

Town of Mundare

Bylaw 898/19

A BYLAW OF TOWN OF MUNDARE IN THE PROVINCE OF ALBERTA TO ESTABLISH THE FOLLOWING: THE LAMONT REGION EMERGENCY MANAGEMENT PARTNERSHIP A REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE AND A REGIONAL EMERGENCY MANAGEMENT AGENCY

**WHEREAS** the council of the Town of Mundare 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*, (herein referred to as the “Act”) to appoint a Municipal Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency;

**WHEREAS** it is recognized that an emergency or disaster of a jurisdictional or multi-jurisdictional nature could affect any or all of the municipalities within the geographical boundaries of the Town of Mundare and Lamont County to such a degree that local resources would be inadequate to cope with the situation independently;

**WHEREAS** a local authority may delegate some or all of the local authority’s powers or duties under the Emergency Management Act of Alberta;

**WHEREAS** Council wishes to enter into a regional emergency management partnership with other municipalities within the geographical boundaries of Lamont County, the Town of Lamont, the Villages of Andrew and Chipman, and Lamont County for the purpose of integrated regional emergency management planning and operations. This partnership to be recognized as the Lamont Regional Emergency Management Partnership;

**AND WHEREAS** Council elects to delegate certain responsibilities to the Regional Emergency Advisory Committee and the Regional Emergency Management Agency.

NOW THEREFORE, the Council of the Town of Mundare in the Province of Alberta duly assembled enacts as follows:

**SECTION 1 - NAME OF BYLAW**

1.0 This Bylaw may be cited as the “Municipal Emergency Management Bylaw”.

**2.0 SECTION – DEFINITIONS**

In this Bylaw:

2.1 “*Act*” means the Emergency Management Act of Alberta, Chapter e\_6.8, Revised Statutes of Alberta 2000, c. E-6-8;

- 2.2 **“CAO”** means the Chief Administrative Officer of Mundare, Alberta or their designate to implement the Bylaw;
- 2.3 **“Council”** means the duly elected municipal council of the Town of Mundare in the Province of Alberta;
- 2.4 **“County”** means Lamont County.
- 2.5 **“Disaster”** means an event or occurrence that results in serious harm to the safety, health or welfare of people, the environment or in widespread damage to property;
- 2.6 **“Emergency” or “Emergency Incident”** means an event that requires prompt coordination of actions or special regulation of person or property to protect the safety, health or welfare of people or to limit damage to property and the environment;
- 2.7 **“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.
- 2.8 **“Incident Command System”** means a system of standardized command, control and coordination providing a commonality for inter-agency response to emergency incidents.
- 2.9 **“Local Authority”** means, where a municipality has a council within the meaning of the Municipal Government Act, RSA 2000 c.M-26;
- 2.10 **“Lamont Region”** means the geographical area within the boundaries of Lamont County including the Municipalities of Andrew, Chipman, Lamont, Mundare and Lamont County;
- 2.11 **“Lamont Regional Emergency Management Partnership”** is a partnership comprising the Municipalities of Andrew, Chipman, Lamont, Mundare and Lamont County who have entered into a joint agreement for the purpose of organizing integrated regional emergency planning, training, assistance and emergency operations programs.
- 2.12 **“Minister”** means the Minister charged with administration of the Act;
- 2.13 **“Parties”** means the Municipalities of Andrew, Chipman, Lamont, Mundare and Lamont County;

- 2.14 ***“Regional Director of Emergency Management (DEM)”*** means an individual appointed Regional Director of Emergency Management under this bylaw;
- 2.15 ***“Regional Deputy Director of Emergency Management (RDDEM)”*** means an individual appointed Regional Deputy Director of Emergency Management under this bylaw;
- 2.16 ***“Regional Emergency Advisory Committee”*** means a regional committee comprised of one (1) elected official, or alternate, from each of the partnering municipalities of the Lamont Regional Emergency Management Partnership as established by agreement between and the bylaws of the partners;
- 2.17 ***“Regional Emergency Management Agency”*** means a regional emergency management agency established by the partnering municipalities of the Lamont Regional Emergency Management Partnership as established by agreement between and the bylaws of the respective municipal councils of the Parties hereto;
- 2.18 ***“Regional Emergency Management Plan”*** means the Regional Emergency Management Plan prepared by the Lamont Regional Emergency Management Agency to coordinate the response to an emergency or disaster; the training program to ensure stakeholders are equipped to manage an incident/event of scale and the governance/administrative functions that empower stakeholders to take whatever measures necessary to protect lives, property and environment;
- 2.19 ***“Regional Emergency Coordination Centre”*** (RECC) means the location that functions as a point of coordination, addressing the needs of the municipality and/or the Lamont Region as a whole, exercising the authority of local officials, as well as anticipating and supporting the needs of one or more incident sites;

3.0 **SECTION 3 - REGIONAL EMERGENCY ADVISORY COMMITTEE**

3.1 Councils of the Lamont County Region agree through the Lamont Regional Emergency Management Partnership, to establish a Regional Emergency Advisory Committee to advise all Councils on the development of Regional emergency plans and programs.

