

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 9160

A Bylaw to delegate certain powers duties and functions relating to the provision of multijurisdictional emergency management powers in the City of North Vancouver to North Shore Emergency Management

WHEREAS pursuant to section 19 of the *Emergency and Disaster Management Act*, SBC 2023, c.37 (the “EDMA”), Council may, by bylaw, delegate its powers, duties and functions to a body established by Council;

AND WHEREAS Council, by North Shore Emergency Management Establishing Bylaw, 2026, No. 9159 has established, jointly with the District of North Vancouver and the District of West Vancouver the North Shore Emergency Management (“NSEM”) for the provision of multijurisdictional Emergency Management Services, and, for that purpose, has entered into the North Shore Emergency Management Agreement with the District of North Vancouver and the District of West Vancouver (collectively, the “Municipalities”),

NOW THEREFORE the Council for the City of North Vancouver, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw shall be known and cited for all purposes as “**North Shore Emergency Management Delegation Bylaw, 2026, No. 9160**”.

Definitions

2. In this Bylaw, the following definitions apply:
 - (a) “Annual Service Plan” means the service plan under section 4 herein;
 - (b) “Appointed Financial Officer” means either the Financial Officer for the District, the City, or West Vancouver, whichever one has been appointed to act in this capacity by the District, the City, and West Vancouver, by mutual agreement in writing, and on the reference date of this Bylaw means the District’s Financial Officer;
 - (c) “Budget Submission” means the draft capital plan and draft operating financial plan prepared by the Director of NSEM based on the Annual Service Plan and approved by the NSEM Steering Committee in accordance with sub-section 5(f) and section 11;
 - (d) “Capital Plan” means the five year capital plan updated annually approved by the Council’s of the District, the City, and West Vancouver;
 - (e) “City” means the City of North Vancouver;
 - (f) “City CAO” means the City’s chief administrative officer;
 - (g) “Director of NSEM” means the person hired by NSEM as the director of NSEM;

- (h) “District” means the District of North Vancouver;
- (i) “District CAO” means the District’s chief administrative officer;
- (j) “Emergency Management Services” means those municipal and multijurisdictional emergency management activities, programs, and services as allowed for in EDMA, which include a Multijurisdictional Emergency and/or a Single Municipal Emergency, as provided in the approved NSEM budget from time to time, relating to the four phases of emergency management: the mitigation phase, the response phase (excluding response borrowing), the preparation phase, and the recovery phase (excluding recovery powers and recovery borrowing as set out in sections 118 and 119 of EDMA);
- (k) “NSEM Steering Committee” means persons duly appointed to the NSEM pursuant to the NSEM Establishing Bylaw 9159;
- (l) “Multijurisdictional Emergency” means a state that
 - (i) is the result of any of the following
 - (A) an event that:
 - (1) has occurred, is ongoing or appears imminent within at least two (2) of the three (3) Municipalities, and
 - (2) is caused by one (1) or more incidents, whether or not those incidents occur in the same location or at the same time, of accident, fire, explosion, technical failure, rioting, security threat, terrorist activity within the meaning of section 83.01 of the *Criminal Code*, force of nature or an incident prescribed under the *EDMA*;
 - (B) the presence, suspected presence, or imminent spread of a transmissible disease or an environmental toxin;
 - (C) an event prescribed by the EDMA or the suspected presence of prescribed circumstances; and
 - (ii) requires the prompt coordination of action, or the special regulation of persons or property, to protect:
 - (A) the health, safety, or well-being of persons, or
 - (B) the safety of property or objects or sites of heritage value.
- (m) “Municipal Emergency Response Plan” means a plan formulated by the municipalities setting out response procedures to be followed in the case of an emergency;
- (n) “North Shore Emergency Management Agreement” means the agreement between the District, the City, and West Vancouver as attached as Schedule A to Bylaw 9159;
- (o) “North Shore Emergency Management Plan” means an emergency management plan prepared, developed and maintained by NSEM in accordance with the Emergency and Disaster Management Act;
- (p) “NSEM” means North Shore Emergency Management;
- (q) “North Shore Emergency Operations Centre” (NSEOC) means the centralized facility located at 2nd floor, 147 E. 14th St. North Vancouver, V7L 2N4 where Emergency Management Services will be implemented for Multijurisdictional Emergencies and as required for Single Municipal Emergencies.

