

BYLAW 17-2018
EMERGENCY MANAGEMENT BYLAW
STRATHCONA COUNTY

WHEREAS:

- A. pursuant to the *Emergency Management Act*, RSA 2000, c E-6.8, Strathcona County Council is responsible for the direction and control of Strathcona County's emergency responses, and the preparation and approval of emergency plans and programs;
- B. pursuant to section 11.1 of the *Emergency Management Act*, RSA 2000, c E-6.8, Strathcona County Council must appoint an emergency advisory committee consisting of a member or members of Strathcona County Council to advise on the development of emergency plans and programs, and provide for the payment of expenses of the members of the emergency advisory committee;
- C. pursuant to section 11.2 of the *Emergency Management Act*, RSA 2000, c E-6.8, Strathcona County Council must maintain an emergency management agency to act as its agent in exercising Strathcona County Council's powers and duties under the *Emergency Management Act*;
- D. pursuant to section 145 of the *Municipal Government Act*, RSA 2000, c M-26, Strathcona County Council may pass bylaws in relation to the establishment and functions of, and procedures to be followed by, council committees established by Strathcona County Council;
- E. pursuant to section 203 of the *Municipal Government Act*, RSA 2000, c M-26, Strathcona County Council may by bylaw delegate any of its powers, duties or functions under the *Municipal Government Act* or any other enactment or a bylaw to a council committee, the chief administrative officer or a designated officer, unless the *Municipal Government Act* or any other enactment or bylaw provides otherwise.

NOW THEREFORE, Strathcona County Council enacts as follows:

PART I
CITATION, PURPOSE, INTERPRETATION, AND DEFINITIONS

Citation 1 This bylaw may be cited as the "Emergency Management Bylaw".

- Purpose** 2 The purposes of this bylaw are:
- (1) to provide for the direction and control of the County's emergency responses, and the preparation and approval of the Municipal Emergency Plan and related plans and programs,
 - (2) to establish and appoint an emergency advisory committee and provide for the payment of expenses of the members of the emergency advisory committee, and
 - (3) to establish an emergency management agency to act as Council's agent in exercising Council's powers and duties under the *Emergency Management Act*,
- in accordance with the *Emergency Management Act*.
- Interpretation** 3 The headings in this bylaw are for reference purposes only.
- 4 References to enactments and bylaws in this bylaw include amendment and replacement enactments and bylaws, and regulations and orders made in accordance with them.
- Definitions** 5 In this bylaw:
- (1) "Assistant Chief" means the person occupying the position of Assistant Chief, Emergency Management of the County;
 - (2) "Chief Commissioner" means the chief administrative officer of the County or delegate;
 - (3) "Council" means the municipal council of the County;
 - (4) "Councillor" means the members of Council and includes the Mayor;
 - (5) "County" means the municipal corporation of Strathcona County or the geographic area municipally described as Strathcona County as the context requires;
 - (6) "Deputy Director of Emergency Management" or "DDEM" means the person appointed deputy director of the Emergency Management Agency under this bylaw;

- (7) "Director of Emergency Management" or "DEM" means the person appointed director of the Emergency Management Agency under this bylaw;
- (8) "Disaster" means an event that results in serious harm to the safety, health, or welfare of people or in widespread damage to property;
- (9) "Emergency" means an event that requires prompt coordination of action or special regulation of persons or property to protect the safety, health, or welfare of people or to limit damage to property;
- (10) "Emergency Advisory Committee" means the emergency advisory committee established under this bylaw;
- (11) "*Emergency Management Act*" means the *Emergency Management Act*, RSA 2000, c E-6.8;
- (12) "Emergency Management Agency" means the emergency management agency established under this bylaw;
- (13) "Emergency Operations Centre" or "EOC" means a site within the County from which civic officials coordinate, direct, monitor, and support the emergency responses and recovery activities during an Emergency, Disaster, or Emergent Event;
- (14) "Emergent Event" means an extraordinary event or circumstance, or a present or imminent threat of loss, that requires prompt coordination of action to protect the safety, health, or welfare of people or to limit damage to property;
- (15) "Fire Chief" means the person occupying the position of Fire Chief of the County;
- (16) "Incident Command System" or "ICS" means the standardized on site management system that is used by the County which is designed to enable effective, efficient incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure;
- (17) "Mayor" means the chief elected official of the County;

- (18) "Minister" means the minister responsible for the *Emergency Management Act*;
- (19) "Municipal Emergency Plan" or "MEP" means the County's emergency plan for coordinating the response to an Emergency or Disaster; and
- (20) "Unified Command" means an authority structure:
 - (a) in which the role of incident commander is shared by two or more individuals, each already having authority in a different responding agency; and
 - (b) that allows agencies with different legal , geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.

