



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0315-2011

Being a By-law to Repeal By-law 0256-2008, as amended
and to Revise the City's Emergency Management
Program and Emergency Plan

WHEREAS Council for The Corporation of the City of Mississauga adopted the City's Emergency Plan and continued the Emergency Management Program on August 6, 2008 through By-law 0256-2008, pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended (the "Act");

AND WHEREAS the Act requires that every municipality shall review and, if necessary, revise its emergency plan every year;

AND WHEREAS the Act provides that an Emergency Management Program and an Emergency Plan shall be adopted by by-law;

AND WHEREAS the Act requires the Emergency Management Program conform to standards promulgated by Emergency Management Ontario, a branch of the Ministry of Community Safety and Correctional Services in accordance with international best practices, and requires the Emergency Management Program to comprise an emergency plan, a committee, a Community Emergency Management Co-ordinator, training programs and exercises, and public education;

AND WHEREAS the Act makes provision for the Head of Council to declare that an emergency exists in the community, or in any part thereof, and also provides the Head of Council with authority to take such action or make such orders as he or she considers necessary and not contrary to law, to implement the emergency response plan and respond to an emergency;

AND WHEREAS the Act provides for the designation of one or more members of council who may exercise the powers and perform the duties of the Head of Council during his or her absence;

AND WHEREAS the Act authorizes employees of a municipality to respond to an emergency in accordance with the emergency response plan where an emergency exists but has not yet been declared to exist;

AND WHEREAS Section 242 of the *Municipal Act, 2001*, S. O. 2001, c. 25, as amended, provides that a member of Council may be appointed to act in place of the Head of Council during the absence or other inability of the Head of Council, and it is deemed necessary to make such appointment and designation of alternates for the purposes of this by-law;

AND WHEREAS the City wishes to revise the Emergency Management Program and the Emergency Plan to reflect an Incident Management System which is a standardized approach to emergency management that is consistent with industrial and international best practices;

AND WHEREAS to affect the revision mentioned in the previous paragraph the City needs to repeal By-law 0256-2008, as amended and replace it with a revised Emergency Management Program By-law and revised Emergency Plan attached hereto;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

PART I - DEFINITIONS

1. In this By-law,

- (1) "Acting Mayor" means the member of Council who is appointed by Council to act from time to time in the place and stead of the Mayor when the Mayor is absent or refuses to act or the office of Mayor is absent.
- (2) "City" means The Corporation of the City of Mississauga or where the context requires, the geographic area of the City of Mississauga;
- (3) "Community Emergency Management Coordinator " means the person designated to this position to carry out the role of this position as required by O.Reg 380/04 made under the *Emergency Management and Civil Protection Act*, which includes the responsibility for the development and implementation of Mississauga's Emergency Management Program and the functionality of the Emergency Operations Centre (EOC);
- (4) "Council" means the Council of the City of Mississauga;
- (5) "Declared Emergency" – means an Emergency where the Mayor, Acting Mayor or the Premier of Ontario declares an emergency in accordance with the *Emergency Management and Civil Protection Act*;
- (6) "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;
- (7) "Emergency Plan" or "Plan" means the emergency plan attached as Schedule "A" to this By-law. The Emergency Plan is the City's emergency plan for the purposes of the *Emergency Management and Civil Protection Act*;
- (8) "*Emergency Management and Civil Protection Act*" means the *Emergency Management and Civil Protection Act*, R. S. O. 1990 c. E.9, as amended, and includes any regulation(s) enacted thereunder;
- (9) "Emergency Management Program" means the program adopted by Council and developed under this By-law and the Emergency Plan pursuant to the *Emergency Management and Civil Protection Act*;
- (10) "Emergency Management Program Committee (EMPC)" is responsible for the administration of the Emergency Management Program. The members of the committee are set out in Section 5 of this By-law and the Chair is set out in Section 6 of this By-law.
- (11) "General Staff" refers to all of the persons, positions, City Divisions and Departments and other governmental and non governmental agencies and entities that are necessary to respond to an Emergency all of which is set out in the City's Emergency Plan;