- (r) “Operating Financial Plan” means the annual operating financial plan approved by the Councils of the District, the City, and West Vancouver;
- (s) “Single Municipal Emergency” means a state that
 - (i) is the result of any of the following
 - (A) an event that:
 - (1) has occurred, is ongoing or appears imminent within just one (1) of the three (3) Municipalities, and
 - (2) is caused by one (1) or more incidents, whether or not those incidents occur in the same location or at the same time, of accident, fire, explosion, technical failure, rioting, security threat, terrorist activity within the meaning of section 83.01 of the *Criminal Code*, force of nature or an incident prescribed under the *EDMA*;
 - (B) the presence, suspected presence, or imminent spread of a transmissible disease or an environmental toxin;
 - (C) an event prescribed by *EDMA* or the suspected presence of prescribed circumstances; and
 - (ii) requires the prompt coordination of action, or the special regulation of persons or property, to protect:
 - (A) the health, safety, or well-being of persons, or
 - (B) the safety of property or objects or sites of heritage value.
- (t) “West Vancouver” means the District of West Vancouver; and
- (u) “West Vancouver CAO” means West Vancouver’s municipal manager.

General Mandate

- 3. Pursuant to the North Shore Emergency Management Agreement, Council delegates to the NSEM the authority, on behalf of the City to plan, develop, evaluate, and jointly and seamlessly deliver, within the approved funding of any budget year, and in accordance with the terms, limitations and conditions set out in this Bylaw, an appropriate array of quality Emergency Management Services in the District, the City, and West Vancouver to meet the needs of said residents “General Mandate”. In carrying out this mandate, NSEM will act in the best interest of the District, the City, and West Vancouver along with the best interests of residents of the Municipalities.

Annual Service Plan

- 4. Subject to Steering Committee approval NSEM will on an annual basis formulate an Annual Service Plan for meeting its General Mandate, which plan will be used as the basis for the preparation of the draft Operating Financial Plan and the draft Capital Plan for the next budget year.

Specific Powers, Duties and Functions of NSEM

- 5. Council delegates to NSEM the following powers, duties and functions for the purpose of carrying out its General Mandate:
 - (a) hiring, remuneration and termination of persons in the capacity of Director of NSEM and Acting Director of NSEM through the Steering Committee (during periods of

extended absence by the Director of NSEM), provided that all decisions relating to hiring, remuneration and termination of the Director of NSEM and an acting director shall be made through a process, acceptable to the District, the City, and West Vancouver that involves the three (3) Municipalities' CAOs.

- (b) making decisions for delivery of Emergency Management Services in collaboration with the Municipalities;
- (c) setting policies under which NSEM Services will operate subject to NSEM Steering Committee input and approval along with Oversight Committee input;
- (d) developing and maintaining a North Shore Emergency Management Plan;
- (e) reporting to the Council of the District, the City, and West Vancouver two times annually on pertinent matters within the General Mandate or specific powers, duties and functions of NSEM; and
- (f) approve the Budget Submission as set out section 11.

