

BYLAW NO. 1110

**A BYLAW OF THE TOWN OF MAYERTHORPE
IN THE PROVINCE OF ALBERTA
TO ESTABLISH AN EMERGENCY ADVISORY COMMITTEE AND EMERGENCY MANAGEMENT
AGENCY**

WHEREAS the Council of the Town of Mayerthorpe is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, R.S.A. 2000, c. E-6.8, to appoint an Emergency Advisory Committee and to establish and maintain an Emergency Management Agency; and

WHEREAS it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the Emergency Management Act, R.S.A. 2000, c. E-6.8;

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF MAYERTHORPE, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Emergency Advisory Committee and Emergency Management Agency Bylaw.
2. In this Bylaw:
 - (a) "Act" means the Emergency Management Act, R.S.A. 2000, c. E-6.8 and any amendments or regulations thereto;
 - (b) "Council" means the Council of the Town of Mayerthorpe;
 - (c) "Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property or the environment;
 - (d) "Emergency Advisory Committee" means the committee established under this Bylaw;
 - (e) "Emergency" means an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property or the environment;
 - (f) "Minister" means the Minister charged with administration of the Act;
 - (g) "Emergency Management Agency" means the agency established under this Bylaw; and
 - (h) "Municipal Emergency Management Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency;

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- (i) "Town" means the "Town of Mayerthorpe", a municipal corporation in the Province of Alberta and where the context so requires means the area within the corporate boundaries of the said municipality.
3. There is hereby established an Emergency Advisory Committee whose purpose is to provide guidance and executive direction to the Town's Emergency Management Agency during an emergency or disaster and to provide advice and recommendations to Council during times of non-emergency.
4. The Emergency Advisory Committee shall be composed as follows:
- a. Emergency Advisory Committee shall be comprised of three (3) members of Council with one (1) alternate member appointed by Council.
 - b. Emergency Advisory Committee shall require three (3) appointed members to form a quorum and voting shall be determined by simple majority.
 - c. Emergency Advisory Committee Chair shall be a member of Council who is appointed annually by the appointed members.
 - d. Emergency Advisory Committee shall meet two (2) times per year by way of call of the Chair.
 - e. Emergency Advisory Committee shall provide guidance and direction to the Emergency Management Agency.
 - f. Emergency Advisory Committee shall make recommendations to Council on the establishment of procedures that must be followed when declaring a state of local emergency.
 - g. Emergency Advisory Committee shall provide recommendations to Council on the development of emergency plans and programs.
 - h. Emergency Advisory Committee shall advise Council on the status of the Municipal Emergency Management Plan and related plans and programs at least once each year.
 - i. Director of Emergency Management or their designate shall provide administrative support to the Emergency Advisory Committee.

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4. There is hereby established an Emergency Services Agency to act as the agent of Council in exercising its statutory powers and duties under the Act. The authority of the Emergency Management Agency does not include the power to declare, renew, or terminate a state of local emergency, nor the powers contained in Section 11 of this Bylaw. The Chief Administrative Officer is hereby appointed as the Director of Emergency Management and the Bylaw Enforcement Officer is appointed as the Deputy Director of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence.
5. The Emergency Management Agency shall be responsible for the administration of the Town's emergency management program, including but not limited to the following:
 - (a) providing for payment of the expenses of the members of the Emergency Advisory Committee;
 - (b) ensuring that emergency plans and programs are prepared to address potential emergencies and disasters within the Town;
 - (c) approving the administration of the Town's emergency plans and programs; ~~and~~
 - (d) reviewing the status of the Municipal Emergency Management Plan and related plans and programs;
 - (e) using the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency;
 - (f) reporting to the Emergency Advisory Committee at least once each per year on the Emergency Management Agency's activities and confirm review of the Municipal Emergency Management Plan;
 - (g) ensuring program exercises are conducted at least once every four (4) years; and
 - (h) reviewing and updating the Municipal Emergency Management Plan after program exercises, an emergency, or a disaster.
6. Council may:
 - (a) by bylaw borrow, levy, appropriate and expend, advertise all sums required for the operation of the Emergency Management Agency; and

