

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 635

A bylaw of the Regional District of Central Okanagan to provide for the establishment of an Emergency Program.

WHEREAS the Regional Board of the Regional District of Central Okanagan;

SHALL establish and maintain a Regional Emergency Planning and Response organization;

SHALL appoint a Co-ordinator of the Regional District who will assume overall co-ordination of the response for an emergency or disaster;

AND SHALL ALSO appoint an Emergency Plan Co-ordinator of the Regional District and prescribe his or her duties which shall include the preparation and co-ordination of emergency plans and programs for the Regional District;

AND SHALL prepare and approve emergency plans and programs;

AND MAY enter into agreements with and make payments to organizations for the provision of services in the development and implementation of emergency plans and programs;

AND WHEREAS pursuant to Sec. 790 of the Municipal Act, the Regional District of Central Okanagan has been granted the additional powers under the Emergency Program Act by B.C. Regulation #445/92;

AND WHEREAS the Council of the City of Kelowna and the Council of the District of Peachland have passed a resolution supporting the adoption of this bylaw;

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting enacts as follows:

1. In this bylaw, unless the context otherwise requires:
 - a. "Regional District" shall mean the Regional District of Central Okanagan as described in Letters Patent, including the City of Kelowna, the District of Peachland, the District of Lake Country and Electoral Areas G, H and I;
 - b. "Regional Board" shall mean the Regional Board of the Regional District of Central Okanagan;
 - c. "Disaster" means a calamity caused by accident, by an act of war or insurrection or by forces of nature that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;
 - d. "Emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
2. The term "Co-ordinator" and "Emergency Plan Co-ordinator" shall mean the person(s) appointed by the Regional Board of the Regional District.
3. The Emergency Planning organization of the Regional District shall be comprised of the Emergency Plan Executive Board, Regional District departments and participating departments of the City of Kelowna, the District of Lake Country, the District of Peachland, and voluntary organizations within the Regional District, the City of Kelowna, the District of Lake Country and the District of Peachland.

4. There shall be established an Emergency Plan Executive Board consisting of the Chairperson of the Regional District, the Mayor of Kelowna, the Mayor of the District of Lake Country, the Mayor of Peachland, one Regional District Electoral Area representative, one Councillor of the District of Lake Country, one Councillor of the District of Peachland and one City of Kelowna Councillor; which shall be chaired by the Chairperson of the Regional District. In the absence of the Chairperson of the Regional District, the Mayor of the City of Kelowna shall act as Chairperson and in his/her absence, the Mayor of the District of Peachland.
5. There shall be an Emergency Operations Control Group comprised of the Co-ordinator and the Emergency Plan Co-ordinator, the Chief of Police, a representative from the Regional Fire Chiefs, an appointee of the City of Kelowna, an appointee of the Regional District, an appointee of the District of Lake Country and an appointee of the District of Peachland and such other persons when required, that may be deemed necessary to formulate a regional emergency plan.
6. The Emergency Operations Control Group through the Emergency Plan Co-ordinator will integrate any municipal, provincial, regional and voluntary emergency services emergency plans into one comprehensive plan.
7. The Emergency Operations Control Group shall be responsible for:
 - a. exercise of overall responsibility of planning and co-ordinating of emergency measures in the City of Kelowna, Regional District, the District of Lake Country and the District of Peachland;
 - b. submission to the Executive Board of estimates of expenditures for the maintenance and operation of the Emergency Plan;
 - c. submission to the Executive Board at least once per year of a progress report of activities;
 - d. submission to the Executive Board, for approval, of a Municipal Emergency Plan;
8. The Regional Board hereby appoints the Administrator of the City of Kelowna as Co-ordinator and hereby appoints the Administrator of the Regional District of Central Okanagan, the Administrator of the District of Lake Country and the Administrator of the District of Peachland as Deputy Co-ordinator. The Co-ordinator shall ensure an adequate co-ordinated response is carried out by assuming control of the Emergency Operations Centre and its staffing during the declared emergency.
9. The Regional Board hereby appoints the Fire Chief of the City of Kelowna as Emergency Plan Co-ordinator and in his/her absence, the Assistant Fire Chief of the City of Kelowna is hereby appointed and shall act as the Emergency Plan Co-ordinator.
10. The Emergency Plan Co-ordinator shall have the following duties and responsibilities:
 - a. acts as Chairperson of the Emergency Operations Control Group established under this bylaw;
 - b. initiates and co-ordinates the development of an emergency plan for the Regional District in co-operation with all government agencies, municipal government departments and volunteer organizations within the Regional District.
 - c. provides emergency plans from guidelines laid down by the Emergency Operations Control Group;

