



SUBJECT: Emergency and Continuity Management Program Bylaw

TO: Committee of the Whole

FROM: Fire Department

Report Number: BFD-02-24

Wards Affected: All

Date to Committee: February 5, 2024

Date to Council: February 13, 2024

Recommendation:

Approve By-law XX-2024 to establish an Emergency and Continuity Management Program, as attached to Burlington fire department report BFD-02-24 as Appendices A, B, and C; and

Repeal By-law 46-2019, a by-law to provide for an Emergency and Continuity Management Program.

PURPOSE:

Vision to Focus Alignment:

- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

Provincial Legislation and Regulations

The *Emergency Management and Civil Protection Act, R.S.O. 1990, C.E.9* requires municipalities to:

- Develop and implement an emergency management program and adopt it through by-law;

- Formulate an emergency plan to govern the provision of necessary services during an emergency and the procedures and manner in which employees of municipalities shall by by-law adopt the emergency plan; and
- Review and, if necessary, revise its emergency plan every year.

In addition, Ontario Regulation 380/04 requires municipalities to establish:

- An Emergency Management Program Committee, appointed via by-law. In Burlington, this committee is called the Emergency and Continuity Management Program Committee, who are responsible for reviewing the municipal emergency management program annually and making recommendations to council for any needed revisions.
- An Emergency Control Group, appointed via by-law. The Emergency Control Group is composed of senior staff and employees of an organization, and others that may be involved in directing that organization's response to an emergency including, the implementation of its emergency response plans and procedures.

Emergency and Management Continuity Program By-Law Review

At the April 13, 2023, Emergency and Continuity Management Program Committee meeting, the findings of a comprehensive program review conducted by the report author were presented with the recommendation that a new program by-law be created. This recommendation was approved.

At the November 9, 2023, Emergency and Continuity Management Program Committee meeting, the draft Emergency and Continuity Management Program By-law was presented by the report author. Feedback was received from Emergency and Continuity Management Program Committee members on some minor changes to the draft Emergency Response Plan.

At the December 6, 2023, Emergency and Continuity Management Program Committee meeting, committee members were advised that the suggested changes to the draft Emergency Response Plan had been completed. The Emergency and Continuity Management Program Committee approved that the new program by-law be presented to the Committee of the Whole and City Council for approval.

Emergency and Continuity Management Program By-law Overview

Below is an overview of the new Emergency and Continuity Management Program By-law, including the three program appendices.

Emergency and Continuity Management Program By-law

The new program by-law outlines that the Council of the Corporation of the City of Burlington enacts the following:

1. The Corporation of the City of Burlington adopts the Emergency and Continuity Management Program, which consists of:
 - a. Appendix A – Emergency and Continuity Management Program
 - b. Appendix B – Emergency Response Plan
 - c. Appendix C – Emergency and Continuity Management Program Committee Terms of Reference
2. Emergency Control Group members, a Community Emergency Management Coordinator and an Emergency Information Officer and alternates are appointed as outlined in Appendix B.
3. Emergency and Continuity Management Program Committee members as well as a program chair are appointed as outlined in Appendix C.
4. The City of Burlington By-law 46-2019 is hereby repealed.

Appendix A: Emergency and Continuity Management Program

This appendix provides a comprehensive framework for managing large-scale emergencies and disasters and ensuring the continuity of essential services. Below is a high-level summary of the components of the Emergency and Continuity Management Program.

1. Introduction

The program is established to meet legislated standards outlined in the provincial *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* and Ontario Regulation 380/04 and uses the Canadian Standards Association (CSA) Z1600 standard for emergency and continuity management as the basis for continual improvement.

2. Program Structure

- Community Emergency Management Coordinator
Oversees program development, implementation, and maintenance.
- Emergency and Continuity Management Program Committee
Guides the program by setting priorities, allocating resources, and monitoring performance, and is responsible for conducting an annual review and recommends revisions to the City Council.
- Emergency Control Group
Manages the City's response to emergencies, protecting life, property, the environment, and the economy. Members participate in annual training and exercises.