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- (b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency plans or programs, including mutual aid plans and programs.
7. The Emergency Management Agency shall be comprised of one or more of the following:
- (a) the Director of Emergency Management;
 - (b) the Deputy Director of Emergency Management;
 - (c) the Chief Administrative Officer, Administrator, Clerk or other administrative staff member(s) of the municipality;
 - (d) the Police Chief or designate or the N.C.O. in charge, RCMP or designate;
 - (e) the Fire Chief or designate;
 - (f) the Ambulance Service Manager or designate;
 - (g) the Public Information Officer or designate;
 - (h) the Public Works Supervisor or designate;
 - (i) the Community Development Manager or designate;
 - (j) the Health Unit Manager or designate;
 - (k) the Hospital Director or designate;
 - (l) the FCSS/Recreational Director or designate;
 - (m) the School Board Chairman or designate;
 - (n) the Social Services Manager or designate;
 - (o) representative(s) from adjacent communities which have entered into mutual aid agreements;
 - (p) representative(s) from local business or business associations (e.g. Chamber of Commerce, Board of Trade);
 - (q) representative(s) from local industry or industrial associations;
 - (r) representative(s) from local telephone service provider;
 - (s) representative(s) from Alberta Agriculture, Food and Rural Development;
 - (t) representative(s) from Alberta Environment;
 - (u) representative(s) from Alberta Transportation;
 - (v) anybody else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Management Plan.

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8. The Director of Emergency Management shall:
- (a) prepare and co-ordinate the Municipal Emergency Management Plan and related plans and programs for the Town;
 - (b) act as director of emergency operations, or ensure that someone is designated under the Municipal Emergency Management Plan to so act, on behalf of the Municipal Emergency Services Agency;
 - (c) co-ordinate all emergency services and other resources used in a disaster or an emergency; or
 - (d) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).
9. The power to declare or renew a state of local emergency under the Act, the powers specified in Section 11 of this Bylaw, and the requirement specified in Section 14 of this Bylaw, are hereby delegated to a committee comprised of the Mayor, or the Deputy Mayor, alone, or in their absence, any two members of Council. This committee may, at any time when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a state of local emergency.
10. When a state of local emergency is declared, the person or persons making the declaration shall:
- (a) ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists;
 - (b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected;
 - (c) notify Alberta Emergency Management Agency, as soon as is reasonably practicable; and
 - (d) forward a copy of the declaration to the Minister forthwith.

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11. Subject to Section 14, when a state of local emergency is declared, the person or persons making the declaration may:
- (a) cause the Municipal Emergency Management Plan or any related plans or programs to be put into operation;
 - (b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - (c) authorize or require any qualified person to render aid of a type he or she is qualified to provide;
 - (d) control or prohibit travel to or from any area of the Town;
 - (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Town;
 - (f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Town that is or may be affected by a disaster and making arrangements for the adequate care and protection of those persons or livestock and of the personal property;
 - (g) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program;
 - (h) cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the scene of a disaster, or to attempt to forestall its occurrence or to combat its progress;
 - (i) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Town for the duration of the state of emergency;
 - (j) authorize the conscription of persons needed to meet an emergency; and
 - (k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency Management Plan and related plans or programs, any power specified in paragraphs (b) through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.
12. When a state of local emergency is declared:

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- (a) neither Council nor any member of Council, and
 - (b) no person appointed by Council to carry out measures relating to emergencies or disasters, is liable in respect of damage caused through any action taken under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
13. Notwithstanding Section 12:
- (a) Council and any member of Council, and
 - (b) any person acting under the direction or authorization of Council, is liable for gross negligence in carrying out their duties under this Bylaw.
14. When, in the opinion of the person or persons declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.
15. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:
- (a) a resolution is passed under Section 14;
 - (b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;
 - (c) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
 - (d) the Minister cancels the state of local emergency.
16. When a declaration of a state of local emergency has been terminated, the person or persons who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

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17. Should any provision of this Bylaw be found to be invalid then such invalid provision shall be severed and the remaining bylaw shall be maintained.
18. Bylaw No. 920, dealing with the establishment of a Municipal Disaster Services Agency is hereby rescinded.

This Bylaw comes into force on the day it is finally passed.

READ a first time this 28th day of October A.D. 2019.

READ a second time this 12th day of November A.D. 2019.

READ a third time this 12th day of November A.D. 2019.



Janet Jabush
Mayor



Karen St. Martin
Chief Administrative Officer