- (12) "Incident Management System (IMS)" is a standardized approach to emergency management. It provides guidance on how personnel, facilities, equipment, procedures, and communications may be coordinated within a common organizational structure. IMS is based on the understanding that in any and every incident the functions of Command, Operations, Planning, Logistics, and Finance & Administration must be carried out regardless of the number of persons who are available or involved in the emergency response. IMS is based on incident management principles and concepts developed over the past 30 years and is consistent with industrial and international best practices.
- (13) "Incident Management Team (IMT)" is responsible for directing and managing emergency operations and for providing support and resources to the emergency site. The IMT is the Municipal Emergency Control Group for the purposes of the *Emergency Management Civil Protection Act*.
- (14) "Mayor" means the head of the Council for The Corporation of the City of Mississauga;

PART II - EMERGENCY MANAGEMENT STRUCTURE

2. The City shall have the following emergency management structure:
 - (1) the Mayor;
 - (2) the Incident Management Team the members of this group acting under this By-law and the Emergency Plan;
 - (3) the General Staff which report to one of the four Section leads in the Incident Management Team as set out in the Emergency Plan;
 - (4) the Emergency Management Program Committee, being the members of this Committee acting pursuant to this By-law and the Emergency Plan;
 - (5) the Community Emergency Management Coordinator, being the person designated to carry out this position; and
 - (6) the Public Information Officer, being the person designated to carry out the duties of this position for the City.

PART III - MAYOR

3. The Mayor is the Head of Council for the purposes of the *Emergency Management and Civil Protection Act*.
4. In the event the Mayor is absent or refuses to act or the office of Mayor is absent, the Acting Mayor is deemed to be the Mayor for the purposes of this By-law and Emergency Plan until the Mayor becomes available, and where the Acting Mayor who would at such time be so appointed is also absent or otherwise unavailable the next Acting Mayor preceding on such list whom is available is the Acting Mayor until the Mayor becomes available.

PART IV - EMERGENCY MANAGEMENT PROGRAM COMMITTEE

5. The Emergency Management Program Committee is made up of the persons who hold the positions listed in this section. All of the persons who are employed by the City to perform the duties of the following positions are hereby appointed to the committee by Council, except for the person who is employed by the City to

perform the duties of the Community Emergency Management Coordinator who is a mandatory member of the committee:

- (1) Commissioner of Community Services;
 - (2) Commissioner of Corporate Services and Treasurer;
 - (3) Commissioner of Transportation and Works;
 - (4) Fire Chief;
 - (5) Deputy Fire Chief;
 - (6) Community Emergency Management Coordinator; and
 - (7) Director of Communications.
6. The person who is employed by the City and performs the duties of the Deputy Fire Chief who is assigned to the Emergency Management Program is hereby appointed by Council to be the Chair of the Emergency Management Program Committee and the alternate chair shall be the person who is employed by the City and performs the duties of the Community Emergency Management Coordinator.
7. The role of the Emergency Management Program Committee is to review the state of emergency management in the City of Mississauga, provide management oversight of emergency planning activities and report to and provide advice to Council on the development and implementation of the Emergency Management Program and the Emergency Plan.
8. The Emergency Management Program Committee shall conduct an annual review of the Emergency Management Program and the Emergency Plan.
9. The Emergency Management Program Committee may as it deems necessary for its function establish sub-committees and working groups.
10. The Emergency Management Program Committee shall make any necessary recommendations to Council for revisions to the Emergency Management Program and Emergency Plan.

PART V - INCIDENT MANAGEMENT TEAM

11. The Incident Management Team shall be comprised of the following structure and members:
- (1) Emergency Operations Centre Director who is the City Manager;
 - (2) Emergency Operations Centre Manager who is the City's Community Emergency Management Coordinator;
 - (3) Liaison Officer;
 - (4) Communications Group which consists of the Public Information Officer, the Manager of 311 and any ad hoc functional groups that may be created when necessary;
 - (5) Policy Group which consists of the Mayor, the City Clerk's Office, the City Solicitor and a representative from Risk Management; and
 - (6) Four Emergency Operations Centre Section Leads, which consists of a lead for each of the following sections:
 - (1) Emergency Operations Centre Operations Section,
 - (2) Emergency Operations Centre Planning Section,
 - (3) Emergency Operations Centre Logistics Section, and
 - (4) Emergency Operations Centre Finance and Administration Section

