

BYLAW 2122-19

WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 provides that a council of a municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the Council of the Town of Stettler is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8, to appoint an Emergency Advisory Committee and to establish and maintain an Emergency Management Agency;

AND WHEREAS the Council of the Town of Stettler wishes to establish regulations and procedures to meet the obligations of the municipality under the Emergency Management Act and the Local Authority Emergency Management Regulation, Alberta Regulation 203/2018;

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;

NOW THEREFORE under the authority of the *Municipal Government Act*, the Council of the Town of Stettler in the Province of Alberta, enacts as follows

1. Bylaw Name

- 1.1. This Bylaw may be cited as the "Municipal Emergency Management Bylaw".

2. Definitions

In this Bylaw:

- 2.1. "Act" means the *Emergency Management Act*, Revised Statutes of Alberta 2000, Chapter E-6.8, and any regulations;
- 2.2. "Alberta Emergency Management Agency" means the provincial government agency charged with the administration of the *Emergency Management Act* and the *Local Authority Emergency Management Regulation*;
- 2.3. "Chief Administrative Office" or "CAO" means the Chief Administrative Officer of the Town of Stettler or their delegate;
- 2.4. "Council" means the municipal council of the Town of Stettler;
- 2.5. "Deputy Director of Emergency Management" or "DDEM" means the person(s) appointed as the Deputy Director(s) of the Emergency Management Agency;
- 2.6. "Director" means the employee who is the head and responsible for a department of the Town;
- 2.7. "Director of Emergency Management" or "DEM" means the person appointed as the Director of the Emergency Management Agency;
- 2.8. "Disaster" means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property or the environment;
- 2.9. "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;
- 2.10. "Emergency Advisory Committee" or "Committee" means the committee established under this Bylaw;
- 2.11. "Emergency Management Agency" or "Agency" means the agency established under this Bylaw;

- 2.12. "Emergency Management Plan" means the plan approved by the Committee to coordinate a response to an Emergency or Disaster;
- 2.13. "Minister" means the Minister charged with administration of the Act; and
- 2.14. "State of Local Emergency" means a state of local emergency declared in accordance with the provisions of the Act and this Bylaw.

3. Establishment and Appointment

- 3.1. The Emergency Advisory Committee and the Emergency Management Agency are hereby established to advise and coordinate on the development of emergency plans and programs and to exercise the powers delegated to the Committee and the Agency by this bylaw.
- 3.2. The Director of Emergency Management (DEM) and a Deputy Director or Directors of Emergency Management (DDEM) for the County of Stettler No. 6 are appointed the DEM and DDEM's for the Town of Stettler.

4. Remuneration and Collaboration with the County of Stettler No. 6

- 4.1. Council shall provide for the payment of expenses of the members of the Committee, and for the payment of expenses and/or shared contracted services provided by the County of Stettler No. 6 relating to the appointment of the DEM and/or DDEM's.

5. Composition of the Emergency Advisory Committee:

- 5.1. The Committee shall consist of all 7 members of Council.
- 5.2. The Mayor shall serve as Chairperson on the Committee.
- 5.3. A quorum of the Committee shall be a majority of the members, except when the Committee is exercising its powers with respect to declaring a State of Local Emergency in which case a quorum is prescribed in section 11.1 of this bylaw.

6. Delegation

Council hereby delegates to the Committee the power to:

- 6.1. approve the Emergency Management Plan;
- 6.2. 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;
- 6.3. declare, renew or terminate a State of Local Emergency;
- 6.4. exercise any power given to the Minister under section 19(1) of the Act in relation to the part of the municipality affected by a declaration of a State of Local Emergency; and
- 6.5. authorize any persons at any time to exercise, in the operation of an emergency plan or program, any power given to the Minister under section 19(1) of the Act in relation to the part of the municipality affected by a declaration of a State of Local Emergency.

7. Responsibilities - Emergency Advisory Committee

- 7.1. The Committee shall meet to review and approve the Emergency Management Plan and related plans and programs on a regular basis, but at a minimum once per year, to ensure that the Town of Stettler is prepared to address any potential Emergency or Disaster;
- 7.2. The Committee shall provide guidance and direction to Council and the Agency, both during an Emergency or Disaster and when these events are not occurring.
- 7.3. The Committee shall authorize the DEM and DDEM's to exercise the powers outlined in section 19(1) of the Act during a State of Local Emergency.

8. Regional Collaboration

- 8.1 The Town of Stettler will be a member of the Stettler Regional Emergency Management Agency.

9. Composition of the Emergency Management Agency

- 9.1. The Agency shall be comprised of the following members:
 - 9.1.1. the DEM
 - 9.1.2. the DDEM(s);
 - 9.1.3. the CAO;
 - 9.1.4. the Town's designated Fire Chief or their delegate; and
 - 9.1.5. at least one Director appointed by the CAO.
- 9.2. The DEM may invite representatives of external organizations to work with the Agency, including representatives of:
 - 9.2.1. the Alberta Emergency Management Agency;
 - 9.2.2. the RCMP;
 - 9.2.3. utility companies;
 - 9.2.4. health agencies;
 - 9.2.5. school boards; and
 - 9.2.6. any other agency or organization that, in the opinion of the DEM, may assist in the development or implementation of the Emergency Management Plan or related plans or programs.

