

BYLAW 42 – 2013

A BYLAW OF STRATHCONA COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING OF AN EMERGENCY MANAGEMENT PROGRAM IN STRATHCONA COUNTY.

Whereas, pursuant to the *Emergency Management Act*, R.S.A 2000 c.E-6.8 (Act) Strathcona County Council is responsible for the direction and control of all Strathcona County's emergency responses;

And whereas, the Act requires Council to appoint an Emergency Advisory Committee to advise on the development of emergency plans and programs;

And whereas, the Act requires Council to maintain an Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act;

And whereas, the Act requires Council to appoint a Director of the Emergency Management Agency;

NOW THEREFORE, Council hereby enacts as follows:

SECTION 1 – Short Title

1.1 This Bylaw shall be known as the “Emergency Management Bylaw”.

SECTION 2 – Definitions

2.1 In this Bylaw the following terms have meanings as shown:

- a. “Act” means the *Emergency Management Act*, R.S.A. 2000, e-E-6.8.
- b. “Agency” means the Emergency Management Agency (EMA) established under this bylaw.
- c. “Chief Commissioner” means the Chief Administrative Officer of the County as appointed by Council and whatever subsequent title may be conferred on that officer by County or by Statute and includes his designate.
- d. “Committee” means the Emergency Management Committee established under this bylaw.
- e. “Council” means the Council of Strathcona County.
- f. “County” means Strathcona County.

- g. “Deputy Director of Emergency Management (Deputy Director)” means the Assistant Chief, Emergency Management.
- h. “Director of Emergency Management (DEM)” means the Fire Chief or designate.
- i. “Emergency” means a present or imminent threat that requires prompt co-ordination of action, or special regulation of persons or property to protect the health, safety and welfare of people, or to limit damage to property or the environment.
- j. “Emergency Advisory Committee (Committee)” means the committee established under this bylaw.
- k. “Emergency Management” means the development, coordination and execution of plans, measures and programs pertaining to mitigation, preparedness, response and recovery before, during and after an emergency event.
- l. “Emergency Operations Centre (EOC)” means a site from where County officials can coordinate, monitor and direct emergency response and recovery activities during an emergency.
- m. “Fire Chief” means the person appointed as head of Strathcona County’s Emergency Services Department.
- n. “Hazard” means a potentially damaging physical event, phenomenon or human activity that may cause the loss of life or injury, property damage, social or economic disruption or environmental degradation.
- o. “Minister” means the Minister responsible for the Act.
- p. “Municipal Emergency Management Agency” means the agency established under this Bylaw.
- q. “Municipal Emergency Plan (MEP)” means the emergency plan prepared and maintained by the EMA to coordinate the response to an emergency event.
- r. “Person” means an individual and includes a firm, partnership, joint venture, proprietorship, corporation, department, board, agency, association, society or any other legal entity.
- s. “Risk” means a probability or threat of damage, injury, liability, loss, or other negative occurrence that is caused by external or internal

vulnerabilities, and that may be neutralized through preemptive action.

- t. "Threat" means a negative event that can cause a risk to become a loss, expressed as an aggregate of risk, consequences of risk and the likelihood of the occurrence of the event. A threat may be a natural phenomenon such as an earthquake, flood, storm or a man made incident such as fire, power failure, sabotage, etc.

SECTION 3 – Emergency Advisory Committee

- 3.1 The Emergency Advisory Committee is hereby established.
- 3.2 All Councillors are members of the Committee.
- 3.3 Council delegates the power to declare, renew or terminate a State of Local Emergency to the Emergency Advisory Committee.
- 3.4 The Mayor is the Chair of the Committee. If the Mayor is absent, the Deputy Mayor will chair the Committee and in the absence of the Deputy Mayor, the Acting Mayor will act as the Chair.
- 3.5 The Committee will review the Municipal Emergency Plan and related plans and programs on a regular basis and shall be responsible to advise the County on the development of those emergency management plans and programs.
- 3.6 The Committee shall meet annually, or more frequently as required, and may meet on less than twenty-four (24) hours' notice. Where meetings in person are not feasible, the Committee may convene by electronic means of communication.
- 3.7 Where the Committee is not able to meet in a timely manner, the powers of the Committee may be exercised by the Mayor acting alone or, in the absence of the Mayor, by the Deputy Mayor or Alternate Deputy Mayor.
- 3.8 The members of the Committee, including the Chair, will be entitled to expenses in accordance with Council policy.
- 3.9 The Chief Commissioner may call an emergency meeting of the Committee where a Councillor or the Chief Commissioner considers that an emergency exists or may exist in the County.
- 3.10 The Chief Commissioner must give a minimum of one (1) hour notice of the time and place of an emergency meeting to as many Councillors as possible in the circumstances.

- 3.11 The notice required in 3.10 will be by such means of communications considered by the Chief Commissioner to be most likely to notify the Councillors and the public.
- 3.12 Those Councillors attending an emergency meeting of the Committee constitute a quorum.

SECTION 4 – Financial

- 4.1 Subject to 4.2, Council may by bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Agency.
- 4.2 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 the Government of Canada, when the services were provided at the request of the County.
- 4.3 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 emergency management plans and programs.
- 4.4 Council may, in accordance with 4.2, expend all sums required for the response to and recovery from an emergency event.

