



SUBJECT: Emergency and Continuity Management Program By-law

TO: Committee of the Whole

FROM: Fire Department

Report Number: BFD-06-24

Wards Affected: All

Date to Committee: November 4, 2024

Date to Council: November 19, 2024

Recommendation:

Approve a By-law to establish an Emergency and Continuity Management Program, in the form attached as Appendix A to fire department report BFD-06-24, in the form satisfactory to the Commissioner, Legal and Legislative Services/City Solicitor; and

Repeal By-law 07-2024.

PURPOSE:

Vision to Focus Alignment:

- Designing and delivering complete communities
- Providing the best services and experiences
- Protecting and improving the natural environment and taking action on climate change
- Driving organizational performance

Executive Summary:

The City of Burlington is updating its Emergency and Continuity Management Program By-law as a result of an organizational restructuring this year that occurred after the adoption of the current program by-law, By-law 07-2024 Emergency and Continuity Management Program.

A new program by-law is proposed to reflect required updates to job titles for some Emergency and Continuity Management Program Committee and Emergency Control Group members, as well as other minor updates for greater clarity to improve the overall program. As the after action review process for the July flooding incident is still underway, any related suggested updates to the City's Emergency Response Plan will be considered during next year's annual review of the plan. The new program by-law will continue to comply with provincial legislation, specifically the *Emergency Management and Civil Protection Act (EMCPA)* and Ontario Regulation 380/04.

Key updates include:

1. Program Structure Updates

The job titles of some Emergency and Continuity Management Program Committee members and some internal Emergency Control Group members were updated following the organizational restructuring that was implemented in June 2024, as well as the addition of the Head of Corporate Affairs position to the Emergency and Continuity Management Program Committee.

2. Terminology Updates

References to the former Strategy and Risk Team (SRT) were replaced with references to the Executive Leadership Team (XLT) in alignment with changes related to the organizational restructuring that was implemented in June 2024. Also, the former Emergency Information Officer position on the Emergency Control Group has been renamed the Public Information Officer, to provide greater clarity on the position's focus.

3. Emergency Response Plan Updates

Highlighted changes to the Emergency Response Plan include:

- Updates to the Roles and Responsibilities section, including aligning the Individuals and Families sub-section to better align with the Provincial Emergency Response Plan, updating some of the job titles in the Emergency Control Group sub-section and expanding the sub-sections for the other levels of government for greater clarity.
 - Updates to the Concept of Operations section, including adding the CAO to the decision on whether to activate the Emergency Response Plan to Level 3 or Level 4, refinement of the activation levels table, and Level 2 has been renamed Enhanced Monitoring and Coordination for greater clarity.
 - Updates to the Information Management section to provide more clarity on the responsibility for managing the different types of information across activation levels.
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Background and Discussion:

Provincial Legislation and Regulations

The *Emergency Management and Civil Protection Act, R.S.O. 1990, C.E.9* (EMCPA) 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 implement the emergency plan.
- 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 (including a chair), 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 City 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 the City's response to an emergency including the implementation of the City's Emergency Response Plan.

Emergency and Continuity Management Program

In February 2024, By-law 07-2024 Emergency and Continuity Management Program was adopted. The subsequent implementation of a new organizational structure in June 2024 resulted in the need to review By-law 07-2024 for related updates.

The Community Emergency Management Specialist, who also holds the designation of the primary Community Emergency Management Coordinator for the City conducted a review of By-law 07-2024, and presented a proposed new program by-law to the rest of the City's Emergency and Continuity Management Program Committee, which is chaired by the CAO, and is also composed of the Mayor, Fire Chief, and the Executive Leadership Team (with the exception of the Head of Corporate Affairs, as this is a new position and therefore isn't included in the current program by-law).

The Emergency and Continuity Management Program Committee approved the proposed new program by-law, which meets and exceeds the provincial requirements under the EMCPA and Ontario Regulation 380/04, during the September 24, 2024

program committee meeting. The rest of this section is an overview of the new program by-law appendices.

