

**UNITED COUNTIES OF  
PRESCOTT AND RUSSELL**



**EMERGENCY PLAN**

Revised November 22, 2017

# **UNITED COUNTIES OF PRESCOTT AND RUSSELL**

## **EMERGENCY PLAN FOREWORD**

This plan has been formulated to assign responsibilities and to guide the actions of key officials after the onset of an emergency.

For this plan to be effective, it is essential that all concerned be made aware of its provisions and that every official and department be prepared to carry out their assigned functions and responsibilities in an emergency.

Department heads should review and keep up to date their own procedures and arrangements for responding to emergencies.

The Director responsible for Emergency Services is accountable for the formulation, administration and distribution of the United Counties of Prescott and Russell Emergency Plan. The Emergency Services are also responsible for assisting Counties Departments in the formulation and implementation of their emergency plans and for co-ordinating the emergency plans of area municipalities with that of the United Counties of Prescott and Russell.

It is the primary responsibility of individual municipalities to declare and respond to an emergency. The scale or magnitude of an emergency situation may require the Counties to provide a response in support of local communities. The Counties are prepared to assist during an emergency in accordance with the provisions of this plan.

This plan is always under review to ensure it remains current.

All comments and suggestions relating to this document should be directed to:

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Emergency Services Department  
United Counties of Prescott and Russell  
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Gary J. Barton  
Warden, UCPR

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It is understood that the telephone numbers or names listed in this Schedule shall be amended from time to time as the numbers or names change, and that no formal by-law amendment shall be necessary for such revision. The UCPR Emergency Services Department is responsible for up-dating Appendix "A" and will inform holders of this plan of any changes in telephone numbers or names listed in this Schedule and the new numbers or names shall be inserted, and this clause shall be authorization for amendment.

## **DEFINITIONS**

- |    |  |  |
|----|--|--|
| 1. | MUNICIPALITIES                                       | Those municipalities within the United Counties of Prescott and Russell.   |
| 2. | CEMC   | Community Emergency Management Co-ordinator.   |
| 3. | CHIEF ADMINISTRATIVE OFFICER<br>(OPERATIONS OFFICER) | The Chief Administrative Officer for the UCPR, or designate will act as Operations Officer on the Community Control Group.   |
| 4. | DEPUTY CLERK   | The Deputy Clerk of the UCPR, or designate.  |
| 5. | DEPUTY TREASURER                                     | The Deputy Treasurer of the UCPR, or designate.  |
| 6. | DIRECTOR OF PUBLIC WORKS                             | The Director of Public Works for the UCPR, or designate.   |
| 7. | EMERGENCY ADMINISTRATIVE<br>SUPPORT GROUP            | That group of individuals composed of persons holding the following positions:<br>- Counties Deputy Clerk<br>- Counties Deputy Treasurer<br>- Counties Solicitor   |
| 8. | EMERGENCY OPERATIONS CENTER<br>(EOC)                 | A designated location where the Community Control Group will report to and function from.  |
| 9. | COMMUNITY CONTROL GROUP                              | That group of individuals directing those services necessary for mitigating the effects of the emergency. The UCPR Chief Administrative Officer ( <i>Operations Officer</i> ) is responsible for co-ordinating the actions of the group. |

- |     |  |  |
|-----|--|--|
| 10. | EMERGENCY PLANNING DIRECTOR                      | The Emergency Planning Director or designate, performing the emergency planning function for the UCPR.   |
| 11. | EMERGENCY SERVICES                               | That group of individuals necessary to provide assistance of an informational or logistical nature, in an effort to assist the Community Control Group in the making of informed decisions.  |
| 12. | EMERGENCY SERVICES DIRECTOR                      | The Emergency Services Department Director and the primary CEMC or designate for UCPR.   |
| 13. | EMERGENCY SITE MANAGER (ESM)                     | The Emergency Site Manager (ESM) is a senior official of the agency who is most directly involved in a particular emergency (i.e., police, fire, ambulance). The Warden may appoint an agency to provide an ESM on the advice of the Community Control Group. The ESM is in command and control of all operations at the site. |
| 14. | EMERGENCY TECHNICAL SUPPORT GROUP                | That group of individuals providing technical advice and consisting of members of public/private utilities.  |
| 15. | FIRE CHIEF(S) OF AFFECTED MUNICIPALITY(IES)      | The Chief of the Fire Department of the area municipality(ies) directly affected by the emergency, or designate(s).  |
| 16. | FIRE DEPARTMENT CO-ORDINATOR                     | The Fire Department Co-ordinator for the United Counties of Prescott and Russell appointed by the Fire Marshall of Ontario.  |
| 17. | HEAD(S) OF COUNCIL OF AFFECTED MUNICIPALITY(IES) | The Head(s) of Council, or designate(s) of the area municipality(ies) in the Counties directly affected by the emergency.  |

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|-----|---|--|
| 18. | INNER PERIMETER   | A restricted area in the immediate vicinity of the emergency scene as established by the Emergency Site Manager. Access to the inner perimeter is restricted to essential emergency personnel actively involved in the occurrence. |
| 19. | EMERGENCY INFORMATION OFFICER                             | The Emergency Information Officer appointed by the United Counties of Prescott and Russell.  |
| 20. | MEDICAL OFFICER OF HEALTH - EASTERN ONTARIO HEALTH UNIT   | The Medical Officer of Health - Eastern Ontario Health Unit for the UCPR, or designate.  |
| 21. | OPP DETACHMENT COMMANDER                                  | The OPP Detachment Commander of Hawkesbury or Casselman, Rockland, Nation & Russell, depending on where the emergency happens, or designate.   |
| 22. | OUTER PERIMETER   | The geographic area surrounding the inner perimeter. This area will serve as a co-ordination and assembly area for essential emergency personnel, as determined by the Emergency Site Manager and the Community Control Group.     |
| 23. | REPRESENTATIVE OF CENTRAL AMBULANCE COMMUNICATIONS CENTER | A designated official of the Emergency Health Services, Ministry of Health (Ottawa Central Ambulance Communications Center).   |
| 24. | SOCIAL AND FAMILY SERVICES DIRECTOR                       | The Social and Family Services Director for the UCPR, or designate.  |
| 25. | SOLICITOR   | The Solicitor for the UCPR, or designate.  |



26. TRIAGE  
The sorting and allocation of treatment to patients or victims according to a system of priorities designed to maximize the number of survivors.
27. UNITED COUNTIES OF PRESCOTT AND RUSSELL  
The United Counties of Prescott and Russell herein referred to as UCPR, County or Counties.
28. WARDEN  
The Head of Council for the UCPR or designate.

