards Act*, a local services board; ("municipalité")

"necessary goods, services and resources" includes food, water, electricity, fossil fuels, clothing, equipment, transportation and medical services and supplies. ("denrées, services et ressources nécessaires") 2006, c. 13, s. 1 (4).

Declaration of emergency

[7.0.1 \(1\)](#) Subject to subsection (3), the Lieutenant Governor in Council or the Premier, if in the Premier's opinion the urgency of the situation requires that an order be made immediately, may by order declare that an emergency exists throughout Ontario or in any part of Ontario. 2006, c. 13, s. 1 (4).

Confirmation of urgent declaration

(2) An order of the Premier that declares an emergency is terminated after 72 hours unless the order is confirmed by order of the Lieutenant Governor in Council before it terminates. 2006, c. 13, s. 1 (4).

Criteria for declaration

(3) An order declaring that an emergency exists throughout Ontario or any part of it may be made under this section if, in the opinion of the Lieutenant Governor in Council or the Premier, as the case may be, the following criteria are satisfied:

1. There is an emergency that requires immediate action to prevent, reduce or mitigate a danger of major proportions that could result in serious harm to persons or substantial damage to property.
2. One of the following circumstances exists:
 - i. The resources normally available to a ministry of the Government of Ontario or an agency, board or commission or other branch of the government, including existing legislation, cannot be relied upon without the risk of serious delay.
 - ii. The resources referred to in subparagraph i may be insufficiently effective to address the emergency.

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iii. It is not possible, without the risk of serious delay, to ascertain whether the resources referred to in subparagraph i can be relied upon. 2006, c. 13, s. 1 (4).

Emergency powers and orders

Purpose

[7.0.2 \(1\)](#) The purpose of making orders under this section is to promote the public good by protecting the health, safety and welfare of the people of Ontario in times of declared emergencies in a manner that is subject to the *Canadian Charter of Rights and Freedoms*. 2006, c. 13, s. 1 (4).

Criteria for emergency orders

[\(2\)](#) During a declared emergency, the Lieutenant Governor in Council may make orders that the Lieutenant Governor in Council believes are necessary and essential in the circumstances to prevent, reduce or mitigate serious harm to persons or substantial damage to property, if in the opinion of the Lieutenant Governor in Council it is reasonable to believe that,

- (a) the harm or damage will be alleviated by an order; and
- (b) making an order is a reasonable alternative to other measures that might be taken to address the emergency. 2006, c. 13, s. 1 (4).

Limitations on emergency order

[\(3\)](#) Orders made under this section are subject to the following limitations:

1. The actions authorized by an order shall be exercised in a manner which, consistent with the objectives of the order, limits their intrusiveness.
2. An order shall only apply to the areas of the Province where it is necessary.
3. Subject to section 7.0.8, an order shall be effective only for as long as is necessary. 2006, c. 13, s. 1 (4).

Emergency orders

[\(4\)](#) In accordance with subsection (2) and subject to the limitations in subsection (3), the Lieutenant Governor in Council may make orders in respect of the following:

1. Implementing any emergency plans formulated under section 3, 6, 8 or 8.1.
2. Regulating or prohibiting travel or movement to, from or within any specified area.
3. Evacuating individuals and animals and removing personal property from any specified area and making arrangements for the adequate care and protection of individuals and property.
4. Establishing facilities for the care, welfare, safety and shelter of individuals, including emergency shelters and hospitals.
5. Closing any place, whether public or private, including any business, office, school, hospital or other establishment or institution

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6. To prevent, respond to or alleviate the effects of the emergency, constructing works, restoring necessary facilities and appropriating, using, destroying, removing or disposing of property.
7. Collecting, transporting, storing, processing and disposing of any type of waste.
8. Authorizing facilities, including electrical generating facilities, to operate as is necessary to respond to or alleviate the effects of the emergency.
9. Using any necessary goods, services and resources within any part of Ontario, distributing, and making available necessary goods, services and resources and establishing centres for their distribution.
10. Procuring necessary goods, services and resources.
11. Fixing prices for necessary goods, services and resources and prohibiting charging unconscionable prices in respect of necessary goods, services and resources.
12. Authorizing, but not requiring, any person, or any person of a class of persons, to render services of a type that that person, or a person of that class, is reasonably qualified to provide.
13. Subject to subsection (7), requiring that any person collect, use or disclose information that in the opinion of the Lieutenant Governor in Council may be necessary in order to prevent, respond to or alleviate the effects of the emergency.
14. Consistent with the powers authorized in this subsection, taking such other actions or implementing such other measures as the Lieutenant Governor in Council considers necessary in order to prevent, respond to or alleviate the effects of the emergency. 2006, c. 13, s. 1 (4).

Terms and conditions for services

(5) An order under paragraph 12 of subsection (4) may provide for terms and conditions of service for persons providing and receiving services under that paragraph, including the payment of compensation to the person providing services. 2006, c. 13, s. 1 (4).

Employment protected

(6) The employment of a person providing services under an order made under paragraph 12 of subsection (4) shall not be terminated because the person is providing those services. 2006, c. 13, s. 1 (4).

Disclosure of information

The following rules apply with respect to an order under paragraph 13 of subsection (4):

Information that is subject to the order must be used to prevent, respond to or alleviate the effects of the emergency and for no other purpose.

Information that is subject to the order that is personal information within the meaning of the *Freedom of Information and Protection of Privacy Act* is

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subject to any law with respect to the privacy and confidentiality of personal information when the declared emergency is terminated. 2006, c. 13, s. 1 (4).

Exception

(8) Paragraph 2 of subsection (7) does not prohibit the use of data that is collected as a result of an order to disclose information under paragraph 13 of subsection (4) for research purposes if,

- (a) information that could be used to identify a specific individual is removed from the data; or
- (b) the individual to whom the information relates consents to its use. 2006, c. 13, s. 1 (4).

Authorization to render information anonymous

(9) A person who has collected or used information as the result of an order under paragraph 13 of subsection (4) may remove information that could be used to identify a specific individual from the data for the purpose of clause (8) (a). 2006, c. 13, s. 1 (4).

Powers of the Premier

Powers delegated to Premier

7.0.3 (1) If an order is made under section 7.0.1, the Premier may exercise any power or perform any duty conferred upon a minister of the Crown or an employee of the Crown by or under an Act of the Legislature. 2006, c. 13, s. 1 (4); 2006, c. 35, Sched. C, s. 32 (4).