3.1.1. A minimum of four (4) voting members shall constitute quorum;

3.1.2 The members will elect from the membership a Chairperson and Vice-Chairperson.

- 3.2 The Regional Emergency Advisory Committee shall:
  - 3.2.1 Consist of a municipal Councillor appointed by each of the “Parties”, with each municipality appointing one primary member, each of whom shall have one vote regarding any matter coming before the committee;
  - 3.2.2 Each municipality shall also appoint an alternate member to the committee who shall be permitted to vote in the absence or in place of the primary member;
- 3.3 The committee will meet a minimum once annually, or as any emergent or immediate need arises, and;
  - 3.3.1 The Regional Emergency Advisory Committee is delegated the authority to develop policies concerning to emergency preparedness, mitigation, response, recovery and the operation and administration of the Regional Emergency Partnership and the Regional Emergency Management Agency.
  - 3.3.2 Review of the Regional Emergency Management Plan and related plans and programs on a regular basis;
  - 3.3.3 Advise all Councils, duly assembled, on the status of the Regional Emergency Plan and related plans and programs at least once annually.
  - 3.3.4 The Regional Emergency Advisory Committee Chairman may call a special meeting of the Emergency Advisory Committee where information is presented that an emergency situation exists which can or may affect one or more Lamont Regional Emergency Management partners.
  - 3.3.5 The Chairman or Vice Chairman of the Regional Emergency Advisory Committee must give at least one (1) hour notice of a special meeting to all members of the Regional Emergency Advisory Committee by phone, cellular phone, email, text message or in person. Notification must include the reason for the special meeting, date, time and location. Notification of the special meeting must also be provided to the public in the most expedient manner.
  - 3.3.6 The Chairman or Vice Chairman of the Regional Emergency Advisory Committee may convene a Regional Emergency Advisory Committee special or emergency meeting by electronic means where other meeting forums are not feasible.

- 3.3.7 Those members of the Regional Emergency Advisory in attendance at a special meeting of the Regional Emergency Advisory Committee will constitute quorum.

#### **4.0 SECTION 4 – REGIONAL EMERGENCY MANAGEMENT AGENCY**

- 4.1 Councils agree through the Lamont Regional Emergency Management Partnership, to establish a Regional Emergency Management Agency to act as the agent of the Council's of the partners to carry out its statutory powers and obligations under the Act. This includes the power to declare, renew or terminate a State of Local Emergency as specified in Section 7 of this bylaw. The Agency will be responsible to guide the creation, implementation and evaluation of emergency plans and programs and to set direction for emergency preparedness and response for the Lamont Region.
- 4.2 The Regional Emergency Management Agency is hereby established.
- 4.3 Councils agree through the Lamont Regional Emergency Management Partnership, to administer and deliver programs in accordance with an approved budget.
- 4.4 The Regional Emergency Management Agency membership shall consist of one (1) permanent member from each Partnering Municipality, who shall be either the:
- 4.4.1 Emergency Management Representative or designate;
- 4.4.2 Chief Administrative Officer or designate;
- 4.5 The Regional Emergency Management Agency may have representation from the following entities as deemed necessary by the Director of Emergency Management:
- a. Public Works designate(s) from any of the "Parties";
  - b. Family and Community Support Services Manager or designate;
  - c. Manager of Agricultural Services or designate;
  - d. Fort Saskatchewan, Two Hills and/or Vegreville RCMP NCO's in charge or designate;
  - e. Assessment Services or designate;
  - f. Lamont County Peace Officer or designate;
  - g. District Fire Chief or designate from any the five (5) fire districts in the Lamont Region;
  - h. Alberta Health Services representative or designate;
  - i. Lamont Health Care Center representative or designate;
  - j. Manager of Medavie and /or Prairie EMS or designate;
  - k. Chairman of Elk Island School Division #31 or designate;

- l. Representative from local business associations;
- m. Representatives from local industry or industrial associations;
- n. Representatives from natural gas suppliers and distribution corporations, associations or cooperatives;
- o. Representatives from Alberta Transportation;
- p. Representation from the Alberta Emergency Management Agency or designate;
- q. Representation from the Office of the Fire Commissioner or designate;
- r. Local individuals, companies, associations, organizations or other entities with specialties that will benefit the Agency during an emergency and in preparation of the Municipal Emergency Plan.