Appendix A: Emergency and Continuity Management Program

This appendix lists the components of the City's Emergency and Continuity Management Program, which includes:

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

The program is composed of the following planning and response structures:

- The Community Emergency Management Coordinator, who oversees the program's development, implementation and maintenance under the guidance of the City's Emergency and Continuity Management Program Committee.
- The Emergency and Continuity Management Program Committee, who guides the program by setting priorities, allocating resources, and conducting an annual review of the program and recommending revisions to City Council.
- The Emergency Control Group, who is responsible for implementing the City's Emergency Response Plan to manage the City's response to emergencies to protect life safety, property, the environment and the economy.

3. Program Administration

This section outlines how program goals, objectives and performance measures are measured, and states that the program budget and records are managed by the designated Community Emergency Management Coordinator.

4. Emergency Management

This section provides a high-level overview of the mandated program components, as required under the EMCPA and Ontario Regulation 380/04, which include:

- Emergency Response Plan
- Emergency Operations Centre
- Critical Infrastructure List
- Hazard Identification and Risk Assessment
- Public Education
- Training
- Exercises

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, which may involve the loss of personnel, loss of facilities, loss of technology and/or loss of critical suppliers.

- Plan Custodians from departments/divisions are responsible for:
 - Creating and maintaining their department/division business continuity plan.

- 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.

- Emergency and Continuity Management Program Committee 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 department/division 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 the Executive Leadership Team's participation in the Emergency and Continuity Management Program Committee.

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, exercises and EOC activation drills.

Appendix B: Emergency Response Plan

This appendix is the City's Emergency Response Plan, which 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 that is based on the provincial Incident Management System.

Below is a high-level overview of the Emergency Response Plan.

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.

The table below lists the Emergency Control Group member assignments by job title, organized by their assigned Incident Management System (IMS) position. For each IMS position, the primary assignment is listed first, followed by the alternate assignment(s).

IMS Position	Job Title	IMS Position Overview
EOC Director	<ol style="list-style-type: none"> 1. Chief Administrative Officer (CAO) 2. Commissioner, Public Works 	Responsible for the overall management of the EOC, including the provision of support to the incident site(s), and when necessary, incident command. Support to the site includes setting strategic guidance, information support, resource management support, legal support, and financial support.
Public Information Officer	<ol style="list-style-type: none"> 1. Director, Corporate Communications & Engagement 2. Manager, Corporate Communications 	Responsible for the development and release of approved information related to the emergency to City staff not involved in the incident response, media, and the public.
Legal Officer	<ol style="list-style-type: none"> 1. Commissioner, Legal and Legislative Services/City Solicitor 2. Deputy City Solicitor 	Responsible for monitoring risk exposures and ensuring good risk management practices are applied. Provides legal advice to the Mayor and Emergency Control Group and ensures general compliance with legislation.
Liaison Officer	<ol style="list-style-type: none"> 1. Specialist, Community Emergency Management/CEMC 2. Deputy Fire Chief/Alternate CEMC 	Serves as the primary contact for external organizations and advises the EOC Director of issues regarding outside assistance and support.

IMS Position	Job Title	IMS Position Overview
Political Liaison Officer	1. Mayor 2. Deputy Mayor for Emergencies/Ceremonial* *This position is filled by Councillors based on an established rotation	Responsible for keeping City Council informed of relevant updates from the Emergency Control Group, providing constituent relations, and serving as a City spokesperson.
Safety Officer	1. Manager, Health, Safety & Wellness 2. Advisor, Health & Safety	Monitors safety conditions and develops safety measures as needed to ensure the health and safety of all responders.
Operations Section Chief	Fire Department 1. Fire Chief 2. Deputy Fire Chief Roads, Parks & Forestry (RPF) Department 1. Director, Roads, Parks & Forestry 2. Manager, RPF Business Services	Responsible for providing overall supervision and leadership to the Operations Section, including assisting in the development and implementation of the Incident Action Plan, and organizing, assigning, and supervising all resources assigned operational tasks within an incident.
Planning Section Chief	1. Chief Transformation Officer 2. Chief Information Officer	Responsible for providing overall supervision and leadership to the Planning Section, who is responsible for leading the development of the Incident Action Plan, and overseeing the collection, evaluation, processing, and distribution of incident information.
Logistics Section Chief	1. Commissioner, Community Services 2. Director, Transit	Responsible for providing facilities, services, and materials in support of the incident, and assisting in the development of the Incident Action Plan.
Finance & Administration Section Chief	1. Chief Financial Officer 2. Controller and Manager, Financial Services	Responsible for financial and administrative support to an incident, including cost analysis and financial and administrative aspects.