Powers of Premier, municipal powers

(2) If an order is made under section 7.0.1 and the emergency area or any part of it is within the jurisdiction of a municipality, the Premier, where he or she considers it necessary, may by order made under this section,

- (a) direct and control the administration, facilities and equipment of the municipality in the emergency area, and, without restricting the generality of the foregoing, the exercise by the municipality of its powers and duties in the emergency area, whether under an emergency plan or otherwise, is subject to the direction and control of the Premier; and
- (b) require any municipality to provide such assistance as he or she considers necessary to an emergency area or any part of the emergency area that is not within the jurisdiction of the municipality and direct and control the provision of such assistance. 2006, c. 13, s. 1 (4).

By-law not necessary

(3) Despite subsection 5 (3) of the *Municipal Act, 2001*, a municipality is

authorized to exercise a municipal power in response to an order of the Premier or his or her delegate made under subsection (2) without a by-law. 2006, c. 13, s. 1 (4).

Delegation of powers

7.0.4 (1) After an order has been made under section 7.0.1, the Lieutenant Governor in Council may delegate to a minister of the Crown or to the Commissioner of **Emergency Management** any of the powers of the Lieutenant Governor in Council

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under subsection 7.0.2 (4) and the Premier may delegate to a minister of the Crown or to the Commissioner of [Emergency Management](#) any of the Premier's powers under section 7.0.3. 2006, c. 13, s. 1 (4).

Same

(2) A minister to whom powers have been delegated under subsection (1) may delegate any of his or her powers under subsection 7.0.2 (4) and section 7.0.3 to the Commissioner of [Emergency Management](#). 2006, c. 13, s. 1 (4).

Proceedings to restrain contravention of order

7.0.5 Despite any other remedy or any penalty, the contravention by any person of an order made under subsection 7.0.2 (4) may be restrained by order of a judge of the Superior Court of Justice upon application without notice by the Crown in right of Ontario, a member of the Executive Council or the Commissioner of [Emergency Management](#), and the judge may make the order and it may be enforced in the same manner as any other order or judgment of the Superior Court of Justice. 2006, c. 13, s. 1 (4).

Reports during an emergency

7.0.6 During an emergency, the Premier, or a Minister to whom the Premier delegates the responsibility, shall regularly report to the public with respect to the emergency. 2006, c. 13, s. 1 (4).

Termination of emergency

7.0.7 (1) Subject to this section, an emergency declared under section 7.0.1 is terminated at the end of the 14th day following its declaration unless the Lieutenant Governor in Council by order declares it to be terminated at an earlier date. 2006, c. 13, s. 1 (4).

Extension of emergency, L.G. in C.

(2) The Lieutenant Governor in Council may by order extend an emergency before it is terminated for one further period of no more than 14 days. 2006, c. 13, s. 1 (4).

Extension of emergency, Assembly

(3) The Assembly, on the recommendation of the Premier, may by resolution extend the period of an emergency for additional periods of no more than 28 days. 2006, c. 13, s. 1 (4).

Same

(4) If there is a resolution before the Assembly to extend the period of the emergency, the declaration of emergency shall continue until the resolution is voted on. 2006, c. 13, s. 1 (4).

Revocation of orders

7.0.8 (1) Subject to this section, an order made under subsection 7.0.2 (4) is revoked 14 days after it is made unless it is revoked sooner. 2006, c. 13, s. 1 (4).

Commissioner's orders

(2) An order of the Commissioner of [Emergency Management](#) made under subsection 7.0.2 (4) is revoked at the end of the second full day following its making

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unless it is confirmed before that time by order of the Lieutenant Governor in Council, the Premier or the Minister who delegated the power to make the order. 2006, c. 13, s. 1 (4).

Extension of orders, L.G. in C., etc.

(3) During a declared emergency, the Lieutenant Governor in Council or a Minister to whom the power has been delegated may by order, before it is revoked, extend the effective period of an order made under subsection 7.0.2 (4) for periods of no more than 14 days. 2006, c. 13, s. 1 (4).

Extension of order after emergency

(4) Despite the termination or disallowance of the emergency, the Lieutenant Governor in Council may by order extend the effective period of an order made under subsection 7.0.2 (4) for periods of no more than 14 days where the extension of the order is necessary to deal with the effects of the emergency. 2006, c. 13, s. 1 (4).

Disallowance of emergency by Assembly

[7.0.9 \(1\)](#) Despite section 7.0.7, the Assembly may by resolution disallow the declaration of emergency under section 7.0.1 or the extension of an emergency. 2006, c. 13, s. 1 (4).

Same

(2) If the Assembly passes a resolution disallowing the declaration of emergency or the extension of one, any order made under subsection 7.0.2 (4) is revoked as of the day the resolution passes. 2006, c. 13, s. 1 (4).

Report on emergency

[7.0.10 \(1\)](#) The Premier shall table a report in respect of the emergency in the Assembly within 120 days after the termination of an emergency declared under section 7.0.1 and, if the Assembly is not then in session, the Premier shall table the report within seven days of the Assembly reconvening. 2006, c. 13, s. 1 (4).

Content of report

- (2) The report of the Premier shall include information,
- (a) in respect of making any orders under subsection 7.0.2 (4) and an explanation of how the order met the criteria for making an order under subsection 7.0.2 (2) and how the order satisfied the limitations set out in subsection 7.0.2 (3); and
 - (b) in respect of making any orders under subsection 7.0.3 (2) and an explanation as to why he or she considered it necessary to make the order. 2006, c. 13, s. 1 (4).

Consideration of report

(3) The Assembly shall consider the report within five sitting days after the report is tabled. 2006, c. 13, s. 1 (4).

Commissioner's report

(4) If the Commissioner of [Emergency Management](#) makes any orders under subsection 7.0.2 (4) or 7.0.3 (2), he or she shall, within 90 days after the termination of an emergency declared under subsection 7.0.1 (1), make a report to the Premier in

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respect of the orders and the Premier shall include it in the report required by subsection (1).
2006, c. 13, s. 1 (4).

Offences

7.0.11 (1) Every person who fails to comply with an order under subsection 7.0.2 (4) or who interferes with or obstructs any person in the exercise of a power or the performance of a duty conferred by an order under that subsection is guilty of an offence and is liable on conviction,

- (a) in the case of an individual, subject to clause (b), to a fine of not more than \$100,000 and for a term of imprisonment of not more than one year;
- (b) in the case of an individual who is a director or officer of a corporation, to a fine of not more than \$500,000 and for a term of imprisonment of not more than one year; and
- (c) in the case of a corporation, to a fine of not more than \$10,000,000. 2006, c. 13, s. 1 (4).