## 1. INTRODUCTION

- 1.1 Emergencies are defined as situations or impending situations caused by forces of nature, accident or an intentional act that constitutes a danger of major proportions to life and property. They affect public safety, meaning the health, welfare and property, as well as the environment and economic health of the Counties.

The population of the United Counties of Prescott and Russell is 85,381 residents.

In order to protect residents, businesses and visitors, the Counties require a co-ordinated emergency response by a number of agencies under the direction of the Community Control Group. These are distinct arrangements and procedures from the normal, day-to-day operations carried out by emergency services.

The Emergency Management Committee of the Counties developed this emergency response plan. Every official, municipal department and agency must be prepared to carry out assigned responsibilities in an emergency. The response plan has been prepared to provide key officials, agencies and departments of the Counties important emergency response information related to:

- Arrangements, services and equipment; and
- Roles and responsibilities during an emergency.

In addition, it is important that residents, businesses and interested visitors be aware of its provisions. The Emergency Response Plan is available on the Counties' Website at <http://www.prescott-russell.on.ca/> or at the Counties or the Emergency Services Administrative Offices. For more information, please contact:

Community Emergency Management Co-ordinator  
Director of Emergency Services  
United Counties of Prescott and Russell  
Telephone: 1-(613)-673-5139 or 1-(866) 311-9711 ext. 221

- 1.2 The responsibilities to mitigate the effects of an emergency are, in order:

- (1) Individual;
- (2) Municipal;
- (3) County;
- (4) Provincial; and
- (5) Federal.

## 2. AIM

- 2.1 The aim is to outline a plan of action for the efficient deployment of the UCPR services, agencies and persons required to operate in an emergency situation. The plan is designed to facilitate maximum coordination of area municipal services through local input and involvement.

- 2.2 The plan shall be reviewed once annually by the UCPR Council.
- 2.3 It enables a centralized controlled and co-ordinated response to emergencies in the United Counties of Prescott and Russell, and meets the legislated requirements of the *Emergency Management Act*.

For further details, please contact the Community Emergency Management Co-ordinator.

### **3. AUTHORITY**

- 3.1 The *Emergency Management and Civil Protection Act (EMA)* is the legal authority for this emergency response plan in Ontario.

The *EMA* states that:

“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)**

As enabled by the *Emergency Management Act*, this emergency response plan and its’ elements have been:

- Issued under the authority of the United Counties of Prescott and Russell By-Law No. **2010-34** ; and
- Filed with Emergency Management Ontario and the Ministry of Community Safety and Correctional Services.

#### **a) Definition of an Emergency**

The *Emergency Management and Civil Protection Act* defines an emergency as:

*“An Emergency means a situation or an impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property.”*

The Emergency Operations Centre (EOC) can be activated for any emergency for the purposes of managing an emergency, by maintaining services to the community and supporting the emergency site.

#### **b) Action Prior to Declaration**

When an emergency exists but has not yet been declared to exist, community employees may take such action(s) under this emergency response plan as may be required to protect property and the health, safety and welfare of the residents of the United Counties of Prescott and Russell.

The Emergency Operations Centre (EOC) can be activated for any emergency for the purposes of managing an emergency, by maintaining services to the community and supporting the emergency site.

**THE CORPORATION OF THE UNITED COUNTIES  
OF PRESCOTT AND RUSSELL  
BY-LAW NUMBER 2010-34**

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**A BY-LAW TO ADOPT AN EMERGENCY MANAGEMENT PROGRAM**

**WHEREAS** the *Emergency Management and Civil Protection Act*, R.S.O. 1990, Chapter E.9, as amended, requires that 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;

**AND WHEREAS** the emergency management program shall consist of:


- (a) an emergency plan as required by section 3 of the Act;
- (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 of the Act.


**NOW THEREFORE BE IT ENACTED** by the Council of the Corporation of the United Counties of Prescott and Russell that:

1. Appendix A to this By-law is hereby adopted as the emergency plan for the United Counties of Prescott and Russell.
2. That By-law 2007-01, which adopted a previous emergency plan, is hereby repealed.

3. The Clerk of the United Counties of Prescott and Russell is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantical or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law
4. The Warden and Clerk are hereby authorized and directed to execute all documents in that behalf and to affix the corporate seal of the Corporation to all such documents.

**DONE AND PASSED** in open Council this 24<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
Conrad Lamadeleine, Warden

  
\_\_\_\_\_  
Stéphane P. Parisien, Clerk

## 5. REQUEST FOR ASSISTANCE

5.1 Area municipalities are the first responders to an emergency. However, assistance may be requested from the UCPR at any time by contacting the Chief Administrative Officer who is also the Operations Officer. Under certain circumstances, departments or agencies responding according to the Counties Emergency Plan may be required to request assistance of ministries or agencies of the Province of Ontario. The requesting of said services should not be deemed a request that the government of the Province of Ontario assumes authority and control of the emergency. The requesting of these services shall be done in the manner of normal day-to-day proper procedure.

All requests for Provincial assistance, other than normal day-to-day requests, shall be directed to the Chief Administrative Officer (*Operations Officer*), who will control and co-ordinate this assistance and prevent duplication of effort if two or more municipalities are requesting similar assistance.