In addition to the Emergency Control Group positions listed above, there are staff assigned to IMS positions that support an Emergency Control Group member, which are collectively referred to as EOC Support Staff.

4. EOC Organizational Structure

This section shows the organizational structure used during a Level 3 Partial EOC or Level 4 Full EOC 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 CM-20-22 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.

More specifically, the Emergency Response Plan has the following activation levels:

- Level 1 Routine Monitoring
- Level 2 Enhanced Monitoring and Coordination
- Level 3 Partial EOC Activation
- Level 4 Full EOC Activation

7. Emergency Declaration and Termination

This section outlines the processes for formally declaring and terminating emergencies.

8. Information Management

This section addresses information management responsibilities during emergencies for incident personnel, City staff not involved in the incident response, and the public for the different activation levels.

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 related Emergency Support Plans.

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

This appendix outlines the scope, responsibilities, composition and administration for the City's Emergency and Continuity Management Program Committee, who guides

and oversees the development, implementation and maintenance of the City of Burlington's Emergency and Continuity Management Program.

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. Chief Administrative Officer or designate
2. Mayor or Deputy Mayor (for emergencies/ceremonial)
3. Community Emergency Management Specialist/Community Emergency Management Coordinator (CEMC) or alternate CEMC
4. Head of Corporate Affairs or designate
5. Commissioner, Development and Growth Management or designate
6. Commissioner, Community Services or designate
7. Commissioner, Public Works or designate
8. Commissioner, Legal and Legislative Services/City Solicitor or designate
9. Chief Human Resources Officer or designate
10. Chief Financial Officer or designate
11. Chief Information Officer or designate
12. Chief Transformation Officer or designate
13. Fire Chief or designate

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

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

Note that as a new position, the Head of Corporate Affairs was added to the Emergency and Continuity Management Program Committee to ensure that all Executive Leadership Team positions are part of the program committee.

Strategy/process/risk

The review of the City's Emergency and Continuity Management Program (By-law 07-2024) was driven by the organizational restructuring that was implemented in June 2024, and the review used the municipal requirements of the EMCPA and Ontario

Regulation 380/04 as well as elements of the CSA Z1600-17 Emergency and Continuity Management Program Standard.

Options Considered

1. Amendment of By-law 07-2024. This is not the recommended option, as the existing program by-law includes the City's Emergency Response Plan (in Appendix B), and amending By-law 07-2024 could cause unnecessary confusion during emergency activations.
 2. Repealing By-law 07-2024 and adopting a new program by-law. This is the recommended option; repealing By-law 07-2024 and adopting a new program by-law will avoid unnecessary confusion that may result from amending the existing program by-law.
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Financial Matters:

Not applicable

Total Financial Impact

Not applicable

Source of Funding

Not applicable

Other Resource Impacts

Staff assigned to the Emergency Control Group must complete annual training on the City's Emergency and Continuity Management Program, which includes virtual training on the City's Emergency Response Plan. Staff assigned to EOC Support Staff positions will be required to complete virtual training on the Emergency Response Plan.

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.

Burlington experienced a 1-in-100 year flood on July 15 and 16, 2024 due to excessive precipitation, and a separate Council Report will be outlining proposed action items that require funding to mitigate future flooding and enhance the City's level of emergency preparedness. In addition, an After Action Report for the July 15/16 flood that is being developed is expected to include action items related to emergency planning, which will be incorporated into next year's annual review of the Emergency Response Plan.

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, including the consideration of increasing the dedicated staff resources assigned to the City's Emergency and Continuity Management Program. 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 September 24, 2024, Emergency and Continuity Management Program Committee meeting, the program committee approved the proposed updates to the new program by-law, for further presentation to the Committee of the Whole and Council for approval.

Conclusion:

The Burlington Fire Department recommends that By-law 07-2024 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 including Appendix A - Emergency and Continuity Management Program; Appendix B - Emergency Response Plan; Appendix C - Emergency and Continuity Management Program Committee Terms of Reference

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Commissioner Legal and Legislative Services/City Solicitor.