Separate offence

(2) A person is guilty of a separate offence on each day that an offence under subsection (1) occurs or continues. 2006, c. 13, s. 1 (4).

Increased penalty

(3) Despite the maximum fines set out in subsection (1), the court that convicts a person of an offence may increase a fine imposed on the person by an amount equal to the financial benefit that was acquired by or that accrued to the person as a result of the commission of the offence. 2006, c. 13, s. 1 (4).

Exception

(4) No person shall be charged with an offence under subsection (1) for failing to comply with or interference or obstruction in respect of an order that is retroactive to a date that is specified in the order, if the failure to comply, interference or obstruction is in respect of conduct that occurred before the order was made but is after the retroactive date specified in the order. 2006, c. 13, s. 1 (4).

Orders in emergency

Purpose

7.1 (1) The purpose of this section is to authorize the Lieutenant Governor in Council to make appropriate orders when, in the opinion of the Lieutenant Governor in Council, victims of an emergency or other persons affected by an emergency need greater services, benefits or compensation than the law of Ontario provides or may be prejudiced by the operation of the law of Ontario. 2006, c. 13, s. 1 (5).

Order

(2) If the conditions set out in subsection (3) are satisfied, the Lieutenant Governor in Council may, by order made on the recommendation of the Attorney General, but only if the Lieutenant Governor in Council is of the opinion described in subsection (1),

- (a) temporarily suspend the operation of a provision of a statute, regulation, rule, by-law or order of the Government of Ontario; and

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- (b) if it is appropriate to do so, set out a replacement provision to be in effect during the temporary suspension period only. 2006, c. 13, s. 1 (5).

Conditions

(3) The conditions referred to in subsection (2) are:

1. A declaration has been made under section 7.0.1.
2. The provision,
 - i. governs services, benefits or compensation, including,
 - A. fixing maximum amounts,
 - B. establishing eligibility requirements,
 - C. requiring that something be proved or supplied before services, benefits or compensation become available,
 - D. restricting how often a service or benefit may be provided or a payment may be made in a given time period,
 - E. restricting the duration of services, benefits or compensation or the time period during which they may be provided,
 - ii. establishes a limitation period or a period of time within which a step must be taken in a proceeding, or
 - iii. requires the payment of fees in respect of a proceeding or in connection with anything done in the administration of justice.
3. In the opinion of the Lieutenant Governor in Council, the order would facilitate providing assistance to victims of the emergency or would otherwise help victims or other persons to deal with the emergency and its aftermath. 2006, c. 13, s. 1 (5).

Maximum period, renewals and new orders

(4) The period of temporary suspension under an order shall not exceed 90 days, but the Lieutenant Governor in Council may,

- (a) before the end of the period of temporary suspension, review the order and, if the conditions set out in subsection (3) continue to apply, make an order renewing the original order for a further period of temporary suspension not exceeding 90 days;
- (b) at any time, make a new order under subsection (2) for a further period of temporary suspension not exceeding 90 days. 2006, c. 13, s. 1 (5).

Further renewals

(5) An order that has previously been renewed under clause (4) (a) may be renewed again, and in that case clause (4) (a) applies with necessary modifications. 2006, c. 13, s. 1 (5).

Effect of temporary suspension: time period

(6) If a provision establishing a limitation period or a period of time within which a step must be taken in a proceeding is temporarily suspended by the order and the order

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does not provide for a replacement limitation period or period of time, the limitation period or period of time resumes running on the date on which the temporary suspension ends and the temporary suspension period shall not be counted. 2006, c. 13, s. 1 (5).

Effect of temporary suspension: fee

(7) If a provision requiring the payment of a fee is temporarily suspended by the order and the order does not provide for a replacement fee, no fee is payable at any time with respect to things done during the temporary suspension period. 2006, c. 13, s. 1 (5).

Restriction

- (8) This section does not authorize,
- (a) making any reduction in respect of services, benefits or compensation;
 - (b) shortening a limitation period or a period of time within which a step must be taken in a proceeding; or
 - (c) increasing the amount of a fee. 2006, c. 13, s. 1 (5).

Orders, general

Commencement

[7.2 \(1\)](#) An order made under subsection 7.0.2 (4) or 7.1 (2),

- (a) takes effect immediately upon its making; or
- (b) if it so provides, may be retroactive to a date specified in the order. 2006, c. 13, s. 1 (5).

Notice

(2) Subsection 23 (2) of the *Legislation Act, 2006* does not apply to an order made under subsection 7.0.2 (4) or 7.1 (2), but the Lieutenant Governor in Council shall take steps to publish the order in order to bring it to the attention of affected persons pending publication under the *Legislation Act, 2006*. 2006, c. 13, s. 2 (3).

General or specific

(3) An order made under subsection 7.0.2 (4) or 7.1 (2) may be general or specific in its application. 2006, c. 13, s. 1 (5).

Conflict

(4) In the event of conflict between an order made under subsection 7.0.2 (4) or 7.1 (2) and any statute, regulation, rule, by-law, other order or instrument of a legislative nature, including a licence or approval, made or issued under a statute or regulation, the order made under subsection 7.0.2 (4) or 7.1 (2) prevails unless the statute, regulation, rule, by-law, other order or instrument of a legislative nature specifically provides that it is to apply despite this Act. 2006, c. 13, s. 1 (5).

Chief Medical Officer of Health

(5) Except to the extent that there is a conflict with an order made under subsection 7.0.2 (4), nothing in this Act shall be construed as abrogating or derogating from any of the powers of the Chief Medical Officer of Health as defined in subsection 1 (1) of the *Health Protection and Promotion Act*. 2006, c. 13, s. 1 (5).

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Limitation

(6) Nothing in this Act shall be construed or applied so as to confer any power to make orders altering the provisions of this Act. 2006, c. 13, s. 1 (5).

Same

(7) Nothing in this Act affects the rights of a person to bring an application for the judicial review of any act or failure to act under this Act. 2006, c. 13, s. 1 (5).

Occupational Health and Safety Act

(8) Despite subsection (4), in the event of a conflict between this Act or an order made under subsection 7.0.2 (4) and the *Occupational Health and Safety Act* or a regulation made under it, the *Occupational Health and Safety Act* or the regulation made under it prevails. 2006, c. 13, s. 1 (5).

Lieutenant Governor in Council to formulate plan

8. The Lieutenant Governor in Council shall formulate an emergency plan respecting emergencies arising in connection with nuclear facilities, and any provisions of an emergency plan of a municipality respecting such an emergency shall conform to the plan formulated by the Lieutenant Governor in Council and are subject to the approval of the Solicitor General and the Solicitor General may make such alterations as he or she considers necessary for the purpose of co-ordinating the plan with the plan formulated by the Lieutenant Governor in Council. R.S.O. 1990, c. E.9, s. 8; 1999, c. 12, Sched. P, s. 6.