5.2 When the combined resources of the UCPR and the area municipalities are deemed insufficient to deal with the emergency, the Warden may submit a request to the Province of Ontario at any time without any loss of control or authority. A request for assistance should be made by contacting Emergency Management Ontario.

The Emergency notification contact list, including contact numbers for requesting assistance, is attached as Appendix "A".

## 6. DECLARATION OF EMERGENCY SITUATION

6.1 A Declared Municipality Emergency

The Warden or Acting Warden of the United Counties of Prescott and Russell, as the Head of Council, is responsible for declaring an emergency. This decision is usually made in consultation with other members of the CCG.

Upon declaring an emergency, the Warden will notify:

- Emergency Management Ontario, Ministry of Public Safety and Security;
- County Council;
- County Warden, as appropriate;
- Public;
- 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:

- Warden or Acting Warden; or
- County Council; or
- Premier of Ontario.

When ending an emergency, the Warden will notify:

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

## **7. EMERGENCY NOTIFICATION PROCEDURES**

- 7.1 This plan may be implemented, in whole or in part, as soon as an emergency which is considered to be of such a magnitude as to warrant its being implemented occurs or is expected. Only a member of the Community Control Group (CCG) may initiate the notification procedure.

Any member of the CCG wishing to initiate the Emergency Notification System must first contact and obtain the concurrence of either the Chief Administrative Officer or the Community Emergency Management Co-ordinator (CEMC). Further if either the Chief Administrative Officer or the CEMC wishes to initiate the activation of the notification procedures, he/she must obtain concurrence from the other. The contact telephone numbers and addresses of the CCG members (and their alternates) are contained in Appendix "A" of this plan.

When a member of the CCG receives a warning of a real or potential emergency, and the above procedures have been followed, that member will immediately contact the Hawkesbury Fire Service Dispatch Office and direct them to initiate the notification of the CCG. The member initiating the call must provide pertinent details (e.g. - a time and place for the CCG to meet) as part of the notification procedure.

If deemed appropriate, the individual CCG members may initiate their own internal notification procedures of their staff and volunteer organizations.

The Hawkesbury Fire Service dispatcher must record the date and time each CCG member was contacted on the appropriate form contained in Appendix "A".

- 7.2 Each County's Department is to establish an internal call-out system in order that key personnel within their department can be contacted. A copy of this call-out system is to be held at the Emergency Services Department.

## **COMMUNITY CONTROL GROUP**

### **8. COMMUNITY CONTROL GROUP - COMPOSITION**

- 8.1 The Community Control Group will be composed of persons or designates, holding the following positions (See Appendix "C", Organizational Chart):

- (1) Warden, UCPR;
- (2) Head(s) of Council of Affected Municipality(ies);
- (3) Chief Administrative Officer (*Operations Officer*);
- (4) Ontario Provincial Police (OPP) Detachment Commander of affected area;
- (5) Director of Emergency Services, UCPR;
- (6) Fire Department Co-ordinator, Mutual Aid Program;
- (7) Director of Public Works, UCPR;
- (8) Administrator of Social and Family Services, UCPR;
- (9) Medical Officer of Health - Eastern Ontario Health Unit;
- (10) CEMC or alternate-UCPR.

8.2 Additional personnel called or added to the Community Control Group may include:

- (1) Any other officials, experts, representatives of utility companies, including those of an area municipality, deemed necessary by the Community Control Group.

8.3 The Community Control Group may function with only a limited number of persons depending upon the emergency. All members must be notified of an emergency whether they are present or not.

## **9. COMMUNITY CONTROL GROUP - OPERATING CYCLE**

9.1 Members of the Community Control Group will gather at regular intervals to inform each other of actions taken and problems encountered. The Operations Officer will establish the frequency of meetings and agenda items. Meetings will be kept as brief as possible, thus allowing members to carry out their individual responsibilities. Maps and status boards will be prominently displayed and kept up to date by the Operations Officer.

## **10. COMMUNITY CONTROL GROUP - RESPONSIBILITIES**

10.1 *The members of the Community Control Group (CCG) are responsible for the following actions or decisions:*

- (1) Call out and mobilize the emergency service or agency under his/her jurisdiction;
- (2) Co-ordinate and direct his or her service to ensure that any actions necessary for the mitigation of any effects of the emergency taken and provided are not contrary to the law;
- (3) Notify the service, agency or group under his or her control or with whom he/she is working of a declaration or termination of the emergency;
- (4) Maintain a log outlining actions regarding his/her decisions/orders given and submit a summary of the log to the UCPR Chief Administrative Officer



- (Operations Officer)* within one week after the termination of the emergency;
- (5) Participate in the debriefing following the emergency;
  - (6) Advise the UCPR Warden as to whether the declaration of an emergency is required;
  - (7) Consider designating an area in the Counties as an "Emergency Area";
  - (8) Authorize expenditure of funds to deal with the emergency;
  - (9) Appoint an agency to provide the Emergency Site Manager;
  - (10) Determine if the location and composition of the Community Control Group are appropriate;
  - (11) Determine if additional volunteers are required and if appeals for volunteers are warranted;
  - (12) Ensure that pertinent information regarding the emergency is promptly forwarded to the Emergency Information Officer for dissemination to the public and media;
  - (13) If necessary, obtain the assistance of neighbouring municipalities and/or the Province of Ontario and/or the federal government;
  - (14) Evacuate those buildings or sections within an emergency area, which are themselves considered to be dangerous or in which the occupants are considered to be in danger from some other sources;
  - (15) Casualty collection and evacuation in support of Counties health care authorities;
  - (16) Disperse people not directly connected with the operations who by their presence are considered to be in danger or whose presence hinders in any way the efficient functioning of emergency operations;
  - (17) Ensure support to the ESM by offering equipment, staff and resources, as required;
  - (18) Notify and request assistance from and/or liaison with various levels of government and any public or private agencies not under community control, as considered necessary;
  - (19) Determine if additional transport is required for evacuation or transport of persons and/or supplies;
  - (20) Determine the need to establish advisory groups and/or sub-committees/working groups for any aspect of the emergency including recovery;