10. Responsibilities – Emergency Management Agency

- 10.1. The Emergency Management Agency is hereby established to act as Council's agent in exercising the powers and duties under the Act, and is responsible for the implementation and administration of the Emergency Management Plan, subject to any such powers and duties delegated under this bylaw to the Committee.
- 10.2. The Agency shall:
 - 10.2.1. utilize the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency in accordance with the Act;
 - 10.2.2. track training and exercises to support preparedness, response and recovery activities;
 - 10.2.3. support and assist the DEM in the implementation and co-ordination of the emergency response pursuant to the Emergency Management Plan;
 - 10.2.4. at least once a year, provide the Committee with an update on the activities of the Agency;
 - 10.2.5. at least once a year, review the Emergency Management Plan;
 - 10.2.6. at least once a year, provide the Committee with an update on the Agency's review of the Emergency Management Plan; and
 - 10.2.7. annually make the Emergency Management Plan available to the Alberta Emergency Management Agency for review and comment.
- 10.3. The Agency must, in accordance with the Act, engage in mandatory emergency management exercises and submit an exercise notification to Alberta Emergency Management Agency.

11. Director of Emergency Management

- 11.1. The DEM shall:
 - 11.1.1. prepare and co-ordinate emergency plans and programs for the Town in accordance with the Act;
 - 11.1.2. act as director of emergency operations on behalf of the Agency with the power to delegate authority;
 - 11.1.3. cause an emergency plan or program to be put into operation;

- 11.1.4. shall direct and control the emergency response relating to an Emergency or Disaster;
 - 11.1.5. co-ordinate all emergency services and other resources used in an Emergency or Disaster;
 - 11.1.6. review emergency response plans submitted by other municipal stakeholders;
 - 11.1.7. complete any courses prescribed by the Alberta Emergency Management Agency in accordance with the Act; and
 - 11.1.8. perform other duties as prescribed by the Town of Stettler.
- 11.2. In a State of Local Emergency the DEM shall report directly to the Committee.

12. Declaration of a State of Local Emergency

- 12.1. If the Mayor is available and not incapacitated by the Emergency or Disaster, then the Mayor acting alone constitutes a quorum of the Emergency Advisory Committee for the purpose of making a decision to declare, renew or cancel a State of Local Emergency or expand or reduce the part of the municipality to which a State of Local Emergency applies. If the Mayor is unavailable or incapacitated then the Deputy Mayor acting alone may exercise this authority and if the Deputy Mayor is unavailable or incapacitated then any member of the Committee acting alone may exercise this authority.
- 12.2. A declaration, renewal or cancellation of a State of Local Emergency shall be made in accordance with the Act, and specifically:
- 12.3. the declaration, renewal or termination must be made by a resolution at a meeting for which notice under the *Municipal Government Act* is not required;
- 12.4. all members of Council shall be notified of the declaration, renewal or termination as soon as practicable;
- 12.5. the declaration must identify the nature of the Emergency or Disaster and the area of the Town in which it exists;
- 12.6. the details of the declaration shall be published immediately by such means of communication considered most likely to make known to the majority of the population of the area affected the contents of the declaration; and
- 12.7. the Alberta Emergency Management Agency will be notified and the declaration shall be forwarded to the Minister forthwith.

13. Duration of State of Local Emergency

- 13.1. Upon the declaration of a State of Local Emergency, the Committee may do all acts and take all necessary proceedings including the following:
 - 13.1.1. cause any Emergency Management Plan to be put into operation;
 - 13.1.2. exercise any power given to the Minister under section 19(1) of the Act in relation to the part of the Town affected by the declaration; and
 - 13.1.3. authorize any persons at any time to exercise, in the operation of the Emergency Management Plan, any power given to the Minister under section 19(1) of the Act in relation to the part of the Town affected by the declaration.
- 13.2. Upon the declaration of a State of Local Emergency, the Agency is authorized to exercise any power given to the Minister under section 19(1) of the Act in relation to the part of the Town affected by the declaration.

14. Termination of State of Local Emergency

- 14.1. A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when:
 - 14.1.1. a resolution to terminate the declaration of a State of Local Emergency is passed under the provisions of this Bylaw at a meeting for which notice under the *Municipal Government Act* is not required;
 - 14.1.2. a period of seven days has lapsed since it was declared, unless it is renewed by resolution;

14.1.3. the Lieutenant Governor in Council makes an order for the declaration of a state of emergency under the Act, relating to the same area; or

14.1.4. the Minister cancels the State of Local Emergency.

14.2. When a declaration of a State of Local Emergency has been terminated, the details of the termination shall be published immediately by such means of communication considered most likely to notify the majority of the population of the area affected.

15. Councillor and Employee Training

15.1. Councillors shall complete any courses prescribed by the Alberta Emergency Management Agency in accordance with the Act.

15.2. Any employee of the Town who has been assigned responsibilities respecting the implementation of the Emergency Management Plan shall complete any courses prescribed by the Alberta Emergency Management Agency in accordance with the Act.

16. Repeal

16.1. Town of Stettler Bylaw 1988-09 and all amendments thereto are repealed.

READ a first time this 3rd day of December, A.D. 2019.

READ a second time this 3rd day of December, A.D. 2019.

READ a third time and finally passed this 3rd day of December, A.D. 2019.

MAYOR

ASSISTANT CAO