Other emergency plans

8.1 The Solicitor General may, if he or she thinks it is necessary or desirable in the interests of **emergency management** and public safety, formulate emergency plans respecting types of emergencies other than those arising in connection with nuclear facilities. 2002, c. 14, s. 12.

What plan may provide

9. An emergency plan formulated under section 3, 6 or 8 shall,
- (a) in the case of a municipality, authorize employees of the municipality or, in the case of a plan formulated under section 6 or 8, authorize public servants to take action under the emergency plan where an emergency exists but has not yet been declared to exist;
 - (b) specify procedures to be taken for the safety or evacuation of persons in an emergency area;
 - (c) in the case of a municipality, designate one or more members of council who may exercise the powers and perform the duties of the head of council under this Act or the emergency plan during the absence of the head of council or during his or her inability to act;
 - (d) establish committees and designate employees to be responsible for reviewing the emergency plan, training employees in their functions and implementing the emergency plan during an emergency;
 - (e) provide for obtaining and distributing materials, equipment and supplies during an emergency;

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(e.1) provide for any other matter required by the standards for emergency plans set under section 14; and

- (f) provide for such other matters as are considered necessary or advisable for the implementation of the emergency plan during an emergency. R.S.O. 1990, c. E.9, s. 9; 2002, c. 14, s. 13; 2006, c. 35, Sched. C, s. 32 (5).

Public access to plans

10. Except for plans respecting continuity of operations or services, an emergency plan formulated under section 3, 6 or 8 shall be made available to the public for inspection and copying during ordinary business hours at an office of the municipality, ministry or branch of government, as the case may be. R.S.O. 1990, c. E.9, s. 10; 2009, c. 33, Sched. 9, s. 4.

Protection from action

11. (1) No action or other proceeding lies or shall be instituted against a member of council, an employee of a municipality, an employee of a local services board, an employee of a district social services administration board, a minister of the Crown, a public servant or any other individual acting pursuant to this Act or an order made under this Act for any act done in good faith in the exercise or performance or the intended exercise or performance of any power or duty under this Act or an order under this Act or for neglect or default in the good faith exercise or performance of such a power or duty. 2006, c. 13, s. 1 (6); 2006, c. 35, Sched. C, s. 32 (6).

Crown not relieved of liability

- (2) Despite subsections 5 (2) and (4) of the *Proceedings Against the Crown Act*, subsection (1) does not relieve the Crown of liability for the acts or omissions of a minister of the Crown or a public servant referred to in subsection (1) and the Crown is liable under that Act as if subsection (1) had not been enacted. 2006, c. 13, s. 1 (6); 2006, c. 35, Sched. C, s. 32 (7).

Municipality not relieved of liability

- (3) Subsection (1) does not relieve a municipality of liability for the acts or omissions of a member of council or an employee of the municipality referred to in subsection (1), and the municipality is liable as if subsection (1) had not been enacted and, in the case of a member of council, as if the member were an employee of the municipality. 2006, c. 13, s. 1 (6).

Application of subs. (1)

- (4) In the case of an order that is made retroactive to a date specified in the order, subsection (1) applies to an individual referred to in that subsection in respect of any act or any neglect or default that occurs before the order is made but on or after the date specified in the order. 2006, c. 13, s. 1 (6).

Definitions

- (5) In this section,
"member of council" includes a member of a local board, a local services board or a district social service administration board; ("membre du conseil")

Section 4 – Emergency Management and Civil Protection Act, 2009

"municipality" includes a local board of a municipality. ("municipalité") 2006, c. 13, s. 1 (6).

Right of action

12. Where money is expended or cost is incurred by a municipality or the Crown in the implementation of an emergency plan or in connection with an emergency, the municipality or the Crown, as the case may be, has a right of action against any person who caused the emergency for the recovery of such money or cost, and for the purposes of this section, "municipality" includes a local board of a municipality and a local services board. R.S.O. 1990, c. E.9, s. 12; 1999, c. 12, Sched. P, s. 8.

Agreements

13. (1) The Solicitor General, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada in respect of the payment by Canada to Ontario of any part of the cost to Ontario and to municipalities of the development and implementation of [emergency management](#) programs and the formulation and implementation of emergency plans. R.S.O. 1990, c. E.9, s. 13 (1); 2002, c. 14, s. 15.

Idem

(2) The Solicitor General, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada and with the Crown in right of any other province for the provision of any personnel, service, equipment or material during an emergency. R.S.O. 1990, c. E.9, s. 13 (2).

Idem

(3) The council of a municipality may make an agreement with the council of any other municipality or with any person for the provision of any personnel, service, equipment or material during an emergency. R.S.O. 1990, c. E.9, s. 13 (3); 1999, c. 12, Sched. P, s. 9.

Action not an expropriation

[13.1 \(1\)](#) Nothing done under this Act or under an order made under subsection 7.0.2 (4) constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law and there is no compensation for the loss, including a taking, of any real or personal property except in accordance with subsection (3). 2006, c. 13, s. 1 (7).

Payment of cost of assistance

(2) The Lieutenant Governor in Council may by order authorize the payment of the cost of providing any assistance that arises under this Act or as the result of an emergency out of funds appropriated by the Assembly. 2006, c. 13, s. 1 (7).

Compensation for loss of property

(3) If, as the result of making an order under subsection 7.0.2 (4), a person suffers the loss, including a taking, of any real or personal property, the Lieutenant Governor in Council may by order authorize the reasonable compensation of the person for the loss in accordance with such guidelines as may be approved by the Lieutenant Governor in Council. 2006, c. 13, s. 1 (7).

Section 4 – Emergency Management and Civil Protection Act, 2009

Compensation for municipalities

(4) Without limiting the generality of subsection (2), the Lieutenant Governor in Council may by order authorize the payment of the costs incurred by a municipality in respect of an order made under this Act out of funds appropriated by the Assembly. 2006, c. 13, s. 1 (7).

Standards for emergency management programs and emergency plans

14. (1) The Solicitor General may make regulations setting standards for the development and implementation of emergency management programs under sections 2.1 and 5.1 and for the formulation and implementation of emergency plans under sections 3 and 6. 2002, c. 14, s. 16.

General or particular

(2) A regulation made under subsection (1) may be general or particular in its application. 2002, c. 14, s. 16.