3. Program Administration

- Goals, Objectives, and Performance Measures
- Budget and Controls
- Records Management

4. Emergency Management

- *Emergency Response Plan:* The City has adopted an Emergency Response Plan based on the Incident Management System to respond to large-scale emergencies or disasters. The plan is reviewed annually and updated when necessary.
- *Emergency Operations Centre (EOC):* The City has designated primary and alternate EOC locations. EOC activation drills are conducted annually to test equipment and systems.
- *Training and Exercises:* Training is provided for Emergency Control Group members and EOC Support Staff, as outlined in the Training and Exercise Plan. Based on their assigned Incident Management System position, individuals will attend relevant provincial training. In addition, Emergency Control Group members are required to participate in the annual compliance training and exercise.
- *Public Education:* Public education campaigns on emergency preparedness are conducted throughout the year, including general preparedness and hazard specific campaigns.
- *Hazard Identification and Risk Assessment:* The City's Hazard Identification and Risk Assessment is reviewed annually and updated as needed, assessing the likelihood and consequences of potential hazards.
- *Critical Infrastructure List:* The City's Critical Infrastructure List is also reviewed annually and updated as needed. The Critical Infrastructure List identifies critical infrastructure within the City of Burlington.

5. Business Continuity

The City uses a decentralized model for business continuity planning, which involves various levels of responsibility to ensure the continuity of essential services during disruptions.

- Plan Custodians are responsible for:
 - Creating and maintaining their departmental/service business continuity plan, which includes an annual review process.
- The Community Emergency Management Coordinator is responsible for:
 - Maintaining the corporate level plan
 - Providing guidance and support to Plan Custodians
 - Overseeing business continuity training and exercises.
- The Emergency and Continuity Management Program Committee is responsible for:
 - Providing feedback on updates to the corporate plan
- The Strategy and Risk Team is responsible for:
 - Approving updates to the corporate plan
 - Ensuring that Plan Custodians within their reporting structure receive the necessary support to create and maintain departmental/service business continuity plans.

6. Continual Improvement

The program will be updated to respond to changes in legislation, policies, and regulatory requirements. Senior management reviews and advises on program improvement through participation in the Emergency and Continuity Management Program Committee. In addition, the program is reviewed annually by the Emergency and Continuity Management Program Committee, and an Improvement Plan is maintained to track action items identified in After-Action Reports and EOC activation drills.

Appendix B: Emergency Response Plan

The new Emergency Response Plan provides a framework for how the City of Burlington will provide a planned, coordinated, and effective response to protect life, property, the environment, and local economy when faced with complex, large-scale emergencies.

The new Emergency Response Plan uses the provincial Incident Management System, and is activated by the Community Emergency Management Coordinator or alternate based on the identified activation levels and types.

When the Emergency Response Plan is activated, Emergency Control Group members, who are assigned Incident Management System positions, as well as any activated EOC Support Staff positions, work together to implement the City's response to an emergency.

Below is the list of Emergency Control Group members, which identifies their assigned Incident Management System (IMS) position.

Emergency Control Group IMS Position	Job Title
EOC Director	1. City Manager 2. Executive Director, Environment, Infrastructure & Community Services
Emergency Information Officer	1. Director, Corporate Communications & Engagement 2. Manager, Corporate Communications
Legal Officer	1. Executive Director, Legal Services & Corporate Council 2. Deputy Corporation Counsel
Liaison Officer	1. Community Emergency Management Specialist/CEMC 2. Deputy Fire Chief
Political Liaison Officer	1. Mayor 2. Deputy Mayor, Emergencies/Ceremonial* *This position is filled by Councillors based on an established rotation
Safety Officer	1. Manager, Health, Safety & Wellness 2. Advisor, Health & Safety

Emergency Control Group IMS Position	Job Title
Operations Section Chief	Fire Department 1. Fire Chief 2. Deputy Fire Chief Roads, Parks & Forestry Department 1. Director, Roads, Parks & Forestry 2. Manager, RPF Business Services
Planning Section Chief	1. Executive Director, Strategy Risk & Accountability 2. Executive Director, Digital Service and Chief Information Officer
Logistics Section Chief	1. Executive Director, Community Planning, Regulation & Mobility 2. Director, Transit
Finance & Administration Section Chief	1. Executive Director and Chief Financial Officer 2. Controller & Manager, Financial Services

Below is a high-level summary of the structure of the Emergency Response Plan:

Quick Reference Guide: This section provides an overview of Section 6 (Concept of Operations).

