

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2018-65

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

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

AND WHEREAS subsection 20(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25 provides that a municipality may enter into an agreement with one or more municipalities to jointly provide, for their joint benefit, any matter which all of them have the power to provide within their own boundaries;

AND WHEREAS the Council of the Town of Lincoln deems it necessary to revise, consolidate, and update the by-law to adopt an emergency management program;

AND WHEREAS the Council of the Town of Lincoln deems it beneficial and expedient to cooperate with the municipalities of Niagara West, namely the Town of Grimsby, the Town of Lincoln, the Township of West Lincoln, and the Township of Wainfleet, to adopt and implement a joint emergency management program in accordance with the requirements of the *Emergency Management and Civil Protection Act*;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN HEREBY ENACTS AS FOLLOWS:

1. In this by-law:(a) “**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.
2. An emergency management program shall be adopted and implemented in the Town of Lincoln in accordance with the *Emergency Management and Civil Protection Act* and the regulations enacted thereunder, and the said emergency management program shall consist of:
 - a. a municipal emergency plan as required by the said 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 said Act.
3. The Niagara West Emergency Management Program attached hereto as Schedule “A” and forming part of this by-law shall be and is hereby adopted and shall be implemented as the emergency management program for the Town of Lincoln in cooperation with the Town of Grimsby, the Township of West Lincoln, and the Township of Wainfleet and in accordance with the *Emergency Management and Civil Protection Act* and the regulations enacted thereunder.
4. As part of the emergency management program, the Niagara West Emergency Plan attached hereto as Schedule “B” and forming part of this by-

law shall be and is hereby adopted as the municipal emergency plan for the Town of Lincoln in accordance with the *Emergency Management and Civil Protection Act*, and the regulations enacted thereunder.

5. The Niagara West Emergency Plan shall be implemented and shall constitute the plan to govern the provision of necessary services during an emergency, and shall be applied, with any necessary modifications, in the event of an emergency to provide the procedures under which employees of the municipality and others will respond to an emergency.
6. Certain appointed officials or their designated alternates, as provided in the Niagara West Emergency Plan, shall be empowered to activate the Niagara West Emergency Plan where an emergency exists but has not yet been declared to exist.
7. The Head of Council of the Town of Lincoln, or designated alternate, as provided in the Niagara West Emergency Management Plan, shall be empowered to declare an emergency within the Town of Lincoln, but in no other municipality.
8. By signature of the Head of Council, the municipality may enter into mutual assistance agreements with any other municipality or with any persons for the provision of personnel, service, equipment or material during an emergency.
9. The Emergency Operations Centre Management Team as set out in Niagara West Emergency Plan shall be and is hereby established as the municipal emergency control group in accordance with the *Emergency Management and Civil Protection Act*, and the regulations enacted thereunder, for each municipality that participates in the Niagara West Emergency Management Program.
10. The Niagara West Emergency Management Program Committee shall be and is hereby established as the municipal emergency management program committee in accordance with the *Emergency Management and Civil Protection Act* and the regulations enacted thereunder.
11. The Niagara West Emergency Management Program Committee shall consist the of Niagara West Emergency Management Coordinator, and the appointed Community Emergency Management Coordinator, a senior municipal official appointed by Council, and such other municipal employees as may be appointed by Council from each municipality that participates in the Niagara West Emergency Management Program.
12. The Niagara West Emergency Management Coordinator shall be appointed Chair of the Emergency Management Program Committee.
13. The Emergency Management Program Committee shall review the Niagara West Emergency Plan at least annually and, if necessary, shall recommend changes for consideration and approval.
14. The Clerk be and is hereby authorized to prepare an agreement with the Corporation of the Town of Grimsby, the Corporation of the Township of West Lincoln, and the Corporation of the Township of Wainfleet for the provision of shared emergency management services, and the Mayor and Clerk be and are hereby authorized to sign and execute such an agreement thereof, and the Clerk be and is hereby directed to affix the Corporate Seal thereto.

15. The Emergency Management Program Committee may add, amend, revise or remove any Annex to the Niagara West Emergency Plan without amendment to this by-law.

16. By-law No. 2012-40 be and is hereby repealed.

17. This by-law shall come into force and take effect on the day on which it is passed.

BY-LAW read a FIRST time this 25th day of July, 2018.

BY-LAW read a SECOND time this 25th day of July, 2018.

BY-LAW read a THIRD time and FINALLY PASSED this 25th day of July, 2018.


MAYOR: SANDRA EASTON


CLERK: JULIE KIRKELOS