12. The Mayor, the Emergency Operations Centre Director or the Incident Management Team may request additional attendance by persons as necessary or desired for an emergency or meeting.
13. Members of the Incident Management Team shall assemble as soon as reasonably practical when notified by Corporate Security to attend the Emergency Operations Centre as directed by the Mayor, or as directed by a select member of the Incident Management Team.
14. The Incident Management Team shall have the following duties:
 - (1) to implement the Emergency Plan and any order or directive made by the Mayor as part of, or in furtherance of, a Declared Emergency and establish the necessary administrative practices and procedures to implement the Emergency Plan and any order;
 - (2) to control all necessary City operations during an Emergency;
 - (3) to undertake research and investigation and provide information and advice to the Mayor in respect of the declaration of an Emergency, and the issuing of orders or directives by the Mayor;
 - (4) to carry out the other duties assigned by the Emergency Plan; and
 - (5) to carry out its statutory role including completing annual training exercises and evaluation of the Emergency Plan and its procedures, as required by the *Emergency Management and Civil Protection Act* and make recommendations for revisions to the Emergency Plan.

PART VI – COMMUNITY EMERGENCY MANAGEMENT COORDINATOR

15. The person who is employed by the City and performs the duties of the Community Emergency Management Coordinator is hereby appointed by Council to be the Community Emergency Management Coordinator for the City for the purposes of the *Emergency Management and Civil Protection Act*.
16. The Duties of the Community Emergency Management Coordinator shall include:
 - (1) coordinate the development, implementation and maintenance of the Emergency Management Program and Emergency Plan, including the review and development of supporting plans;
 - (2) coordinate the effective preparedness, response and recovery to emergencies in the City of Mississauga, including participating in training required under the *Emergency Management and Civil Protection Act*;
 - (3) coordinate the Emergency Plan of the City as necessary with agencies carrying out operations locally;
 - (4) develop and conduct emergency management training programs and training exercises with the participation of City of Mississauga employees and such other persons, authorities or agencies as may agree to participate sufficient to ensure readiness to act under the Emergency Plan;
 - (5) develop and implement public awareness and education programs;
 - (6) during an emergency provide advice and information to the Incident Management Team and assist in carrying out the orders and directions of the Mayor and other duties as may be assigned by the Emergency Plan;

- (7) supply copies of the Emergency Plan and any revisions to the Chief, Emergency Management Ontario so that the Chief has at any time the most current version of the Emergency Plan; and
- (8) report to the Emergency Management Program Committee, in particular on matters in subsections (1) through (5) above.

PART VII – GENERAL STAFF

17. Subject to the provisions of this By-law and the Emergency Plan, the General Staff shall support and carry out the orders and decisions made by the Incident Management Team. The applicable members of the General Staff will report directly to the applicable Emergency Operations Centre Section Lead.
18. The General Staff shall have the following duties:
 - (1) under the direction of the applicable Emergency Operations Centre Section Lead, carry out the orders of the Mayor and directives of the Incident Management Team, including establishing the practices and procedures needed to carry out those orders and directives;
 - (2) provide advice and information to the applicable Emergency Operations Centre Section Lead, including carrying out such research and investigation as necessary or required by the Incident Management Team;
 - (3) participate in training or the development of training exercises; and;
 - (4) carry out any other duty assigned by the Emergency Plan.

PART VIII – PUBLIC INFORMATION OFFICER

19. The person who is employed by the City as the Director of Communications, or in his or her absence an alternate, is hereby appointed by Council to be the Public Information Officer for the purposes of the *Emergency Management and Civil Protection Act*.
20. The Public Information Officer shall advise the Incident Management Team on matters pertaining to public information, public affairs, and media relations, and shall provide information and updates to the media centre and the public.