- (21) Participate in the debriefing following the emergency;
- (22) Discontinue utilities or services provided by public or private concerns without reference to any consumers in the Counties, or when continuation of such utilities or services constitutes a hazard to public safety within an emergency area;
- (23) Arrange for accommodation and welfare, on a temporary basis, of any residents who are in need of assistance due to displacement as a result of the emergency;
- (24) Call in and direct the municipal/Counties personnel and equipment, which is required in the emergency;
- (25) Arrange for services and equipment from local agencies not under municipal/Counties control, i.e., private contractors, volunteer agencies, service clubs, etc;
- (26) Arrange assistance from senior levels of government;
- (27) Implement the Counties Evacuation Center Operation Plan.

### **INDIVIDUAL RESPONSIBILITIES**

#### **11. WARDEN - UCPR**

*The Warden or designate, is responsible to:*

- 11.1 In concert with either the Chief Administrative Officer or the CEMC, activate the emergency notification system, through the Hawkesbury Fire Service Dispatch Office;
- 11.2 Provide overall leadership in responding to an emergency;
- 11.3 Declare an emergency within the designated area;
- 11.4 Declare that the emergency has terminated (*Note: Council or the Premier of Ontario may also terminate the emergency*);
- 11.5 Notify Emergency Management Ontario, the Ministry of Community Safety and Correctional Services of the declaration of the emergency, and termination of the emergency;
- 11.6 Ensure that Members of Council are advised of the declaration and termination of an emergency, and are kept informed of the emergency situation;
- 11.7 Approve, in conjunction with the Community Control Group Officer, all news releases and public announcements;
- 11.8 Maintain a log of all actions taken.

**12. HEAD(S) OF COUNCIL OF AFFECTED MUNICIPALITY(IES)**

*The Head(s) of Council or designate(s) of the area municipality(ies) affected by the emergency is(are) responsible for providing input and advice to the Community Control Group, as required by the Community Control Group.*

12.1 Implement the Emergency Plan for his/her municipality.

12.2 Advise the Community Control Group on the concerns of his/her municipality.

**13. CHIEF ADMINISTRATIVE OFFICER - UCPR (OPERATIONS OFFICER)**

The Chief Administrative Officer, in the absence of the UCPR Warden or designate, has the authority in conjunction with the Community Control Group to expend the funds necessary to meet the immediate requirements of the emergency (*Emergency Management Act*).

*The Chief Administrative Officer of the UCPR or designate will act as Operations Officer and is responsible to:*

13.1 In concert with the Community Emergency Management Co-ordinator (CEMC), activate the emergency notification system through the Hawkesbury Fire Service Dispatch Office;

13.2 In concert with another member of the Community Control Group (CCG), authorize the activation of the emergency notification system;

13.3 Co-ordinate Counties response connected with the emergency;

13.4 Approve, in conjunction with the UCPR Warden, major announcements and press releases from the Community Control Group. The preparation shall be done by the Emergency Information Officer in consultation with the Community Control Group;

13.5 Notify the UCPR Deputy Clerk of the emergency and direct him/her to call out the remaining members of the Emergency Administrative Support Group;

13.6 Co-ordinate activities at the Emergency Operations Centre including the scheduling of meetings;

13.7 Advise the UCPR Warden on policies and procedures, as appropriate;

13.8 Ensure that a communication link be established between the Community Control Group and the Emergency Site Manager;

13.9 Maintain a log of all actions taken.

#### **14. ONTARIO PROVINCIAL POLICE (OPP) DETACHMENT COMMANDER**

*The OPP Detachment Commander or designate is responsible to:*

- 14.1 In concert with either the Chief Administrative Officer or the CEMC, activate the emergency notification system, through the Hawkesbury Fire Service Dispatch Office;
- 14.2 Depending on the nature of the emergency, assign a temporary Emergency Site Manager and notify the Community Control Group (CCG);
- 14.3 Establish an ongoing communications link with the senior police official at the scene of the emergency;
- 14.4 Establish the inner perimeter within the emergency area;
- 14.5 Establish the outer perimeter in the vicinity of the emergency to facilitate the movement of emergency vehicles and restrict access to all but essential emergency personnel;
- 14.6 Provide traffic control staff to facilitate the movement of emergency vehicles;
- 14.7 Alert persons endangered by the emergency and co-ordinating evacuation procedures;
- 14.8 Open evacuee centres in collaboration with the Social Services Representative;
- 14.9 Ensure liaison with the Social Services Officer regarding the establishment and operation of evacuation and reception centres;
- 14.10 Ensure the protection of life and property and the provision of law and order;
- 14.11 Provide police service in EOC, evacuee centres, morgues, and other facilities, as required;
- 14.12 Notify the coroner of fatalities;
- 14.13 Ensure liaison with other community, provincial and federal police agencies, as required;
- 14.14 Liaise with other Municipal, Provincial and Federal police agencies as required;
- 14.15 Maintain a log of all actions taken.