Conformity to standards required

(3) Every municipality, minister of the Crown and designated agency, board, commission and other branch of government shall ensure that their emergency management programs and emergency plans conform to the standards set under this section. 2002, c. 14, s. 16.

Crown bound

15. This Act binds the Crown. 2006, c. 13, s. 1 (8).

Section 5 – Local By-law

THE CORPORATION OF THE TOWN OF PRESCOTT BY-LAW NO. 52-2016

A BY-LAW TO ESTABLISH AN EMERGENCY MANAGEMENT PROGRAM FOR THE CORPORATION OF THE TOWN OF PRESCOTT

Being a by-law to establish an Emergency Management Program for the Corporation of the Town of Prescott

WHEREAS, the Province of Ontario has passed the *Emergency Management and Civil Protection Act*, as amended, which requires the development and implementation of an emergency management program by the Council of the municipality; and

WHEREAS, the *Act* requires the emergency management program to conform to standards stated 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 provision 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; and

WHEREAS, the *Act* makes provision 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; and

WHEREAS, 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 absence or his/her inability to act; and

WHEREAS, 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 been declared to exist;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Prescott enacts as follows:

1. That an Emergency Management Program be developed and implemented in accordance with the standards published by Emergency Management Ontario in accordance with international best practices.

Section 5 – Local By-law cont'd

2. That the Head of Council or designated alternate, as provided in the plan, be empowered to declare an emergency and implement the emergency response plan.
3. That certain appointed officials or their designated alternates, as provided in the approved community emergency response plan, are empowered to cause an emergency notification to be issued to members of the Community Control Group, and to respond to an emergency in accordance with the emergency response plan where an emergency exists but has not yet been declared to exist.
4. That the Emergency Management Program Committee convene annually to review and make required changes and updates to the Emergency Management Program, as considered appropriate.
5. That the Emergency Program Committee consist of the following members: CAO (Chair), CEMC, Fire Chief, Director of Public Works & Infrastructure and up to 2 members of Council.
6. The Committee may invite other officials involved with emergency management at other levels of government, and representatives from outside of government who are involved with emergency management to assist in the review of emergency documents, as required.
7. That the Emergency Response Plan approved by By-Law 36-2004 continue to be viable.
8. That By-Law 32-2011 is hereby repealed.
9. That this by-law may be cited as the "Town of Prescott Emergency Management Program By-Law".
10. This by-law shall come into force and take effect upon final passage.

READ A FIRST AND SECOND TIME THIS 28th DAY OF NOVEMBER

READ A THIRD AND FINAL TIME AND PASSED THIS 28th DAY OF NOVEMBER, 2016

Section 5 – Local By-law cont'd

CORPORATION OF THE TOWN OF PRESCOTT BY-LAW 36-2004

Being a by-law to Adopt the Emergency Plan for the Town of Prescott

WHEREAS the Province of Ontario has legislated that every municipality in Ontario will prepare, and pass by by-law, a basic level Emergency Plan;

AND WHEREAS the Emergency Management Committee for the Town of Prescott has prepared such a plan in conjunction with Emergency Measures Ontario;

NOW THEREFORE the Council of the Corporation of the Town of Prescott hereby adopts the Emergency Plan attached as Schedule 'A' to this by-law.

READ A FIRST, SECOND, THIRD AND FINAL TIME AND PASSED THIS 6th DAY OF DECEMBER, 2004

Section 6 – EOC Message Forms and Logs

Emergency Plan Record/Log

MFIPPA REGULATIONS

Law Enforcement Report

s.14(2)(a) and 14(4) FIPPA / s.8(2)(a) and 8(4) MFIPPA

This subsection exempts from disclosure a report prepared in the course of law enforcement inspections or investigations by an agency responsible for enforcing and regulating compliance with a law. A "report" must consist of a formal statement or account of the results of the collation and consideration of information. Generally speaking, reports would not include mere observations or recordings of fact. "Agency" includes organizations acting on behalf of or as agents for law enforcement agencies.

Compelling Circumstances

s.21(1)(b) FIPPA / s.14(1)(b) MFIPPA

Personal information may be disclosed to someone other than the individual to whom the information relates in compelling circumstances affecting the health or safety of an individual, not necessarily the individual to whom the information relates.

Circumstances are "compelling" when either there is no other way to obtain personal information affecting health or safety, or there is an emergency situation where the delay in obtaining the information would be injurious to someone's health or safety. The determination of when compelling circumstances exist is left to the discretion of the head.

Where personal information is released under this subsection, upon disclosure, notification must be mailed to the last known address of the individual to whom the information relates. If the institution does not have the address, it should attempt to find out the address of the individual from the person who made the request.

Section 7 (a) – Declaration of Emergency

EMERGENCY NOTIFICATION PROCEDURES

- a) If the size, potential hazard or seriousness of the emergency or disaster appears to be beyond the capability of the responding agency, then the responding agency may recommend activation of the Emergency Response Plan or alert key personnel of the possible activation of the plan at the alert stages of any emergency.
- b) On receipt of a warning of a real or potential emergency or disaster, the Fire Chief or his/her alternate or OPP dispatch shall notify the Chief Administrative Officer (CAO) or the Mayor.
- c) On receipt of the warning from the CAO or his/her designate, the Mayor or alternate may declare the emergency in whole or in part. He/She shall then notify the Emergency Management Ontario's Provincial Operations Centre to advise an emergency has been declared and fax the P.O.C. a copy of the Emergency Declaration Form as soon as possible.
- d) It is the responsibility of all members of the MECG and agencies to activate their emergency mobilization procedure, as directed by the CAO.
- e) Upon activation of the Emergency Operations Centre, the CAO will appoint a member of staff to act as the Emergency Site Liaison Officer as required.
- f) The local Communications Officer shall notify the County representative and place them on alert.
- g) If all the municipal resources are insufficient to handle the emergency, assistance may be requested from the provincial government. Where an emergency has been declared all calls for assistance should be made through the E.M.O.'s P.O.C. to permit effective co-ordination. All requests shall go to the Emergency Operations Centre for final approval from the Incident Commander and/or Mayor. Declaration forms (contained in Annex I) shall be filled out by the E.O.C. representative, signed by the Head of council and be retained with E.O.C. logs.

Section 7 (a) – Declaration of Emergency

A Declared Community Emergency

The Mayor or Acting Mayor for the Town of Prescott, as the Head of Council, is responsible for declaring an emergency. The decision is usually made in consultation with other members of the MECG.