- d. submits regular reports to the Emergency Plan Executive Board to keep them fully informed of progress;
 - e. correlates all activities of those persons and/or organizations involved within the Regional District and designated for emergency operations;
 - f. ensures that a continuous program of training for local Emergency Operations Control Group personnel is carried out, either by local training classes or attendance at provincial or federal training schools;
 - g. co-operates with the Mutual Aid areas and the Provincial Emergency program on all matters pertaining to planning and operation;
 - h. submits a projected budget to cover costs of emergency operations within the Regional District;
 - i. acts as advisor to the Co-ordinator and to the Regional and Municipal Governments during emergencies or disasters;
11. Each regional or municipal department or voluntary organizations within the Regional District shall be responsible to develop and execute the emergency plan of the service he or she represents, train employees and volunteers and make a comprehensive study of existing resources.
 12. The Regional Board may co-operate with other jurisdictions for the purpose of jointly establishing and operating emergency measures organizations and emergency plans upon appropriate agreement.
 13. In the case of an emergency, the Emergency Plan Co-ordinator shall determine the jurisdiction or jurisdictions within which the emergency exists or has occurred.
 14. The Co-ordinator may, on advice from the Emergency Plan Co-ordinator that an emergency exists or has occurred within a single jurisdiction, delegate his duties under this bylaw to the Deputy Co-ordinator for that jurisdiction.
 15. In the case of an emergency, the Regional Board for Electoral Areas G, H & I, the Council of the City of Kelowna, the District of Lake Country or the District of Peachland as the case may be, shall have the primary responsibility for response to the emergency occurring within their jurisdictions together with associated costs, including the recovery of said costs from the Provincial and/or Federal emergency funding resources.
 16. The Regional District Chairperson or Mayor of the City of Kelowna, the Mayor of the District of Lake Country or Mayor of the District of Peachland, the Acting Chairperson or Acting Mayor, a majority of the members of the Regional Board or the Council of the City of Kelowna or the Council of the District of Lake Country or Council of the District of Peachland are hereby authorized to declare a state of local emergency in the Regional District, City of Kelowna, the District of Lake Country or District of Peachland, whichever applies, under this bylaw. Upon such declaration being made, the Emergency Plan Organization shall exercise all powers conferred upon it by the Emergency Measures Act of the Province of British Columbia.
 17. On making of the declaration and for the duration of the state of local emergency, the Regional District Chairperson or the Mayor of the City of Kelowna, or the Mayor of the District of Lake Country, or the Mayor of the District of Peachland, or in his/her absence the Acting Chairperson or Acting Mayor of each jurisdiction, may do all acts and take all necessary proceedings including the following:

- a. put into operation an emergency plan or program, in accordance with the provisions of this bylaw;
 - b. authorize or require the preparation of an emergency plan or program for the Regional District, the City of Kelowna, the District of Lake Country or the District of Peachland, whichever applies;
 - c. acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - d. authorize or require any qualified person to render aid of a type he is qualified to provide;
 - e. control or prohibit travel to or from any area of the Regional District, City of Kelowna, District of Lake Country or District of Peachland;
 - f. provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Regional District, City of Kelowna, the District of Lake Country or District of Peachland;
 - g. cause the evacuation of persons and the removal of livestock and personal property from any area of the Regional District, City of Kelowna, the District of Lake Country or District of Peachland that is or may be affected by an emergency or disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
 - h. authorize the entry into any building or onto any land, without warrant, by any person in the course of implementing an emergency plan, program or operation;
 - i. cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the scene of an emergency or disaster, or to attempt to forestall their occurrence or to combat their progress;
 - j. procure or fix prices for food, clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources or equipment within any part of the Regional District, City of Kelowna, District of Lake Country or District of Peachland for the duration of the state of local emergency;
 - k. authorize the recruitment of persons needed to meet an emergency;
18. The Regional Board may, from time to time, appropriate and expend monies required to meet the ordinary operating expenses of the Emergency Plan, within the boundaries of the Regional District of Central Okanagan. The Council of the City of Kelowna may, from time to time, appropriate and expend monies required to meet the ordinary operating expenses of the Emergency Plan, within the boundaries of the City of Kelowna. The Council of the District of Peachland may, from time to time, appropriate and expend monies required to meet the ordinary operating expenses of the Emergency Plan, within the boundaries of the District of Peachland. The Council of the District of Lake Country may, from time to time, appropriate and expend monies required to meet the ordinary operating expenses of the Emergency Plan, within the boundaries of the District of Lake Country.

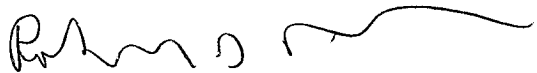
- 19. This bylaw shall come into force and take effect on the day of the final passing thereof.
- 20. This bylaw hereby repeals and replaces Bylaw No. 576 cited as the "Regional District of Central Okanagan Emergency Program Bylaw No. 576, 1993".
- 21. This bylaw may be cited as "Regional District of Central Okanagan Emergency Program Bylaw No. 635 , 1995."

READ A FIRST TIME THIS 8th DAY OF May , 1995.

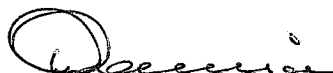
READ A SECOND TIME THIS 8th DAY OF May , 1995.

READ A THIRD TIME THIS 8th DAY OF May , 1995.

RECONSIDERED AND ADOPTED THIS 8th DAY OF May , 1995.



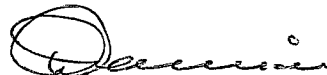
CHAIRPERSON



SECRETARY

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 635 cited as "Regional District of Central Okanagan Emergency Program Bylaw No. 635 , 1995" as read a third time by the Regional Board on the 8th day of May , 1995.

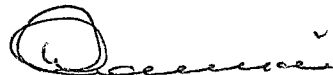
Dated at Kelowna, B.C. this 10th day of May , 1995.



Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 635 cited as "Regional District of Central Okanagan Emergency Program Bylaw No. 635 , 1995 " as adopted by the Regional Board on the 8th day of May , 1995.

Dated at Kelowna, B.C. this 10th day of May , 1995.



Secretary