#### **15. FIRE DEPARTMENT COORDINATOR – MUTUAL AID PROGRAM**

*The Fire Department Coordinator or designate is responsible to:*

- 15.1 In concert with either the Chief Administrative Officer or the CEMC, activate the emergency notification system, through the Hawkesbury Fire Service Dispatch Office;

- 15.2 Depending on the nature of the emergency assign a temporary Emergency Site Manager and notify the Community Control Group (CCG);
- 15.3 Establish an ongoing communications link with the senior fire official at the scene of the emergency;
- 15.4 In concert with other members of the CCG, provide an Emergency Site Manager as required;
- 15.5 Inform the Mutual Aid Fire Co-ordinator and/or initiating mutual aid arrangements for the provision of additional firefighters and equipment, if needed;
- 15.6 Determine if additional or special equipment is needed and recommend possible sources of supply, e.g., breathing apparatus, protective clothing;
- 15.7 Provide assistance to other community departments and agencies and being prepared to take charge of or contribute to non-fire fighting operations if necessary, e.g., rescue, first aid, casualty collection, evacuation;
- 15.8 Arrange for the required additional fire or emergency team responses with the Fire Marshall of Ontario;
- 15.9 Liaise with the Fire Chief(s) of the affected municipality(ies) in determining if any additional assistance is required and assume responsibility for obtaining such assistance;
- 15.10 Advise the Community Control Group on matters concerning firefighting or fire prevention in areas where the emergency has caused increased fire risk;
- 15.11 Establish an emergency fire service plan for the Counties area, and to exercise control over participating Fire Departments under the Counties Mutual Fire Aid Plan;
- 15.12 Maintain a log of all actions taken.

## **16. FIRE CHIEF(S) OF AFFECTED MUNICIPALITY(IES)**

*The Fire Chief(s) or designate(s) of the Municipal Fire Department(s) of the affected municipality(ies) is(are) responsible to:*

- 16.1 Organize and co-ordinate firefighting and rescue services;
- 16.2 Provide an Emergency Site Manager (ESM), if requested;
- 16.3 Appoint an "Incident Commander" to control firefighting operations at the site and appoint a back up if necessary;
- 16.4 Exercise control over his/her fire department and any responding firefighting apparatus and manpower;

- 16.5 Inform the Fire Department Co-ordinator and implement mutual aid arrangements for the provision of additional firefighting manpower and equipment if needed;
- 16.6 Liaise with the Fire Departments as to the status and requirements of related support activities;
- 16.7 Request and co-ordinate specialized services, e.g. CANUTEC, chemical response teams;
- 16.8 Maintain a log of all actions taken.

## **17. DIRECTOR OF PUBLIC WORKS - UCPR**

*The Director of Public Works or designate is responsible to:*

- 17.1 In concert with either the Chief Administrative Officer or the CEMC, activate the emergency notification system, through the Hawkesbury Fire Service Dispatch Office;
- 17.2 Implement the Department's Emergency Call-out System;
- 17.3 Provide an Emergency Site Manager (ESM), if requested;
- 17.4 Appoint an "On-site(s) Coordinator" to control the Public Works operations;
- 17.5 Support the local municipal Public Works Department to maintain the operation of sanitary and storm sewers and the water distribution and treatment systems;
- 17.6 Provide equipment for emergency pumping operations;
- 17.7 Liaise with the Fire Chiefs of affected area municipality(ies) concerning emergency water supplies for firefighting purposes;
- 17.8 Provide emergency potable water and sanitation facilities to the requirements of the Medical Officer of Health - Eastern Ontario Health Unit at the site(s) and/or reception centres;
- 17.9 Provide Counties resources within his/her department as required by other emergency services;
- 17.10 Restore Public Works services as determined by the Community Control Group;
- 17.11 Provide UCPR vehicles and equipment, except those required to meet the demands of the Public Works Department as required by other emergency services;
- 17.12 Liaise with the School Boards and/or private companies for the provision of vehicles to meet transportation needs;
- 17.13 Provide engineering assistance to area municipalities;

- 17.14 Co-ordinate with the other municipalities in respect to their transportation and engineering needs, to meet their requirements;
- 17.15 Provide current status of the road network within the Counties;
- 17.16 Maintain and repair roads within the Counties including the supply and erection of temporary bridging;
- 17.17 Transport potable water as required;
- 17.18 Liaise with public utilities to disconnect any service representing a hazard and/or to arrange for the provision of alternate services;
- 17.19 Utilize the services of the local Amateur Radio Group to monitor traffic conditions in or near the affected area;
- 17.20 Ensure liaison with the conservation authority regarding flood control, conservation and environmental matters and being prepared to take preventative action;
- 17.20 Maintain a log of all actions taken.

## **18. MEDICAL OFFICER OF HEALTH - EASTERN ONTARIO HEALTH UNIT**

*The Medical Officer of Health - Eastern Ontario Health Unit or designate is responsible to:*

- 18.1 In concert with either the Chief Administrative Officer or the CEMC, activate the emergency notification system, through the Hawkesbury Fire Service Dispatch Office;
- 18.2 Implement the Health Unit's Emergency Call-out System;
- 18.3 In consultation with the pre-hospital emergency care services, appoint an "On-site(s) Medical Coordinator" to control medical operations at the site;
- 18.4 Ensure a liaison with the Paramedic Service representatives of Prescott and Russell;
- 18.5 Coordinate health services for the Emergency Operations Control Group;
- 18.6 Provide authoritative instructions on health and safety matters to the public through the Emergency Information Officer;
- 18.7 Ensure coordination with the Community Care Access Centre for the Eastern Counties (CCACEC) for the care of bedridden citizens and invalids at home and in evacuation centres during an emergency;
- 18.8 Liaise with the Provincial Ministry of Health, and with the Ambulance Representative to ensure coordination of evacuation/equipment needs;

- 18.9 Provide advice on any matters, which may adversely affect public health;
- 18.10 Coordinate the Counties response to disease-related emergencies such as epidemics;
- 18.11 Provide the authority for the evacuation of buildings in residential areas that are a threat to public health;
- 18.12 Ensure coordination of all efforts to prevent and control diseases in the Counties during an emergency;
- 18.13 Ensure coordination of care of bedridden and invalids at home and in evacuation centres during an emergency;
- 18.14 Notify the UCPR Director of Public Works regarding the need for potable water supplies and sanitation facilities;
- 18.15 Liaise with the UCPR Administrator of Social and Family Services regarding the status of health inspection in evacuation centres and the provision of medical attention to evacuees;
- 18.16 Liaise with the District Coroner to coordinate the activities of the Coroner within the Counties and to provide assistance as necessary;
- 18.17 Maintain a log of all actions taken.