Upon declaring an emergency, the Mayor or Acting Mayor will notify:

- Emergency Management Ontario, Ministry of Public Safety and Security
- Town Council
- Public using social media, website, radio, television, newspaper and door to door in affected areas
- Neighbouring community officials, as required
- Local Member of the Provincial Parliament (MPP)
- Local Member of Parliament (MP)

A community emergency may be terminated at any time by:

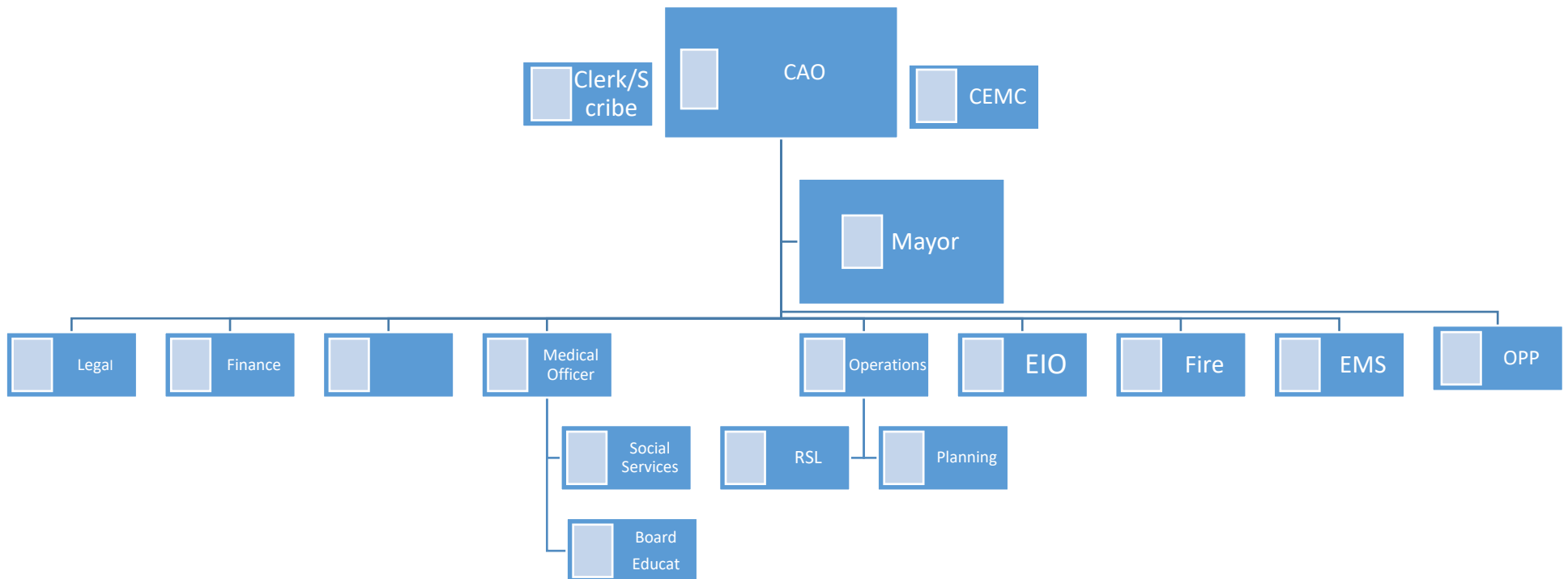
- Mayor or Acting Mayor; or
- Premier of Ontario

When terminating an emergency, the Mayor or Acting Mayor will notify:

- Emergency Management Ontario, Ministry of Public Safety and Security;
- Public
- Neighbouring community officials, as required;
- Local Member of the Provincial Parliament (MPP);
- Local Member of Parliament (MP)



Notification Flow Chart



Section 7 (b) – Declaration of Emergency- Checklist

(Note: All references in section of the plan refer to the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E.9, as amended 2006)

This checklist is for use by municipal heads of council considering the declaration of an emergency within their municipality. This checklist is not intended to provide any sort of legal advice – it is merely a reference tool.

An emergency is defined under the Emergency Management and Civil Protection Act as “a situation, or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise”.

Under the *Emergency Management and Civil Protection Act*, only the head of council of a municipality (or his or her designate) and the Lieutenant Governor in Council or the Premier have the authority to declare an emergency. The Premier, the head of council, as well as a municipal council, have the authority to terminate an emergency declaration [Sections 4 (1), (2), (4)].

An emergency declaration may extend to all or any part of the geographical area under the jurisdiction of the municipality [Section 4 (1)].

If the decision is made to declare an emergency, the municipality must notify Emergency Management Ontario (on behalf of the Minister of Community Safety and Correctional Services) as soon as possible [Section 4 (3)]. Although a verbal declaration of emergency is permitted, all declarations should ultimately be made in writing to ensure proper documentation is maintained. Written declarations should be made on municipal letterhead, using the template provided by Emergency Management Ontario, and should be faxed to **(416) 314 - 0474**. When declaring an emergency, notify the Provincial Emergency Operations Centre at **1 (866) 314 - 0472** or **(416) 314 -0472**.

When considering whether to declare an emergency, a positive response to one or more of the following criteria **may** indicate that a situation, whether actual or anticipated, warrants the declaration of an emergency:

General and Government:

- Is the situation an extraordinary event requiring extraordinary measures?** [Section 4 (1) permits a head of council to “take such action and make such orders as he or she considers necessary and are not contrary to law” during an emergency.]
- Does the situation pose a danger of major proportions to life or property?** [Section 1, definition of an emergency]
- Does the situation pose a threat to the provision of essential services (e.g., energy, potable water, and sewage treatment/containment, supply of goods or medical care)?**

Section 7 (b) – Declaration of Emergency- Checklist

[Some situations may require extraordinary measures be taken or expenditures be made to maintain or restore essential services. A declaration of emergency may allow a head of council to expend funds outside of their spending resolutions and/or the regular approval process of the municipality.]

- Does the situation threaten social order and the ability to govern?** [Whether due to a loss of infrastructure or social unrest (e.g., a riot), a crisis situation has the potential to threaten a council’s ability to govern. In such cases, extraordinary measures may need to be taken. Section 4 (1) provides for extraordinary measures, not contrary to law. Section 55 (1) of the *Police Services Act* provides for the creation of special policing arrangements during an emergency.]

- Is the event attracting significant media and/or public interest?** [Experience demonstrates that the media and public often view the declaration of an emergency as a decisive action toward addressing a crisis. It must be made clear that an “emergency” is a legal declaration and does not indicate that the municipality has lost control. An emergency declaration provides an opportunity to highlight action being taken under your municipal emergency response plan.]

