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**REPORT TO ELECTORAL AREA SERVICES COMMITTEE  
MEETING OF TUESDAY, FEBRUARY 3, 2009**

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**SUBJECT      AMENDMENT TO THE JUAN DE FUCA ELECTORAL AREA EMERGENCY  
SERVICES COMMITTEE BYLAW**

**PURPOSE**

To replace Juan de Fuca Electoral Area Emergency Program Administration Bylaw, (Bylaw 3108), with proposed Bylaw 3444, for the purposes of consistency with the Capital Regional District (CRD) Emergency Management Bylaw, No. 1, 2007 (Bylaw 3447) and the Salt Spring Island and Southern Gulf Islands Electoral Area Emergency Program bylaws.

**BACKGROUND**

Amendments to the *Emergency Program Act* in 2004 recognize regional districts as local authorities with the same powers and responsibilities for emergency planning as municipalities. Specifically, a regional district must establish an emergency management organization, draft an emergency plan(s) for electoral areas within its boundaries, appoint a coordinator for the emergency management organization, and direct and control its emergency response. As a result of the enactment of the amended *Emergency Program Act*, the CRD was required to establish an Emergency Management organization by bylaw.

In 2007, it was recognised that the CRD had not completely fulfilled its obligations under the *Act*. Operational and administrative bylaws were established for the three electoral areas and local emergency plans and an interim corporate plan was prepared for the CRD. An overall emergency management organization with responsibility for emergency planning with delegated authority to activate the plans and declare an emergency was then established by bylaw for the CRD. In August 2007, Bylaws 3445 (Southern Gulf Islands), 3446 (Salt Spring Island) and 3447 (CRD) were passed. Draft bylaw 3444 for the Juan de Fuca (JdF) was tabled at the request of the Director.

Historically, there had been little involvement in EA emergency planning and response activities by the corporation and many local authority responsibilities, arguably improperly, had been delegated to the Commissions through existing service bylaws. The incident management structure created during past incidents had been primarily ad-hoc, with the relationship and responsibilities of corporate staff to local responders largely unclear.

The CRD, with the support of the EA directors, hired a Protective Services Manager to support the commissions with their planning, preparedness and response activities. Specific responsibilities for this position included: coordinating local program activities with those of the corporation and region; developing an administrative structure for emergency management within the regional district; developing a corporate emergency plan; and ensuring that there is an adequate level of corporate support for electoral areas during emergencies by identifying or developing appropriate corporate resources.

The CRD Emergency Management bylaws established an emergency management organization for the regional district, identifying the responsibilities of the Emergency Manager, local commissions, and describing the powers, duties and responsibilities of the CRD as it carries out its Local Authority responsibilities required by the *Act*.

Since passing Bylaws 3445, 3446, and 3447, the CRD has worked with local commissions to clarify roles and responsibilities in the Southern Gulf and Salt Spring Island electoral areas.

The JdF has a dedicated group of volunteers, with a local emergency coordinator in place. However the existing bylaw that was adopted before the amendments to the *Emergency Program Act* and the establishment of the CRD Emergency Management Organization needs to be amended to recognize the Local Authority responsibility and the support provided by the CRD. This is particularly important in the

areas of overall policy direction, finance, mapping and logistics/procurement. Meetings have been held with the current executive, the chair and vice chair of the executive and the local coordinator. Their comments have been taken into consideration, and the draft bylaw has included key changes to address their concerns.

### **ALTERNATIVES**

1. To support the repeal of Bylaw 3108 and replacement with Bylaw 3444.
2. To approve in principal the new Bylaw 3444 and request further input from the current emergency executive in the JdF area.

### **FINANCIAL IMPLICATIONS**

The new local service bylaw requires administrative changes only; there will be no impact on proposed budget.

### **LEGAL IMPLICATIONS**

The bylaw was prepared by the Regional District Solicitor in consultation with staff, to ensure that the provisions of the *Emergency Program Act* were met.

Key legal changes to the bylaw include:

- Ensuring that the authority for Declaring a State of Local Emergency clearly resides with the Board as the Local Authority;
- Creating an Emergency Management Organization for the Regional District;
- Establishing the powers and function of the Emergency Manager.

### **EMERGENCY MANAGEMENT IMPLICATIONS**

The proposed bylaw will result in changes to the emergency management structure and operations within the JdF EA. Key emergency management changes include the following:

- Establishes reporting relationships between the Local Emergency Services Commissions, Local Operations Committee, the Emergency Manager, Local Area Coordinators, Local Community Coordinators within the Regional District Emergency Management Organization;
- Clarifies the role of the Local Emergency Services Commissions to prepare Local Area and Local Community Plans;
- Establishes an emergency response structure within the Emergency Management Organization;
- Removes the Executive Committees from the JdF EA Emergency Services Commission administrative structure;
- Recognizes the position of Local Community Coordinator within each EA emergency management structure and defines the roles and responsibilities of this position.

### **SUMMARY/CONCLUSIONS**

Staff continues to meet with the JdF Emergency program and is focused on offering the many different types of support available through our existing staff and structure. The key objective is to allow the local electoral area to develop their neighbourhood and community programs in ways that best meet their individual needs, while providing a high level of support in areas that are best served by the overall emergency program, such as policy direction, finance, logistics, procurement and liaising with other agencies and levels of government, including the province.

**RECOMMENDATION**

That Electoral Area Services Committee recommend to the Board:

That Bylaw 3444 “Juan de Fuca Emergency Program Administration Bylaw, 2009” be introduced and read a first time, read a second time, read a third time and adopted.

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Robert Lapham, MCIP  
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Concurrence