## **19. DIRECTOR OF SOCIAL SERVICES - UCPR**

*The Director of Social and Family Services or designate is responsible to:*

- 19.1 Implement the Department's Emergency Call-out System;
- 19.2 In concert with either the Chief Administrative Officer or the CEMC, activate the emergency notification system, through the Hawkesbury Fire Service Dispatch Office;
- 19.3 Depending on the nature of the emergency, assign a temporary Emergency Site Manager and notify the Community Control Group (CCG);
- 19.4 In concert with the Canadian Red Cross, ensure the well-being of residents who have been displaced from their homes by arranging emergency lodging, clothing, feeding, registration and inquiries and personal services;
- 19.5 Supervise the opening and operation of temporary and/or long-term evacuee centres, and ensure they are adequately staffed;
- 19.6 Depending on the nature of the emergency, assign a temporary Emergency Site Manager in reception and evacuation centres and notify the Community Control Group (CCG);



- 19.7 Ensure liaison with the OPP representative with respect to the pre-designation of reception and evacuation centres, which can be opened on short notice;
- 19.8 Liaison with the Medical Officer of Health on areas of mutual concern regarding operations in evacuee centres;
- 19.9 Ensure that a representative of the various school boards is notified when facilities are required as evacuee reception centres, and that staff utilizing the school facilities take direction from the Board representative(s) with respect to their maintenance, use and operation;
- 19.10 Ensure liaison with the various senior citizen residences and nursing homes as required;
- 19.11 Make arrangements for meals for the staff/volunteers at the evacuation centres and the Site;
- 19.12 Provide advice to the UCPR Warden and other members of the Community Control Group on related matters;
- 19.13 Appoint an individual to act as and assume the responsibilities of the Citizen Inquiry Supervisor, in conjunction with the Red Cross;
- 19.14 Ensure the implementation of the Evacuation Centre Operation Plan as required, including the opening and staffing of the evacuation centres in conjunction with the area municipalities and designated volunteer agencies for the registration, feeding, clothing and shelter of persons using the centres;
- 19.15 Liaise with the Medical Officer of Health - Eastern Ontario Health Unit on areas of mutual concern regarding operations in evacuation centres;
- 19.16 Maintain a log of all actions taken.

## **20. DIRECTOR OF EMERGENCY SERVICES - UCPR**

*The Director of Emergency Services or designate is responsible to:*

- 20.1 In concert with either the Chief Administrative Officer or the CEMC, activate the emergency notification system, through the Hawkesbury Fire Service Dispatch Office;
- 20.2 Ensure emergency medical services at the emergency site;
- 20.3 Depending on the nature of the emergency, assign the Site Manager and informing the CCG;
- 20.4 Establish an ongoing communications link with the senior EMS official at the scene of the emergency;
- 20.5 Obtain EMS from other municipalities for support, if required;

- 20.6 Ensure triage at the site;
- 20.7 Advise the CCG if other means of transportation is required for large-scale response;
- 20.8 Liaise with the Ministry of Health and Long Term Care Central Ambulance Communications Centre to ensure balanced emergency coverage is available at all times throughout the community;
- 20.9 Ensure liaison with the receiving hospitals;
- 20.10 Ensure liaison with the Medical Officer of Health, as required;
- 20.11 Ensure that the EMERGENCY NOTIFICATION PROCEDURES have been implemented;
- 20.12 Be present to assist the Community Control Group;
- 20.13 Provide information on the emergency plans of area municipalities, the Counties Emergency Plan, Emergency Resource Database and to have contingency plans available at the EOC;
- 20.14 Ensure that the actions and decisions of the Community Control Group as a whole are recorded;
- 20.15 Advise the UCPR Warden or Community Control Group of any actions that should be taken that is not covered in the Emergency Plan;
- 20.16 Prepare the follow-up report of the emergency and conduct the post-emergency debriefing;
- 20.17 Maintain a log of all actions taken.

## **21. COMMUNITY EMERGENCY MANAGEMENT COORDINATOR (CEMC) - UCPR**

*The Community Emergency Coordinator (CEMC) or designate is responsible to:*

- 21.1 In concert with the Chief Administrative Officer (CAO), activate the emergency notification system through the Hawkesbury Fire Service Dispatch Office;
- 21.2 In concert with another member of the Community Control Group (CCG), authorize the activation of the emergency notification system;
- 21.3 Activate and arrange the Emergency Operations Centre;
- 21.4 Ensure that security is in place for the EOC and registration of CCG members;
- 21.5 Ensure that all members of the CCG have necessary plans, resources, supplies, maps, and equipment;

- 21.6 Provide advice and clarifications about the implementation details of the Emergency Response Plan;
- 21.7 Supervise the Telecommunications Coordinator;
- 21.8 Ensure liaison with community support agencies (e.g. St. John Ambulance, Canadian Red Cross);
- 21.9 Ensure that the operating cycle is met by the CCG and related documentation is maintained and kept for future reference;
- 21.10 Address any action items that may result from the activation of the Emergency Response Plan and keeping CCG informed of implementation needs;
- 21.11 Maintain the records and log for the purpose of debriefings and post-emergency reporting that will be prepared;
- 21.12 Maintain a log of all actions taken.

### **EMERGENCY ADMINISTRATIVE SUPPORT GROUP**

#### **22. EMERGENCY ADMINISTRATIVE SUPPORT - GROUP COMPOSITION**

- 22.1 The Emergency Administrative Support Group is composed of persons, or their designates, holding the following positions:
  - (1) Deputy Clerk – UCPR;
  - (2) Deputy Treasurer – UCPR;
  - (3) Solicitor – UCPR; and
  - (4) Emergency Information Officer.
- 22.2 Other personnel or representatives of specialist agencies or organizations may be added to this Group as the situation dictates.