PART II
EMERGENCY ADVISORY COMMITTEE

Establishment	6	The Emergency Advisory Committee is hereby established.
Membership	7	All Councillors are members of the Emergency Advisory Committee.
Member Expenses	8	All members of the Emergency Advisory Committee will be entitled to the payment of reasonable expenses in accordance with Council policy.
Functions and Duties	9	The Emergency Advisory Committee will: <ul style="list-style-type: none">(1) review the MEP and related plans and programs on an annual basis;(2) advise Council on the development and status of the MEP and related plans and programs on an annual basis; and(3) perform any other functions and duties as required by this bylaw.
Chair and Chair Duties	10	The Mayor is the chair of Emergency Advisory Committee, and will preside at all meetings of the Emergency Advisory Committee.

11 If the Mayor is unable to perform the chair's duties, the Councillor holding the position of deputy mayor at the time of the meeting will act as the chair.

12 If the Councillor holding the position of deputy mayor at the time of the meeting is unable to perform the chair's duties, the Councillor holding the position of acting mayor at the time of the meeting will act as the chair.

Meetings

13 The Emergency Advisory Committee will meet at least annually, at the call of the chair of the Emergency Advisory Committee or the Chief Commissioner.

14 Except where inconsistent with anything in this bylaw, the Emergency Advisory Committee will follow the procedures governing council committees prescribed by County Bylaw 20-2015, the Meeting Procedures Bylaw, as amended or replaced from time to time. This section 14 does not apply to a special meeting of the Emergency Advisory Committee.

Special Meetings

15 The chair of the Emergency Advisory Committee or Chief Commissioner may call a special meeting of the Emergency Advisory Committee where a Councillor or the Chief Commissioner considers that an Emergency exists, or may exist, within the County.

16 The chair of the Emergency Advisory Committee or the Chief Commissioner must give at least 1-hour notice of the special meeting to as many members of the Emergency Advisory Committee, and the public, as possible in the circumstances stating the date, time, and place at which the special meeting is to be held.

17 The method of giving the notice required by section 16 will be by such means of communication considered by the chair of the Emergency Advisory Committee or Chief Commissioner to be most likely to notify the members of the Emergency Advisory Committee and the public.

18 Those members of the Emergency Advisory Committee in attendance at a special meeting of the Emergency Advisory Committee constitute a quorum.

**PART III
EMERGENCY MANAGEMENT AGENCY**

- Establishment** 19 The Emergency Management Agency is hereby established.
- Membership and Participation** 20 The members of the Emergency Management Agency are:
- (1) the DEM; and
 - (2) the DDEM.
- 21 Other organizations may be invited by the DEM to nominate representatives to participate in the emergency responses and recovery activities for an Emergency, Disaster, or Emergent Event, including participating from the EOC, either as an assisting or supporting agency or as part of a Unified Command structure under ICS, including:
- (1) health agencies;
 - (2) utility companies;
 - (3) the board of trustees of a school district, school division, or regional division, that operate within the County;
 - (4) Government of Alberta and Government of Canada departments, boards, committees, or agencies;
 - (5) municipalities adjacent to the County that have entered into mutual aid agreements with the County;
 - (6) business or industry, or business or industry associations, local to the County;
 - (7) any other organization that, in the opinion of the DEM, may assist in the preparation or implementation of the MEP.
- 22 County personnel may be invited by the DEM to participate in the emergency responses and recovery activities for an Emergency, Disaster, or Emergent Event, including participating from the EOC, provided such County personnel are qualified to so participate in accordance with County policy.

**Functions and
Duties**

- 23 The Emergency Management Agency will:
- (1) act as the agent of Council to carry out all of the powers and duties of Council under the *Emergency Management Act*, except for the powers and duties delegated by this bylaw to the Emergency Advisory Committee and set out in sections 29 through 32 of this bylaw;
 - (2) provide advice to the Emergency Advisory Committee as required;
 - (3) advise the Emergency Advisory Committee on the work of the Emergency Management Agency on at least an annual basis;
 - (4) ensure that all aspects of County emergency management planning, preparedness, responses, and recovery activities, are in conformance with ICS;
 - (5) review the MEP and related plans and programs for the County on at least an annual basis;
 - (6) cause the MEP and related plans and programs to be put into operation in an Emergency, Disaster, or Emergent Event;
 - (7) establish and maintain the EOC so that it is ready to be activated in the event of an Emergency, Disaster, or Emergent Event;
 - (8) provide training for County personnel that may be invited by the DEM in accordance with this bylaw to participate in the emergency responses and recovery activities for an Emergency, Disaster, or Emergent Event, including participating from the EOC;
 - (9) assist the DEM with the performance of duties and powers of the DEM under this bylaw; and
 - (10) perform any other functions and duties as required by this bylaw or by Council.

**DEM and DEM
Duties**

- 24 The Fire Chief is hereby appointed DEM.
- 25 The Assistant Chief is hereby appointed DDEM.