Specific Powers, Duties and Functions of NSEM during a Single Municipal Emergency

6. Council delegates to NSEM the following powers, duties and functions for the purpose of carrying out its mandate during a Single Municipal Emergency:

- (a) In accordance with the impacted municipality's Municipal Emergency Response Plan:
 - (i) the municipality may require activation of the NSEOC and may require the Director of NSEM to act as EOC Director, a NSEM staff member to act as Liaison and other municipal staff in the EOC as required;
 - (ii) implementing all or part or all of the Municipal Emergency Response Plan and/or the North Shore Emergency Management Plan, and the Director of NSEM may exercise emergency instrument(s), extend them, and ultimately rescind such instruments; and
 - (iii) following a State of Local Emergency wherein NSEM has provided Emergency Management Services pursuant to section 6, the Director of NSEM will provide to the provincial administrator a final report on the declaration, and, if applicable, the local recovery period within the prescribed period of time.
- (b) Following consultation with the Director of NSEM, if in the opinion of the Mayor (or Acting Mayor) that the Single Municipal Emergency appears to imminently become a Multijurisdictional Emergency, the Mayor (or Acting Mayor) will instruct NSEM to begin discussions with the relevant Municipalities to determine if NSEM is to exercise its powers pursuant to section 7.

Specific Powers, Duties and Functions of NSEM during a Multijurisdictional Emergency

7. Council delegates to NSEM the following powers, duties and functions for the purpose of carrying out its mandate during a Multijurisdictional Emergency if it is an impacted municipality:

- (a) Delivering required Emergency Management Services in accordance with the

impacted municipality's Municipal Emergency Response Plan, including but not limited to:

- (i) activation of the NSEOC and may require the Director of NSEM to act as EOC Director, a NSEM staff member to act as Liaison and other municipal staff in the EOC as required;
- (ii) implementing in part or all the North Shore Emergency Management Plan and any relevant Municipal Emergency Response Plan;
- (iii) following a State of Local Emergency, the Director of NSEM will provide to the provincial administrator a final report on the declaration, and, if applicable, the local recovery period within the prescribed period of time; and/or
- (iv) If there is a conflict between the North Shore Emergency Management Plan and any relevant Municipal Emergency Response Plan, the North Shore Emergency Management Plan shall be presumed to prevail subject to agreement between the Municipalities' that it shall not.

Reasonable Use of Funds

8. NSEM may not make any expenditure that is not included for that year in the then-current Operating Financial Plan or Capital Plan approved by the three Councils, except that:
 - (a) NSEM may make a further expenditure so long as the expenditure is not expressly prohibited by or under the *Community Charter*, *EDMA*, or another Act and provided that the expenditure is approved in advance by the District Council, City Council, and West Vancouver Council, with an appropriate funding source identified;
 - (b) where revenues through successful grant applications exceed the amount budgeted in respect of an item in the Operating Financial Plan or where expenditures are less than budgeted in respect of an item in the Operating Financial Plan NSEM may re-allocate the excess revenue or the savings, as the case may be, to another item in the Operating Financial Plan as reasonably required so long as the reallocated funds are used for an authorized expenditure under the then-current Operating Financial Plan and so long as the reallocation is not prohibited by or under the *Community Charter*, *EDMA*, or another Act and is for the purposes of carrying out the General Mandate; and
 - (c) for the purposes of providing Emergency Management Services during a municipal or multijurisdictional emergency event, the Director of NSEM may make a related and reasonable emergency expenditure and upon conclusion of the emergency event will report such expenditure to the NSEM Steering Committee.

Liabilities

9. Except as set out in sub-section 12(j), NSEM will not incur or cause to be incurred liabilities or indebtedness without the prior written consent of the District, the City, and West Vancouver Financial Officers, which consent shall not be granted except as permitted by the provisions of the *Community Charter*. NSEM will not grant or cause to be granted any indemnities or releases without the prior written consent of the District, the City, and West Vancouver Financial Officers which consent shall not be granted except as permitted by the provisions of the *Community Charter*.