#### **23. EMERGENCY ADMINISTRATIVE SUPPORT GROUP - OPERATING CYCLE**

This group will gather and operate from offices adjacent to the Counties EOC (Primary or Alternate).

#### **24. EMERGENCY ADMINISTRATIVE SUPPORT GROUP - RESPONSIBILITIES**

- 24.1 Implementation of the Emergency Call-out System of the Emergency Administrative Support Group;
- 24.2 The Emergency Administrative Support Group, under the guidance of the UCPR Deputy Clerk, is directly responsible to the Community Control Group for the provision of all logistical support. Logistical support includes administration, feeding and accommodation of the Community Control Group;

- 24.3 The Emergency Administrative Support Group is also responsible for the provision of administrative and logistical support for Provincial services should they become involved in emergency operations;
- 24.4 Maintain a log of all actions taken.

**25. DEPUTY CLERK – UCPR**

*The Deputy Clerk or designate is responsible to:*

- 25.1 Implement the Department's Emergency Call-out System;
- 25.2 Notify the remaining members of the Emergency Administrative Support Group of the emergency and the designated meeting point of the Emergency Administrative Support Group;
- 25.3 Provide as required clerical/secretarial staff to the Community Control Group;
- 25.4 Ensure that all members of Counties Council are advised of the declaration and termination of the emergency;
- 25.5 Arrange a special meeting of Counties Council members. Notify them as to the time, date and location of the meeting, as designated by the UCPR Chief Administrative Officer (*Operations Officer*), and inform those members who are required to attend;
- 25.6 Record the actions of the Community Control Group and at the termination of the emergency, collect all diaries and logs and assist the UCPR Director of Emergency Services in compiling a written report;
- 25.7 Maintain a log of all actions taken by this group.

**26. DEPUTY TREASURER - UCPR**

*The Deputy Treasurer or designate is responsible to:*

- 26.1 Implement the Department's Emergency Call-out System;
- 26.2 Provide information and advice on financial matters as they relate to the emergency and the capabilities of the UCPR;
- 26.3 Ensure that records of expenses are maintained for future claim purposes;
- 26.4 Ensure the prompt payment and settlement of all the legitimate invoices and claims incurred during an emergency;
- 26.5 Liaise, if necessary, with his/her counterpart in the affected area municipality(ies);
- 26.6 Maintain a log of all actions taken.

## **27. SOLICITOR - UCPR**

*The Solicitor or designate is responsible to:*

- 27.1 Provide advice to any member of the Community Control Group on matters of a legal nature as they may apply to the actions of the UCPR in its response to the emergency;
- 27.2 Liaise with the Municipal Solicitor of the affected area municipality(ies) if required;
- 27.3 Maintain a log of all actions taken.

## **28. EMERGENCY INFORMATION OFFICER**

*The Emergency Information Officer, will be a UCPR Community Services Officer. He/she shall be present at the Emergency Operations Centre and is responsible to:*

- 28.1 Prepare all major announcements and media releases for the UCPR Warden and Operations Officer's approval;
- 28.2 Appoint an official at the site as the "On-site Emergency Information Officer". The On-site Emergency Information Officer will normally be a representative of the emergency agency handling the site i.e., police, fire. All dealings with the press, etc. will be authorized by the Emergency Information Officer, after consultation with the Warden;
- 28.3 Designate and arrange for an area in which to gather members of the media present at the Emergency Operations Centre, and ensure the Emergency Site Manager has designated an area at the emergency site(s) for press relations;
- 28.4 Liaise with the media and the Community Control Group;
- 28.5 Liaise with the UCPR Administrator of Social and Family Services to ensure that the Citizen Inquiry Service is disseminating the most accurate and up-to-date information;
- 28.6 Inform the appropriate member(s) of the Community Control Group regarding the information required by the media or that member with whom an interview is requested;
- 28.7 Present that information to the media for which rapid dissemination of information to the public at large is required and request the same information be published or broadcast as soon as possible;
- 28.8 Ensure the monitoring of published and broadcast information and immediately take any necessary action to correct misinformation, and inform the UCPR Warden of his actions;
- 28.9 Inform the area municipality(ies) and Counties switchboard of the location and telephone extension numbers used by the Coordinator;

28.10 Maintain a log of all actions taken.

## **EMERGENCY SERVICES DEPARTMENT**

### **29. EMERGENCY TECHNICAL SUPPORT GROUP**

*This group provides technical advice to the Community Control Group and consists of representatives of public/private utility companies or other agencies.*

29.1 This group or part of it shall be implemented by the UCPR Director of Emergency Services.

29.2 This group shall include:

- (1) Emergency Site Manager (ESM);
- (2) Emergency Coordinator (EC) – Quebec Secours Amateur Radio Emergency Services (QSARES) Group;
- (3) Assistant Emergency Coordinator (AEC) Operations QSARES Group;
- (4) Director of Planning – UCPR;
- (5) Director of Human Resources – UCPR;
- (6) Utility Company Representatives;
- (7) School Board Representatives;
- (8) Hawkesbury General Hospital Administration;
- (9) Any other person deemed necessary by the Community Control Group.

### **30. EMERGENCY SITE MANAGER (ESM)**

30.1 *Although, not a member of the Community Control Group the ESM performs a vital function. His/her purpose is to locate victims, save lives, reduce pain and suffering, and mitigate damage. Once appointed, the ESM is responsible for overall management and control of the emergency response at the site and has to:*

- (1) Establish his/her authority at the site (within the inner perimeter);
- (2) Establish communications at the Emergency Operations Centre;
- (3) Ensure inner and outer perimeters are established;
- (4) Ensure staging areas are established;
- (5) Ensure in and out routes are established;

- (6) Ensure co-ordination of response agencies;
- (7) Develop a consolidated plan of action to mitigate the affects of the emergency;
- (8) Approve all requests for ordering and releasing key resources;
- (9) Supervise all ground operations;
- (10) Supervise air operations, if necessary;
- (11) Maintain a log of all actions taken;
- (12) At the termination of the emergency, collect all logs/diaries and pass them to the UCPR Deputy Clerk.

