

Legislated Requirements for Local Authority Emergency Plans



Legislation Translated



Legislation

EPA section 6
(2) Subject to subsection (2.1), a local authority must prepare or cause to be prepared local emergency plans respecting preparation for, response to and recovery from emergencies and disasters.
(2.1) For the purposes of subsection (2), a local authority that is the board of a regional district must ensure that it has one local emergency plan that applies, or 2 or more local emergency plans that in the aggregate apply, to all of the electoral areas within the regional district.

Concrete result

A plan must cover how to prepare, respond and recovery from emergencies and disasters.

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EPA

8 (1) A local authority or a person designated in the local authority's local emergency plan may, whether or not a state of local emergency has been declared under section 12 (1), cause the plan to be implemented if, in the opinion of the local authority or the designated person, an emergency exists or appears imminent or a disaster has occurred or threatens in (a) the jurisdictional area for which the local authority has responsibility, or (b) any other municipality or electoral area if the local authority having responsibility for that other jurisdictional area has requested assistance.

(2) If a Provincial emergency plan has been implemented under section 7, a local emergency plan may be implemented or its implementation may be continued under subsection (1) of this section if and to the extent that the local emergency plan is not in conflict with the Provincial emergency plan.

Concrete result

It is the local authority that decides whether a local emergency plan is to be implemented

Legislation Translated



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EPA

13 (1) After a declaration of a state of local emergency is made under section 12 (1) ... the local authority may do all acts and implement all procedures that it considers necessary to prevent, respond to or alleviate the effects of an emergency or a disaster, including any or all of the following:

- (a) implement its local emergency plan or any local emergency measures;
- (b) subject to this section, exercise, in relation to the part of the jurisdictional area affected by the declaration, any power available to the minister under section 10 (1) (d) to (l);
- (c) subject to this section, authorize, in writing, any persons involved in the operation of a local emergency plan or program to exercise, in relation to any part of the jurisdictional area affected by a declaration, any power available to the minister under section 10 (1) (d) to (l).

Concrete result

Local authorities have significant powers to implement plans when a declaration is made

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LAEMR 2(1) A local authority must reflect in the local emergency plan:

- (a) The potential emergencies and disasters that could affect all or any part of the jurisdictional area
- (b) The local authorities assessment of the relative risk of occurrence and potential impact on people and property

Concrete result

Plans must include an assessment of risk for all those emergencies and disasters that could affect the subject area of the plan

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LAEMR 2 (2) Each municipal council and each board of a regional district must reflect in its emergency plan, unless it is documented elsewhere:

- (a) the commitment of the local authority to provide policy guidance and direction to the emergency management organization established by that local authority under section 6 (3) of the Act, and
- (b) the procedures by which that guidance and direction is to be provided.

Concrete result

Local authorities must commit to policy guidance and direction for emergency management organizations and to the process for giving this advice and direction. These commitments must be documented.

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(3) A local authority must, as part of the local emergency plan prepared by it under section 6 (2) of the Act,

(a) require a periodic review and updating of the local emergency plan and establish a procedure for that review and revision,

(b) establish and maintain for all emergency response staff to whom responsibilities are assigned in the plan,

(i) a program of emergency response exercises, and

(ii) a training program,

Concrete result

A planning cycle must be in place to update and review plans

Training and emergency response exercises for staff are mandatory

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LAEMR 3 (c) identify the procedures by which emergency resources, including, without limitation, personnel, equipment, facilities and financial resources, may be obtained from sources within or outside of the jurisdictional area for which the local authority has responsibility,
(d) establish the procedures by which the plan is to be implemented,
(e) establish procedures by which those persons who may be harmed or who may suffer loss are notified of an emergency or impending disaster,

Concrete result

Emergency plans require:

- Resource identification (personnel, facilities, equipment, finances)
- Procedures for implementing plan;
- Notification procedures.

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(3) (f) coordinate the provision of food, clothing, shelter, transportation and medical services to victims of emergencies and disasters, whether that provision is made from within or outside of the local authority, (g) establish the priorities for restoring essential services provided by the local authority that are interrupted during an emergency or disaster, and (h) recommend to service providers the priorities for restoring essential services not provided by the local authority that are interrupted during an emergency or disaster.

Concrete result

Plans must:

- Coordinate provision of ESS (Food, Clothing, Shelter) and Medical Services and Transportation
- Outline Essential service priorities (ie. Business Continuity)
- Include a process to engage service providers

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LAEMR 4 (4) A local authority may incorporate into its local emergency plan any confirmed, potential or anticipated assistance and resources of other levels of government or other non-government bodies.

Concrete result

Mutual aid or aid from other levels of government – Optional.

Summary of Legislated Requirement for Local Authority EM Plan



Required

- A plan must cover how to prepare, respond and recovery from emergencies and disasters.
- It is the local authority that decides whether a local emergency plan is to be implemented
- Local authorities have significant powers to implement plans when a declaration is made
- Plans must include an assessment of risk for all those emergencies and disasters that could affect the subject area of the plan
- Local authorities must commit to policy guidance and direction for emergency management organizations and to the process for giving this advice and direction. These commitments must be documented.

Summary of Legislated Requirement for Local Authority EM Plan



Required

- A planning cycle must be in place to update and review plans
- Training and emergency response exercises for staff are mandatory
- Emergency plans require:
 - Resource identification(personnel, facilities, equipment, finances)
 - Procedures for implementing plan;
 - Notification procedures.
- Plans must:
 - Coordinate provision of ESS (Food, Clothing, Shelter) and Medical Services and Transportation
 - Outline Essential service priorities (ie. Business Continuity)
 - Include a Process to engage service providers

Optional

- Mutual aid or aid from other levels of government