- Has there been a declaration of emergency by another level of government?** [A declaration of emergency on the part of another level of government (e.g., lower- tier, upper-tier, provincial, federal) may indicate that you should declare an emergency within your municipality. For example, in the event of a widespread disaster affecting numerous lower-tier municipalities within a county, the county will likely need to enact its emergency response plan and should strongly consider the declaration of an emergency. In some cases, however, a declaration of emergency by a higher level of government may provide sufficient authorities to the lower-tier communities involved (e.g., municipalities operating under the authority of a provincial or federal declaration).]

Legal:

- Might legal action be taken against municipal employees or councillors related to their actions during the current crisis?** [Section 11 (1) states that “no action or other proceeding lies or shall be instituted against a member of council, an employee of a municipality, an employee of a local services board, an employee of a district social services administration board, a minister of the Crown, a Crown employee or any other individual acting pursuant to this Act or an order made under this Act for any act done in good faith in the exercise or performance or the intended exercise or performance of any power or duty under this Act or an order under this Act or for neglect or default in the good faith exercise or performance of such a power or duty.” Section 11 (3), however, states “subsection (1) does not relieve a municipality of liability for

Section 7 (b) – Declaration of Emergency- Checklist

the acts or omissions of a member of council or an employee of the municipality....”]

- **Are volunteers assisting?** [The *Workplace Safety and Insurance Act* provides that persons who assist in connection with a declared emergency are considered “workers” under the Act and are eligible for benefits if they become injured or ill as a result of the assistance they are providing. This is in addition to workers already covered by the Act.]

Operational:

- **Does the situation require a response that exceeds, or threatens to exceed the capabilities of the municipality for either resources or deployment of personnel?** [Section 4 (1) permits the head of council to “take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan.” Section 13 (3) empowers a municipal council to “make an agreement with the council of any other municipality or with any person for the provision of any personnel, service, equipment or material during an emergency.”]
- **Does the situation create sufficient strain on the municipal response capability that areas within the municipality may be impacted by a lack of services, thereby further endangering life and property outside areas directly affected by the current crisis?** [Some situations may require the creation of special response agreements between the municipality and other jurisdictions, private industry, non-government organizations, etc. Section 13 (3) states that the “council of a municipality may make an agreement with the council of any other municipality or with any person for the provision of personnel, service, equipment or material during an emergency.”]
- **Is it a consideration that the municipal response may be of such duration that additional personnel and resources may be required to maintain the continuity of operations?** [In the event of a large-scale crisis, such as an epidemic or prolonged natural disaster, municipal resources may not be able to sustain an increased operational tempo for more than a few days. This is particularly true if emergency workers are injured or become ill as a result of the crisis. In such a case, the municipality may need to utilize outside emergency response personnel. Section 13 (3) provides for mutual assistance agreements between municipalities.]
- **Does, or might, the situation require provincial support or resources?** [Provincial response (e.g., air quality monitoring, scientific advice, airlift capabilities, material resources, etc.) may involve numerous ministries and personnel. Activation of the municipal emergency response plan, including the opening of the Emergency Operations Centre and meeting of the Emergency Control Group, can greatly facilitate multi-agency and multi-government response.]

Section 7 (b) – Declaration of Emergency- Checklist

- Li **Does, or might, the situation require assistance from the federal government (e.g., military equipment)?** [Section 13 (2) authorizes the Solicitor General, with the approval of the Lieutenant Governor in Council, to make agreements with the federal government. In Canada, federal emergency assistance is accessed through, and coordinated by, the province. The declaration of an emergency may assist a
- Li **Does the situation involve a structural collapse?** [Structural collapses involving the entrapment of persons may require the deployment of one or more Heavy Urban Search and Rescue (HUSAR) teams. Ontario has a HUSAR team. This team is specially equipped and trained to rescue persons trapped as a result of a structural collapse. Any municipality in the province can request a HUSAR deployment to a declared emergency. Requests for HUSAR resources should be made through your local mutual aid fire coordinator. Approval for the dispatch of the HUSAR team comes from the Commissioner of Emergency Management.]
- Li **Is the situation a large-scale or complex chemical, biological, radiological, or nuclear (CBRN) incident?** [Response to CBRN incidents requires specialized resources and training. Ontario has three Level 3 CBRN teams to respond to incidents throughout the province. CBRN teams are only dispatched to declared emergencies. Requests for a CBRN deployment should be made through your local mutual aid fire coordinator. Approval for the dispatch of CBRN teams comes from the Commissioner of Emergency Management.]
- Li **Does the situation require, or have the potential to require the evacuation and/or shelter of people or animals [livestock] from your municipality?** [Evacuee and reception centres often use volunteers as staff. As noted above, the declaration of an emergency enacts certain parts of the *Workplace Insurance and Safety Act* related to volunteer workers. Secondly, an evacuation or sheltering of citizens has the potential to generate issues pertaining to liability. Section 11 of the *Emergency Management and Civil Protection Act* may provide municipal councillors and employees with certain protections against personal liability.]
- Li **Will your municipality be receiving evacuees from another community?** [The issues discussed in the previous bullet may apply equally to municipalities accepting evacuees.]

Economic and Financial:

- Li **Does the situation pose a large-scale disruption to routine patterns of transportation, or re-routing of large numbers of people and vehicles?** [The rerouting of people and vehicles poses a potential liability risk. Keeping persons from their homes and delaying commercial traffic are both sensitive issues. Section 11 of the Act may provide certain protection from liability.]

Section 7 (b) – Declaration of Emergency- Checklist

Section 4 (1) allows for extraordinary measures to be taken, providing they are not contrary to law.]

- **Is an event likely to have a long term negative impact on a community’s economic viability/sustainability, including resulting unemployment, lack of available banking services and restorative measures necessary to reestablish commercial activity?** [The declaration of an emergency may facilitate the ability of the municipality to respond to economic losses.]

- **Is it possible that a specific person, corporation, or other party has caused the situation?** [Section 12 states that “where money is expended or cost is incurred by a municipality or the Crown in the implementation of an emergency plan or in connection with an emergency, the municipality or the Crown, as the case may be, has a right of action against any person who caused the emergency for the recovery of such money or cost....”]

Section 7 (c) – Declaration of Emergency Form

DECLARATION OF EMERGENCY

Municipality: _____ (*print*)

I, _____ **hereby declare a state of**

(Mayor or Elected Head of Council or First Nation Chief)

local Emergency in accordance with the Emergency Management and Civil Protection Act, R.S.O.