4.6 The Regional Emergency Management Agency shall:

- 4.6.1 Guide the creation, implementation and evaluation of Regional emergency plans and programs for the Lamont Regional Partnership with the assistance from any person or agency who/which might serve a useful purpose in the preparation or implementation of the Regional Emergency Management Plan;
- 4.6.2 Determine the direction of the Regional Emergency Management Agency and any of its subgroups;
- 4.6.3 Coordinate all emergency services and other resources used in an emergency;
- 4.6.4 Ensure that in the event of an emergency, an individual or group of individuals is designated under the Regional Emergency Management Plan to act, on behalf of the Regional Emergency Management Agency. The designation of an individual or group of individuals to act on behalf of the agency shall be guided by the following:
  - 4.6.4.1 Once an RECC has been activated, the Regional Director of Emergency Management (RDEM) or Regional Deputy Director of Emergency Management (RDDEM), or any other designated individual may serve as RDEM for the incident. Whenever possible, the RDEM or Deputy RDEM will fill the RDEM role. To ensure that there is leadership in the RECC while the RDEM may be on route to the RECC, or the RDEM is away or not available, the RDDEM or any other designated individual will function as the RDEM.
- 4.6.5 Ensure someone is designated to discharge the responsibilities specified in sections 4.4.1 – 4.4.4.2.

4.6.6 The Regional Emergency Management Agency shall utilize the Incident Command System (ICS) for command, control and coordination for all operational situations effecting the jurisdictions of the Parties.

4.6.7 The Regional Emergency Management Agency shall report to the Regional Emergency Advisory Committee at least once annually and more often as deemed necessary by the Committee to provide an update on agency activities and a review of the regional emergency management plan.

## **5.0 SECTION 5 - REGIONAL DIRECTOR OF EMERGENCY MANAGEMENT**

5.1 The RDEM shall:

5.2 Be appointed by Regional Emergency Advisory Committee, ratified by resolution by partner councils;

5.2 Act as Chair of the Municipal Emergency Management Agency, (Agency);

5.3 Act as the Director of the Regional Municipal Emergency Coordination Centre;

5.4 If the Regional Emergency Coordination Centre has been activated, the RDEM may act as the Director, or ensure that someone is designated under the Lamont Regional Emergency Management Plan to so act, on behalf of the Lamont Regional Emergency Management Agency;

5.5 Assist in the preparation and coordination of the Lamont Regional Emergency Management Plan and prepare and coordinated related plans and programs for Lamont County as required by the Act;

5.6 Coordinate all emergency services and other resources used in an emergency;

5.7 Ensure that the Lamont Regional Emergency Management Plan is reviewed at least once per year by the Regional Municipal Emergency Advisory Committee;

5.8 Ensure staff of the organization and members of the Regional Municipal Advisory Committee and the Regional Emergency Management Agency are made aware of the Lamont Regional Emergency Management Plan and as required ensure training is done to maintain effectiveness in the event of an emergency;

- 5.9 Ensure the Regional Deputy Director of Emergency Management is designated in his or her absence; and
- 5.10 Perform other duties and prescribed by local authorities;
- 5.11 The RDEM is authorized to delegate and authorize further delegations of any powers, duties and functions delegated to the Regional Director of Emergency Management (RDEM) under this bylaw.

## **6.0 SECTION 6 - COUNCIL**

- 6.1 Council shall:
  - 6.1.1 by resolution, appoint its members to serve on the Regional Municipal Emergency Advisory Committee;
  - 6.1.2 by resolution, appoint one (1) of its members to the Regional Emergency Advisory Committee;
  - 6.1.3 appoint one (1) alternate member to the Regional Emergency Advisory Committee;
  - 6.1.4 provide for payment of expenses of the members of the Regional Municipal Emergency Advisory Committee in accordance with remuneration policy or bylaw;
  - 6.1.5 provide for the payment of expenses of its member(s) of the Regional Emergency Advisory Committee in accordance with remuneration bylaw or policy;
  - 6.1.6 by resolution, on the recommendations of the Regional Municipal Emergency Advisory Committee, ratify the recommended appointment of the Regional Director of Emergency Management;
  - 6.1.7 by resolution, on the recommendations of the Regional Municipal Emergency Advisory Committee, ratify the recommended appointment of the Regional Deputy Director of Emergency Management;
  - 6.1.8 ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Lamont Region;

6.1.9 approve the Regional Emergency Management Plan and Programs as they relate to the Lamont Region; and

6.1.10 review the status of the Regional Emergency Management Plan and related plans and programs at least once a year.