1. *Introduction:* This section includes the purpose, legal authorities, public access and plan maintenance and testing.
2. *Planning Framework:* This section establishes the City's overarching approach to managing emergencies, and includes planning assumptions, and identifies that the plan is based on the provincial Incident Management System, which is a standardized structure for responding to large-scale emergencies.
3. *Roles and Responsibilities:* This section outlines the specific functions and duties of key personnel during emergencies, including but not limited to City of Burlington staff.
4. *Emergency Operations Centre Organizational Structure:* This section shows the organizational structure used during a Level 3 or 4 activation of the Emergency Response Plan, which is based on the Incident Management System.
5. *Decision Making Authority:* This section outlines the decision-making authority during emergencies that require changes to service delivery levels, identifying which designated group can make decisions based on the updated version of CM-12-20 Appendix A: Governance and Decision Making.
6. *Concept of Operations:* This section outlines the procedures and strategies for managing emergencies and includes plan activation, notification, Emergency Operations Centre activation, incident action planning, and demobilization.

7. *Emergency Declaration and Termination*: This section outlines the processes and criteria for formally declaring and terminating emergencies.
8. *Information Management*: This section addresses how incident information is collected, managed, and distributed during emergencies.
9. *Requests for Assistance*: This section outlines the process for requesting assistance from surrounding municipalities, other levels of government, and external organizations.
10. *Disaster Financial Assistance*: This section focuses on financial support mechanisms available from the provincial government to the City of Burlington and its residents.
11. *Glossary of Terms*: This section provides definitions of key terms.
12. *Emergency Support Plans*: This section provides a list of Emergency Support Plans.

Please refer to Bylaw Appendix B: Emergency Response Plan for more information.

Appendix C: Emergency and Continuity Management Program Committee Terms of Reference

The Emergency and Continuity Management Program Committee Terms of Reference outlines the scope, responsibilities, composition and administration for the City's Emergency and Continuity Management Program Committee.

The Emergency and Continuity Management Program Committee guides and oversees the development, implementation and maintenance of the City of Burlington's Emergency and Continuity Management Program, including providing policy advice and facilitating inter-departmental program initiatives. In addition, the Emergency and Continuity Management Program Committee is responsible for reviewing the program annually to confirm that compliance items have been completed, and as deemed necessary, recommending program revisions to Council via staff.

The Emergency and Continuity Management Program Committee consists of the following voting and non-voting members:

Voting Members are City of Burlington personnel who are entitled to one vote during motions. Voting members are listed below:

1. City Manager or designate
2. Mayor or Deputy Mayor for Emergencies/Ceremonial
3. Community Emergency Management Coordinator/Community Emergency Management Specialist (CEMC) and/or alternate
4. Executive Director and Chief Financial Officer or designate
5. Executive Director, Community Relations and Engagement or designate
6. Executive Director, Community Planning, Regulation, and Mobility or designate
7. Executive Director, Digital Service and Chief Information Officer or designate
8. Executive Director, Environment, Infrastructure and Community Service or designate

9. Executive Director, Human Resources or designate
10. Executive Director, Legal Services and Corporate Council or designate
11. Executive Director, Strategy Risk and Accountability or designate
12. Fire Chief, Fire Department or designate

Non-Voting Members are comprised of supporting agency representatives as identified below:

13. Chief Emergency Management or designate, Halton Region
14. Manager, Flood Forecasting & Operations or designate, Conservation Halton
15. Coordinator, Patient Relations / Patient Safety (Emergency Disaster Planning) or designate, Joseph Brant Hospital
16. Division 3 representative, Halton Regional Police Service
17. Emergency Management Coordinator or designate, Canadian Red Cross
18. Director, Health and Safety or designate, Burlington Hydro

Strategy/process/risk

The comprehensive review of the current program by-law (By-Law 46-2019) included the following components:

- Review of existing Emergency and Continuity Management Program
- Stakeholder feedback
- Benchmark research on municipal emergency response plans
- Internal assessment against the Canadian Standards Associate Z1600 Emergency and Continuity Management standard

Options Considered

1. Status quo - This is not the preferred option; the current program by-law is not based on current resource capacity and the current Emergency Response Plan has been identified as being overly complex.
2. Amendment of By-law 46-2019 - This is not the preferred option; there are several changes required to the program by-law which has already been amended three times, and further amendments may create unnecessary confusion.
3. Repealing By-law 46-2019 and adopting new program by-law - This is the preferred and recommended option; repealing By-law 46-2019 and adopting a new program by-law will avoid unnecessary confusion that may result from further amendments to the existing program by-law.

Financial Matters:

Not applicable

Total Financial Impact

Not applicable

Source of Funding

Not applicable

Other Resource Impacts

There are resource impacts pertaining to staff time as it relates to the Emergency and Continuity Management Program, as listed below:

- *Emergency and Continuity Management Program Committee members* meet a few times a year to provide direction to the program and complete an annual program review.
- *Emergency Control Group members* must participate in an annual compliance course, and an annual compliance exercise, complete Incident Management System training, and during Level 3 or 4 Emergency Response Plan activations, will need to step away from their normal job duties to assume their assigned Incident Management System position, which may result in the need to delegate, or delay planned work.
- *EOC Support Staff* must complete Incident Management System training, and during Level 3 or 4 Emergency Response Plan activations, will need to step away from their normal job duties to assume their assigned Incident Management System position, which may result in the need to delegate, or delay planned work.
- *Departmental/Service Plan Custodians* are responsible for creating and maintaining their departmental/service business continuity plan.
- *City Staff* may be required to complete actions in support of a Level 3 or 4 Emergency Response Plan activation and/or participate in emergency management or business continuity exercises.

Climate Implications:

As outlined in the Climate Projections for Burlington Region (2021), under a high emissions scenario, Burlington will experience warmer, wetter, and wilder weather from 2051-2080, resulting in more frequent large-scale emergencies or disasters related to severe weather, which will likely increase the risk of:

- Flooding due to increased precipitation and more intense rainfall events.
- Property damage and power outages due to high winds.
- Heat-related illness and death due to rising temperatures.

- Impacts to critical infrastructure.

As the impacts of climate change are far-reaching, a proactive and adaptive approach to mitigate the increasing risks associated with severe weather events is required. The Climate Resilient Burlington Plan (2022) identifies the climate adaptation actions that the City of Burlington will complete from 2022 to 2032 to prepare for the impacts of climate change and enhance community resilience, including three action items being led by the Fire Department, and several action items that the Fire Department is supporting

Engagement Matters:

During the December 6, 2023, Emergency and Continuity Management Program Committee meeting, the program committee approved that the new program by-law as outlined in this report be presented to Committee and Council for approval.

Conclusion:

The Burlington Fire Department recommends that By-law 46-2019 be repealed and that the Emergency and Continuity Management Program By-law outlined in this report be adopted.

Respectfully submitted,

Robyn Heibert, MDEM, CEM, ABCP

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Appendices:

- A. Emergency and Continuity Management Program By-law
- B. Bylaw Appendix A: Emergency and Continuity Management Program
- C. Bylaw Appendix B: Emergency Response Plan
- D. Bylaw Appendix C: Emergency and Continuity Management Program Committee Terms of Reference

Report Approval:

All reports are reviewed and/or approved by Department Director, the Executive Director & Chief Financial Officer and the Executive Director of Legal Services & Corporate Council.