Budget Year

10. The budget year of NSEM is that of the District, the City, and West Vancouver.

Annual Budget

11. NSEM's annual budget for each calendar year shall be determined in accordance with the following procedure:
 - (a) NSEM will formulate the Annual Service Plan as set out in section 4;
 - (b) the Director of NSEM will prepare, in accordance with subsection 12(c), the Budget Submission based on the Annual Service Plan formulated by NSEM;
 - (c) the NSEM Steering Committee will review the Budget Submission and will approve it if it is consistent with the Annual Service Plan and is otherwise acceptable;
 - (d) the Budget Submission, once approved by the NSEM Steering Committee, will be submitted into the Municipalities' financial planning processes in accordance with subsections 12(c) and 12(d); and
 - (e) the annual budget for each calendar year shall be the Budget Submission after it has been adjusted as required by the Municipalities in accordance with their financial planning processes and after it has been approved by the three municipal councils.

Other Powers, Duties and Functions of Director of NSEM

12. Subject always to the reporting requirements set out in section 14, the powers, duties and functions of the Director of NSEM are as follows:
 - (a) supervise and manage the operation of NSEM within the general mandate given to NSEM and ensure that NSEM staff comply with the District's policies including but not limited to human resource policies;
 - (b) implement, oversee, administer and manage NSEM's decisions under subsection 5(b) and its policies under subsection 5(c);
 - (c) each year when required by the District, the City, and West Vancouver prepare and submit into the three (3) Municipalities' financial planning processes the Budget Submission consisting of:
 - (i) a draft Operating Financial Plan for the following budget year based on NSEM's Annual Service Plan in a form and in such detail as required and directed by the Appointed Financial Officer; and
 - (ii) a draft Capital Plan for the following five (5) budget years based on NSEM's Annual Service Plan and lifecycle replacement of assets in a form and in such detail as required and directed by the Appointed Financial Officer.
 - (d) make such adjustments to the Operating Financial Plan and Capital Plan as required by the three (3) Municipalities in accordance with their financial planning processes and in accordance with the North Shore Emergency Management Agreement;
 - (e) report quarterly to the Steering Committee on NSEM expenditures, revenues, capital,

- operating projects, grants funded projects and progress on annual workplan deliverables;
- (f) As requested, preparing, reviewing and maintaining, in conjunction with the staff of the City, the District, and West Vancouver, their municipal-specific emergency response plans and the North Shore Emergency Management Plan;
 - (g) preparing, conducting and reporting to the Steering Committee on emergency management plan exercises including the North Shore Emergency Management Plan;
 - (h) assessing the general state of emergency preparedness within the City, the District, and West Vancouver and reporting thereon to the Steering Committee;
 - (i) prepare annually, a five (5) year operating financial model and a ten (10) year capital financial model;
 - (j) enter into agreements or contracts with third parties provided that:
 - (i) all expenditures associated with the agreement or contract are included in the approved budget;
 - (ii) the agreement complies with all requirements and limitations set out in the *Community Charter, Local Government Act, and EDMA*;
 - (iii) the prior approval of any expenditure in excess of \$250,000 by the District's general manager as set out in the District's Levels for Purchasing Approval Authority Limit and as referred to in Section 14(a) below along with the Steering Committee;
 - (iv) the agreement is not for more than five (5) years or for a period that could exceed five (5) years by exercising rights of renewal or extension; subject to compliance with all requirements and limitations set out in the *Community Charter, the Local Government Act, and EDMA*;
 - (v) where applicable, the activity or program is supported by the Annual Service Plan; and
 - (vi) all required permits and insurance requirements are met.
 - (k) negotiate, supervise and manage the agreements and contracts set out in sub-section 12(j);
 - (l) In alignment with the District's human resource policies, hire, direct, determine compensation of, discipline and discharge such employees as are necessary for the administration, operation, maintenance and supervision of the Emergency Management Services delivered therein and for effectively carrying out the powers duties and functions of NSEM;