*30.2 Relationship between CCG and Emergency Site Manager (ESM) is:*

Depending on the nature of the emergency, and once the Emergency Site Manager has been assigned, the CCG relationship with the ESM is to offer and provide support with equipment, staff and other resources as required.

The ESM has jurisdiction over all operations within the **Hot Zone**, which is the immediate emergency site and the **Inner Perimeter**, which is the area immediately outside the Hot Zone and is used for the staging of supplies and services required at the site.

The CCG has jurisdiction for the **Outer Perimeter**, the area surrounding the above-mentioned areas of the emergency site. THE CCG will also ensure that the rest of the County maintains services.

*30.3 Relationship between ESM, and command and control structures of emergency responders is:*

The senior representative for each emergency responder (police, fire, EMS, Public Works) at the site will consult with the Emergency Site Manager, so as to offer a co-ordinated and effective response. Regular briefings will be held at the site and chaired by the Emergency Site Manager, so as to establish the manner and process to the emergency.

**31. EMERGENCY CO-ORDINATOR (EC) Quebec Secours (QSARESG)**

*The Emergency Co-ordinator (EC) Quebec Secours QSARESG is responsible to the UCPR Director of Emergency Services. The responsibilities of the EC Quebec Secours ARESG or designate during an emergency or disaster is to:*

- 31.1 Implement the QSARESG Call out and report to the UCPR Emergency Operations Centre or EOC of the affected municipality(ies), as directed by UCPR Director of Emergency Services or designate.;
- 31.2 Implement the QSARESG Operations plan and provide communications in support of emergency or disaster operations;

- 31.3 Co-ordinate radio frequencies used by QSARESG Group in accordance with the Operations Plan;
- 31.4 Establish an Amateur Radio emergency communications network between the EOC and field stations as directed by the UCPR Director of Emergency Services or designate;
- 31.5 Establish static and mobile communications posts, as required for QSARESG operations;
- 31.6 Provide or request additional assistance when required;
- 31.7 Ensure that logs of all actions taken are maintained, including all IN and OUT messages through the QSARESG communications network.

## **32. DIRECTOR OF HUMAN RESOURCES - UCPR**

*The responsibilities of the Director of Human Resources or designate during an emergency are to:*

- 32.1 Activate the department's emergency call-out system;
- 32.2 Coordinate the allocation of UCPR staffs;
- 32.3 Liaise with the applicable union groups on issues that may affect their members;
- 32.4 Select an appropriate site for the registration of volunteers;
- 32.5 Coordinate the hiring, documentation and orientation of all required volunteers;
- 32.6 Maintain records of all costs associated to the event and UCPR staff and volunteer costs that may involve financial liability;
- 32.7 Ensure that the health and safety of all Counties staff and volunteers is maintained;
- 32.8 Make the provision for the counselling of UCPR staff and families as required;
- 32.9 Become a Liaison Officer for the UCPR and the affected municipality(ies) as requested by the Community Control Group;
- 32.10 Maintain a log of all actions taken.

## **33. DIRECTOR OF PLANNING - UCPR**

*The responsibilities of the Director of Planning or designate during an emergency are to:*

- 33.1 Activate the department's emergency call-out system;



- 33.2 Identify the potential dangers to the public's health and safety which are based on the department's databases (examples: floodplains, unstable slopes, organic soil);
- 33.3 Provide all mapping needs to the Counties Community Control Group and possibly to other organizations during the emergency as needed;
- 33.4 Ensure the availability of staff for the preparation of specialty maps;
- 33.5 Co-ordinate the request for specialized maps from other governments or outside organizations;
- 33.6 Make arrangements for security to facilities as required;
- 33.7 Become a Liaison Officer for the UCPR and the affected municipality(ies) as requested by the Community Control Group;
- 33.8 Maintain a log of all actions taken.

#### **34. HAWKESBURY AND DISTRICT GENERAL HOSPITAL - REPRESENTATIVE**

*The Hawkesbury and District General Hospital Representative or designate is responsible to:*

- 34.1 Implement as required, the Hawkesbury and District General Hospital Disaster Plan, including activating its Disaster Site Team complete with the proper disaster kits;
- 34.2 Advise the Medical Officer of Health of Eastern Ontario Health Unit and UCPR Warden on the status of the hospital;
- 34.3 Liaise with the representative of the Central Ambulance Communications Centre (CACC);
- 34.4 Maintain a status board on hospital bed availability;
- 34.5 Ensure liaison with the local ambulance representatives with respect to hospital and medical matters, as required;
- 34.6 Maintain a log of all actions taken;
- 34.7 Evaluate requests for the provision of medical site teams/medical triage teams.

#### **35. SCHOOLS BOARDS**

*The Board of Education is responsible to:*

- 35.1 Provide any school (as appropriate and available) for use as an evacuation or reception centre and a representative(s) to co-ordinate the maintenance, use and operation of the facilities being utilized as evacuation or reception centres;

35.2 Ensure liaison with the municipality as to protective actions to the schools (i.e., implement school stay in place procedure and implement the school evacuation procedure.)

**36. OTHER AGENCIES**

In an emergency, many agencies may be required to work with the Community Control Group. Two such agencies are detailed below. Others might include Emergency Management Ontario, Ontario Provincial Police, the Office of the Fire Marshal, industry, volunteer groups, Conservation Authorities, and provincial ministries.

# **EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT**

## **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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#### **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,

- (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.

#### **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).

#### **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.

#### **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.

#### **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.
  - 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.
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**

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

1. 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.
2. 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 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 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 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 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
- (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 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).

##### **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;
  - (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”) “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).

## 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).