1990, c E.9 s.4.(1) due to the emergency described herein: (*nature of emergency*)

for an Emergency Area or part thereof described as: (*geographical boundary*)

Signed:

Title: _____

Dated:

at

(time)

In the Municipality of Town of Prescott, Ontario

(Note: Notify Provincial EOC / Fax to PEOC Duty Officer @ 416-314-0474)

Section 8 – Termination of Declared Emergency

TERMINATION OF A DECLARED EMERGENCY

I, _____ hereby declare a state of

(Mayor or Elected Head of Council or First Nation Chief)

local Emergency terminated in accordance with the Emergency Management and Civil

Protection Act, R.S.O. 1990, c E.9 s.4.(1) due to the emergency described herein: *(nature of emergency)*

_____ For an Emergency Area or part
of therefore described as: *(geographic boundary)*

Signed: _____

Title: _____

Dated: at _____ (time)

In the Municipality of Town of Prescott, Ontario

(Note: Fax to PEOC Duty Officer @ 416-314-0474)

HIRA RISK ASSESSMENT FOR PRESCOTT ONTARIO

RISK ASSESSMENT				COMMUNITY VULNERABILITIES			
Hazard #	Hazard Situation	Risk Analysis	Priority	Vulnerable Populations	Critical Infrastructure	Response Capabilities	Environment
1	TRANSPORTATION	4-4	1	Entire Community	Police & Fire Stations	CN Rail	Groundwater Contamination
	<i>Rail, Light Rail, Subway</i>				Municipal Offices	Ottawa Haz-Mat	Leak into Sewer
	CN Rail Line				Edward St. Overpass / sewer system	Police / Fire / AMB/ Mutual Aid	River Contamination
					Sewer System	Health Unit / MOE	
2	TRANSPORTATION	3-3	2	High School	401 Corridor	CN RAIL	Groundwater Contamination
	<i>Road and Highway</i>			OPP Station		CERV / Ottawa Haz-Mat	Air Pollution - toxic
	Hwy 401 / County Road 2			2 x Nursing Homes		Police / Fire / AMB/ Mutual Aid	
				Schools		Health Unit / MOE	
3	HEALTH	3-3	3	Entire Community	Health Institutions incl.	Health Unit	General Sanitation Issues
	<i>Infectious Disease</i>				Nursing Homes	Province (EMO)	
	Pandemic				Police/Fire/Amb. Staff	Police / Fire / AMB	
					Water Plant	Mutual Aid	
4	HEALTH	1-4	4	Entire Community	Water Treatment Plant	OCWA	River Contamination
	<i>Water Quality</i>				Water Distribution Sys.	Health Unit	Sewer System
	Water Emergency					Province (EMO)	
						Health Canada / MOE	
						Private Water Con.	
5	SUPPLY & DISTRIBUTION	3-3	5	Entire Community	Water Treatment Plant	Rideau St. Law.	River Contamination from sewage overflow
	<i>Electrical Energy Failure</i>				Fire Response Capability	Police / Fire / AMB	
					Sewage Treatment Plant	Public Works	
					Power Distribution Grid	Health Unit	
					Communications - phone & cell	Province (EMO)	
6	STRUCTURAL	1-4	6	Downtown Residents	Power Distribution	Police / Fire / AMB	Contaminated run-off to
	<i>Fire/Explosion</i>			Police/Fire Station		Mutual Aid	river or groundwater
	Downtown			Water Treatment Pl.		Health Unit / MOE	smoke air pollution
				Nursing Homes / Schools			
7	HAZARDOUS MATERIALS	2-4	7	Entire Community	Water Treatment Plant	Public Works	Air Pollution / Contamination
	<i>Chemical</i>					Province (EMO)	River Contamination
						OCWA	
						Health Unit / MOE	

Section 10 – Municipal Disaster Recovery Assistance (MDRA)

Program Purposes

Municipal Disaster Recovery Assistance is a claims-based program that, when activated by the province, offers financial assistance to qualifying municipalities that have sustained significant extraordinary costs as a result of a natural disaster, such as a tornado or severe flooding.

The program offers assistance for extraordinary operating and capital costs arising from a natural disaster. Eligible operating costs are those incurred to protect public health, safety and access to essential services. Eligible capital costs are those to repair public infrastructure or property to pre-disaster condition. Costs that are covered by insurance or costs that would have been incurred if the disaster had not taken place (such as regular municipal salary costs) are ineligible under the program.

For the purpose of Municipal Disaster Recovery Assistance, a disaster is defined as a sudden, unexpected, extraordinary, natural event that results in eligible municipal costs at least equal to three per cent of a municipality's Own Purpose Taxation levy. In keeping with the principle of shared responsibility for disaster management, the program is based on a sliding-scale, cost-sharing formula between affected municipalities and the province. The Ontario government also offers a separate program, Disaster Recovery Assistance for Ontarians, to assist homeowners, residential tenants, small owner-operated businesses, farmers and not-for-profit organizations affected by a natural disaster. The Minister of Municipal Affairs and Housing may activate this program in the event of a natural disaster. Disaster Recovery Assistance for Ontarians is administered by the province and a municipal request is not required to activate the program.

How MDRA Works

To apply for Municipal Disaster Recovery Assistance, the municipal council adopts a resolution requesting assistance under the program. Within **120 calendar days** from the date of the onset of the disaster, the municipality is required to submit the council resolution requesting assistance along with an initial claim and supporting documentation.

Section 10 – Municipal Disaster Recovery Assistance (MDRA)

By this stage, a municipality should have self-assessed its potential eligibility under the program and collected sufficient supporting documentation to demonstrate that costs meet or exceed three per cent of its Own Purpose Taxation levy.

The strength of a municipality's request for assistance will depend on the completeness of the claim forms and supporting documentation submitted. Municipalities must append supporting documentation to establish that costs are:

- Directly linked to the natural disaster for which the municipality is requesting assistance.
- Incremental to a municipality's standard operating and capital budgets.
- Not covered by the municipality's insurance policy.
- Incurred as a result of a natural disaster and to protect public health and safety; secure public access to essential services; or to repair and restore essential property or infrastructure to pre-disaster condition.
- Reasonable. Claims should represent a fair value of work for money paid. Municipalities should be able to demonstrate that procurement and tendering processes are in compliance with the municipality's by-laws and policies.
- **Municipal Services Offices Contact Information**
- East Region
Rockwood House
8 Estate Lane
Kingston, ON
K7M 9A8
Tel: 613-545-2100 or 1-800-267-9438

Full program details can be found on the Ministry of Municipal Affairs website

<http://www.mah.gov.on.ca/Page13722.aspx>