PART IX – EMERGENCY MANAGEMENT PROGRAM

21. The emergency management program for the City of Mississauga shall be developed, implemented, reviewed, and updated in accordance with the *Emergency Management and Civil Protection Act*.
22. Without limiting the requirements of section 21:
 - (a) the emergency management program shall include a community hazard and risk assessment analysis, an emergency plan, training programs and exercises for employees and others, and public education on risks, safety and preparedness, having regard to the standards published by Emergency Management Ontario; and
 - (b) the Emergency Plan is intended to govern the provision of necessary services during an emergency and the procedures under and the manner in which employees and other persons will respond to an emergency.

PART X – EMERGENCY PLAN

23. The Emergency Plan attached to this By-law as Schedule "A" is hereby adopted by Council as the City's Emergency Plan for the purposes of the *Emergency Management and Civil Protection Act*.
24. The Emergency Management Program Committee shall review the Emergency Plan on an annual basis and if necessary, recommend any revisions of the Emergency Plan to Council.
25. The Emergency Plan sets out in detail the Incident Management System, central to which is the Incident Management Team, and all of the persons, positions, City Divisions and Departments and other governmental and non governmental agencies and entities, including those positions already dealt with in this By-law that are necessary to respond to an Emergency.
26. The Emergency Plan sets out in detail the responsibilities and duties of all the persons, positions, City Divisions and Departments and other governmental and non governmental agencies and entities, including those positions already dealt with in this By-law that are required to respond to an Emergency.
27. If there is any inconsistency or conflict between any position or duty under this By-law and any position or duty in the Emergency Plan, the Emergency Operations Centre Director, in consultation with the Community Emergency Management Coordinator shall deal with the inconsistency or conflict in a manner that best implements the Emergency Plan.

PART XI – DECLARATION OF AN EMERGENCY

28. The Mayor may declare that an emergency exists in the City or in any part of the City, and may take such actions and make such orders as he or she considers necessary and not contrary to law to implement the Emergency Plan and to protect property and the health, safety and welfare of the inhabitants of the emergency area.
29. The Mayor or Council may at any time declare that an emergency has terminated.
30. The Mayor shall ensure that the Minister of Community Safety and Correctional Services is notified forthwith of a declaration made under sections 28 and 29, and the Mayor may as necessary delegate such task to the Community Emergency Management Coordinator, or any member of the Incident Management Team.
31. Notwithstanding any other provisions of this By-law, the Premier of Ontario may at any time pursuant to the *Emergency Management and Civil Protection Act*:
 - (a) declare that an emergency has terminated;
 - (b) in respect of the Premier's own emergency declaration, where the emergency area includes the whole or part of the City, the Premier may where necessary, may by order direct and control the administration, facilities and equipment of the City in the emergency area to ensure the provision of necessary services in the emergency area, and, without restricting the generality of the foregoing, direct and control the exercise by the City of any of its powers and duties in the emergency area whether under the City's Emergency Plan or otherwise; and
 - (c) may require the City to provide such assistance as he or she considers necessary to an emergency area or part thereof that is not within the City, and further may direct and control the provision of such assistance.

- 32. Upon the declaration of an emergency the employees of the City may be called out and assigned responsibilities for the implementation of the Emergency Plan, and the orders and directions of the Incident Management Team.
- 33. Notwithstanding that an emergency has not yet been declared or that an emergency declaration has been terminated employees of the City may be assigned by the City to carry out directions of the Incident Management Team for the purposes of emergency mitigation, prevention, preparations, response or recovery, or for the purpose of implementing contents of the Emergency Plan intended to further such purposes.

PART XII - VALIDITY

- 34. If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law or Schedule "A" to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-law and Schedule "A" that each and every other provision of this By-law and Schedule "A" that are authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

PART XIII - REPEAL AND ENACTMENT

- 35. City of Mississauga By-law No. 0256-2008, as amended is hereby repealed.
- 36. This By-law comes into force and effect upon the date of enactment.

PART XIV - SHORT TITLE

- 37. This By-law may be referred to as the "Emergency Management Program Bylaw".

ENACTED and PASSED this ^{14th} day of ~~December~~, 2011

APPROVED
AS TO FORM
City Solicitor
MISSISSAUGA
<i>[Signature]</i>
Date <i>Nov 29 11</i>

Pat Saib

 MAYOR **ACTING**

Crystal Greer

 CLERK