- 26 In the absence of the DEM, the DDEM will act as DEM.
- 27 The DEM is authorized to delegate and authorize further delegations of any powers, duties, and functions delegated to the DEM under this bylaw.
- 28 The DEM will:
 - (1) prepare and coordinate the MEP and related plans and programs for the County;
 - (2) act as director of the EOC, or ensure that someone is designated under the MEP to so act, on behalf of the Emergency Management Agency;
 - (3) coordinate all emergency services and other resources, including the activation of the EOC, used in:
 - (a) an Emergency, Disaster, or Emergent Event;
 - (b) a recovery from an Emergency, Disaster, or Emergent Event; and
 - (c) the response to a request for assistance from another municipality, the Government of Alberta, or the Government of Canada, related to an Emergency, Disaster, or Emergent Event;
 - (4) act as the liaison on behalf of the Emergency Management Agency between the Emergency Management Agency and other organizations, including the Alberta Emergency Management Agency;
 - (5) perform any other functions and duties as required by this bylaw or by Council.

PART IV FINANCIAL

Financial

- 29 Council may 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 the MEP and related plans and programs.
- 30 Subject to section 29, Council may by bylaw that is not advertised borrow, levy, appropriate, and expend, without

the consent of the electors, all sums required for the operation of the Emergency Management Agency.

- 31 Council may, during or within 60 days after the state of local emergency, by bylaw that is not advertised but is approved by the Minister, borrow any money necessary to pay expenses caused by the Emergency including payment for services provided by the Government of Alberta or by the Government of Canada when the services were provided at the request of Council.
- 32 Council may expend all money borrowed in accordance with section 29 to pay expenses caused by the Emergency.

PART V STATE OF LOCAL EMERGENCY

Declaration of State of Local Emergency

- 33 The powers of Council to declare or renew a state of local emergency under the *Emergency Management Act* are hereby delegated to the Emergency Advisory Committee.
- 34 The Emergency Advisory Committee may, at any time when it is satisfied that an Emergency exists or may exist within the County, by resolution make a declaration of a state of local emergency relating to all or any part of the County.
- 35 The Emergency Advisory Committee must ensure that the declaration identifies the nature of the Emergency and the area of the County in which it exists.
- 36 Immediately after the making of a resolution for a declaration of a state of local emergency, the Emergency Management Agency will:
 - (1) cause the details of the declaration to be published by any means of communication that it considers most likely to make known to the population of the area of the County affected by the contents of the declaration; and
 - (2) forward a copy of the declaration to the Minister.

During State of Local Emergency

- 37 On the making of a declaration of a state of local emergency and for the duration of the state of local emergency, the Emergency Management Agency may do all acts and take all necessary proceedings including the following:

- (1) cause the MEP and related plans and programs to be put into operation;
- (2) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an Emergency or Disaster;
- (3) authorize or require any qualified person to render aid of a type the person is qualified to provide;
- (4) control or prohibit travel to or from any area of the County;
- (5) 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 County;
- (6) cause the evacuation of persons and the removal of livestock and personal property from any area of the County that is or may be affected by a Disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
- (7) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing the MEP and related plans and programs;
- (8) 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;
- (9) 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 any part of the County for the duration of the state of local emergency;
- (10) authorize the conscription of persons needed to meet an Emergency.

**Termination of
State of Local**

38 A declaration of a state of local emergency ceases to be of any force or effect on the making of an order for a state of

Emergency

emergency by the Lieutenant Governor in Council relating to the same area of the County.

- 39 A declaration of a state of local emergency lapses 7 days after its making by the Emergency Advisory Committee unless it is earlier cancelled by the Minister or terminated by the Emergency Advisory Committee or unless it is renewed by the Emergency Advisory Committee.
- 40 The power of Council to terminate a state of local emergency under the *Emergency Management Act* is hereby delegated to the Emergency Advisory Committee.
- 41 When the Emergency Advisory Committee is of the opinion that an Emergency no longer exists in the area of the County in relation to which a declaration of a state of local emergency was made, it will by resolution terminate the declaration of a state of local emergency in respect of that area.
- 42 Immediately after:
 - (1) the passage of a resolution terminating a declaration of a state of local emergency,
 - (2) the cancellation by the Minister of a declaration of a state of local emergency, or
 - (3) the termination by lapse of time of a declaration of a state of local emergency,

the Emergency Management Agency will cause the details of the declaration or cancellation or the fact of termination by lapse of time to be published by any means of communication that it considers is most likely to make known to the majority of the population of the area affected by the contents of the declaration or cancellation or the fact of the termination.

Protection from Liability

- 43 No action lies against Council, the Emergency Advisory Committee, the Emergency Management Agency, and any member of Council, the Emergency Advisory Committee or the Emergency Management Agency, or any person acting under Council's, the Emergency Advisory Committee's or the Emergency Management Agency's direction or authorization, for anything done or omitted to be done in good faith while carrying out a power or duty under this bylaw during a state of local emergency.

**PART VI
REPEAL**

Repeal 44 Bylaw 42-2013 is repealed.

READ A FIRST TIME THIS ____ day of _____, 2018.

READ A SECOND TIME THIS ____ day of _____, 2018.

READ A THIRD TIME THIS ____ day of _____, 2018.

SIGNED THIS ____ day of _____, 2018.

MAYOR

DIRECTOR, LEGISLATIVE AND LEGAL
SERVICES