SECTION 5 – Emergency Management Agency

- 5.1 The Emergency Management Agency (Agency) is hereby established.
- 5.2 The Agency is responsible for:
 - a. The development, maintenance and implementation of the MEP;
 - b. The maintenance, establishment and operation of the Emergency Operation Centre;
 - c. The provision of emergency management advice to the DEM and the Committee as required;
 - d. Conduct of all coordination and liaison with the Alberta Emergency Management Agency;

- e. Conduct appropriate training to ensure effective operation of the EOC.
- 5.3 The Fire Chief is hereby appointed as the Director of Emergency Management (DEM).
- 5.4 In the absence of the Fire Chief, the Assistant Chief, Emergency Management may be appointed as the DEM.
- 5.5 The Director of Emergency Management shall:
- a. Ensure that all emergency plans are prepared and coordinated as required by the Act.
 - b. Act as Director of EOC.
 - c. Co-ordinate all emergency operations within the County.
 - d. Perform other duties as required by the County during an emergency.
 - e. Appoint a Deputy Director or Director(s) as required.
- 5.6 The DEM is authorized to delegate and authorize further delegations of any powers, duties, and functions delegated to the DEM under this Bylaw.
- 5.7 In the event of an activation of the EOC, the Agency may include any of the following as partners in its activation:
- a. Executive Team (ET).
 - b. Transportation and Agriculture Services (TAS).
 - c. Fleet Services.
 - d. Facility Services.
 - e. Legislative & Legal Services (LLS).
 - f. Economic Development & Tourism (EDT).
 - g. Information Technology Services (ITS).
 - h. Recreation Parks & Culture (RPC).
 - i. Planning and Development Services (PDS).
 - j. Financial Services.

- k. Corporate Planning and Intergovernmental Affairs (CPIA).
 - l. Human Resources (HR).
 - m. Communications.
- 5.8 The following organizations may be invited by the DEM to participate as members in the EOC:
- a. Alberta Health Services (AHS).
 - b. Public and Separate School Divisions.
 - c. Adjacent municipalities which have entered into mutual aid agreements with the County.
 - d. Local business or industry, or business or industry associations.
 - e. Local utility companies.
 - f. Government of Alberta or Government of Canada departments, boards or agencies.
 - g. Any other person or non-governmental organization (NGO) who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan.

SECTION 6 – Duties of the Assistant Chief, of Emergency Management

- 6.1 The Assistant Chief, Emergency Management will:
- a. Manage the day to day aspects of emergency management planning and preparedness and assist the DEM with all aspects of emergency management.
 - b. Ensure that the MEP and all other plans and programs are prepared, coordinated, maintained and submitted to the proper authorities as directed by the DEM.
 - c. Act as the Director of the EOC as required, or ensure that someone is designated under the MEP to act on behalf of the agency.
 - d. Coordinate the overall response of personnel and resources when the EOC is activated in response to an emergency situation.

SECTION 7 – State of Local Emergency

- 7.1 The Committee may, at any time when it is satisfied that an emergency exists or may exist, make a declaration of a State of Local Emergency relating to all or any part of the County.
- 7.2 The Committee shall ensure that the declaration identifies the nature of the emergency and the area of the County in which it exists.
- 7.3 When a State of Local Emergency is declared, the Committee shall:
 - a. Cause the details of the declaration to 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.
 - b. Forward a copy of the declaration to the Minister.
- 7.4 When a State of Local Emergency is declared, the Agency may at any time, in accordance with the MEP and related plans or programs:
 - a. Cause the MEP or any related plans or programs to be put into operation, if not already in 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 and from any area of the County.
 - e. Provide for the restoration of essential services 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.
 - f. 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 their 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, 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 County for the duration of the State of Local Emergency.
 - j. Authorize the conscription of persons needed to meet an emergency.
- 7.5 No action lies against Council or a person acting under the direction or authorization of Council for anything done or omitted to be done in good faith while carrying out a power or duty under the Act or this bylaw.

SECTION 8 – Termination of State of Local Emergency

- 8.1 When, in the opinion of the Committee, the major emergency no longer exists in relation to which the declaration was made, the Committee shall, by resolution, terminate the declaration of a State of Local Emergency.
- 8.2 A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when:
- a. A period of seven (7) days has lapsed since a State of Local Emergency was declared, unless it is renewed by resolution.
 - b. The Lieutenant Governor in Council makes an order for a State of Local Emergency under this Act, relating to the same area; or
 - c. The Minister cancels the State of Local Emergency.

When a declaration of a State of Local Emergency has been terminated, the DEM 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.

SECTION 9 – Severability Provision

- 9.1 Should any provision of this bylaw be invalid, then such provision shall be severed and the remaining bylaw shall be maintained.

SECTION 10 – OFFENCE

10.1 Any person that violates any provision of this Bylaw or interferes with or obstructs any Person in the exercise of any power or the performance of any duty conferred or imposed by this Bylaw is guilty of an offence and is liable upon conviction to a maximum fine of \$10,000 or in default of payment of the fine to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts.

SECTION 11 – Repeal

11.1 The Emergency Management Bylaw 1-2012 is hereby repealed.

SECTION 12 – Effective Date

12.1 This Bylaw takes effect after third reading and upon being signed.

Read a first time this 27 day of August AD, 2013

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Mayor

Director, Legislative & Legal Services

Date Signed: August 30, 2013