- (m) comply with directions of the Appointed Financial Officer with respect to matters relating to financial administration and operate within the set Annual Budget and establish the following:
 - (i) internal controls for financial management including tracking funds and appropriately documenting records, receipts, and invoices for all expenses incurred during Single Municipal Emergencies and Multijurisdictional Emergencies; and
 - (ii) process to obtain prior approval from the designated District general manager for staff overtime and to track overtime charged to Emergency Management BC (“EMBC”).
- (n) ensure, in respect of the provision of the Emergency Management Services and the fulfillment of all powers, duties and functions set out in this Bylaw, that:
 - (i) proper policies and procedures are in place to safeguard assets;
 - (ii) all financial transactions comply with the requirements and conditions set out in this Bylaw;
 - (iii) complete and accurate records are kept and are available at all times for review by the three (3) municipal Financial Officers or by authorized third parties such as external auditors;
 - (iv) NSEM comply with all pertinent Emergency Management BC (“EMBC”) policies for all EMBC authorized activities;
 - (v) endeavor to obtain EMBC pre-approval of continuing evacuee living assistance if an evacuation order extends beyond seventy-two hours
- (o) act as a general professional resource for the Municipalities and as a director of EOC as needed;
- (p) develop and maintain the North Shore Emergency Management Plan;
- (q) work with the Municipalities to ensure that the North Shore Emergency Management Plan is compatible with the Municipal Emergency Response Plan(s); and
- (r) communicate and consult with the Oversight Committee on all matters relating to the exercise of the powers, duties and functions of the Director of NSEM in accordance with procedures established by the Municipalities from time to time.

Insurance

13. The Director of NSEM working with the City will obtain and maintain satisfactory levels of insurance for all liability perils, including
 - (a) at a level recommended by the three (3) municipal Financial Officers, but in any case not less than \$10,000,000 per event of public liability in respect of programs operated or sponsored by NSEM; and

- (b) replacement cost and property damage insurance for the NSEM portion of the Garry Brewer Building depicted on the attached Plan which is attached as Schedule A to this Bylaw, and equipment, vehicles, goods, chattels, monies and securities in the care, custody and control of NSEM;

and copies of all insurance policies and changes thereto will be provided to the three (3) municipal Financial Officers.

Reporting Requirements of the Director of NSEM

- 14. The Director of NSEM shall report to and take direction from:
 - (a) the designated general manager from the District on day-to-day matters including those referred to in subsections 12(a), 12(c), and subsections 12(j) to (l), provided that such direction provided to the Director remains subject to the Steering Committee as set out in subsection 14(b) immediately below;
 - (b) the NSEM Steering Committee on all matters referred to in section 5, section 7 and in subsections 12(a) to (c), subsections 12(e) to (l), and subsections (o) to (q);
 - (c) the Appointed Financial Officer on all matters referred to in sub-section 12(d) and sub-sections 12(m) to (n) and section 13; and
 - (d) the Oversight Committee on all matters referred to in subsection 12(r).

These reporting requirements do not in any way diminish the duty of the Director of NSEM to advise and keep informed the NSEM Steering Committee of all appropriate matters regarding Emergency Management Services.

North Shore Emergency Management Agreement

- 15. NSEM is subject always to the rules relating to composition, member qualifications, conflicts, organization, procedure and financial oversight set out in the North Shore Emergency Management Agreement as may be amended from time to time by the Municipalities. The North Shore Emergency Management Agreement governs in the event of any inconsistency or perceived inconsistency between any provision in that Agreement and any provision in this Bylaw.

Audit

- 16. The three Municipalities will be responsible for any and all audits involving NSEM. The Steering Committee and the Director of NSEM will cooperate fully with any auditor appointed by the District, the City, or West Vancouver, or by two or all of them, or by the Appointed Financial Officer.

Severability

17. If any section or portion of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, such invalid section or portion shall be severed from the remainder of the Bylaw and shall not affect the validity of the remaining portions of the Bylaw.

READ a first time on the 30th day of March, 2026.

READ a second time on the 30th day of March, 2026.

READ a third time on the 30th day of March, 2026.

ADOPTED on the 13th day of April, 2026.

"Linda C. Buchanan"

MAYOR

"Amelia Cifarelli"

CORPORATE OFFICER