6.2 Council may:

6.2.1 by bylaw borrow, levy, appropriate and expend, without consent of the electors, all sums required for the operation of the Regional Municipal Emergency Management Agency;

6.2.2 by bylaw, borrow, levy, appropriate and expend, without consent of the electors, all sums required for its share of the operations of the Regional Emergency Management Agency; and

6.2.3 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.

## **7.0 SECTION 7 – DECLARATION OF A STATE OF LOCAL EMERGENCY**

7.1 The power to declare, terminate or renew a State of Local Emergency under the Act, the powers specified in Section 7.4 of this bylaw, and the requirements specified in Section 7.3 of this bylaw, are hereby delegated to the Regional Emergency Advisory Committee. This committee may, at any times when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of the State of Local Emergency.

7.2 In the event of an emergency entirely within the boundaries of and affecting the Lamont Region and the Regional Emergency Advisory Committee cannot be reached or in the event of an emergency impacting more than one municipality within the Lamont Region, the authority and power to declare or renew a State of Local Emergency under the Act; the authority and powers specified in Section 7.4 of this Bylaw; and the requirements specified in Section 7.3 of this Bylaw are hereby delegated to any two (2) or more members of the Regional Emergency Advisory Committee. The 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 for the entire area affected. Whenever possible this resolution should be made by at least one member or alternate from each municipality affected. If “resolution” is not possible the two members can provide signed agreement via Fax or scanned email.

- 7.3 When a State of Local Emergency is declared the Regional Emergency Advisory Committee shall:
- 7.3.1 ensure that the declaration identifies the nature of the emergency and the area of the Region in which it exists;
  - 7.3.2 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; and
  - 7.3.3 forward a copy of the declaration to the Minister forthwith.
- 7.4 Subject to Section 7.8, when the Regional Municipal Emergency Advisory Committee has declared a State of Local Emergency, that Committee may, for the duration of that State of Local Emergency, do all acts and take all necessary proceedings including the following:
- 7.4.1 cause the Lamont Regional Emergency Management Plan or any related plans or programs to be put into operation;
  - 7.4.2 acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
  - 7.4.3 authorize or require any qualified person to render aid of a type the person is qualified to provide;
  - 7.4.4 control or prohibit travel to or from any area of the Lamont Region;
  - 7.4.5 provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the Lamont Region;
  - 7.4.6 cause the evacuation of persons and the removal of livestock and personal property from any area of the Lamont Region 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;
  - 7.4.7 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;
  - 7.4.8 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;

- 7.4.9 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 Lamont County for the duration of the State of Local Emergency;
  - 7.4.10 authorize the conscription of persons needed to meet an emergency; and
  - 7.4.11 authorize any persons at any time to exercise, in the operation of the Lamont Regional Emergency Management Plan and related plans or programs, any power specified in Paragraphs 9.4.2 through 9.4.10 in relation to any part of the municipality affected by a declaration of a State of Local Emergency.
- 7.5 No action lies against the Parties or a person acting under the Lamont Region's direction or authorization for anything done or omitted to be done in good faith while carrying out a power under the Emergency Management Act or the regulations during a State of Local Emergency.
- 7.6 In accordance with Section 535(2) of the *Municipal Government Act*, RSA 2000, c.M-26, Councillors, council committee members, municipal officers and volunteer workers are not liable for loss or damage caused by anything said or done or omitted to be done in good faith in the performance or intended performance of their functions, duties, or powers under the *Municipal Government Act* or any other enactment
- 7.7 When, in the opinion of the Regional Municipal Emergency Advisory Committee in which the State of Local Emergency was declared, or the Regional Emergency Advisory Committee, as the case may be, an emergency no longer exists in relation to which the declaration was made, that Committee shall, by resolution, terminate the declaration.
- 7.8 A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when:
- 7.8.1 a resolution is passed under Section 9.7 (Section 23 of the *Emergency Management Act*);
  - 7.8.2 a period of seven (7) days has lapsed since it was declared, unless it is renewed by resolution;
  - 7.8.3 the Lieutenant Governor in Council makes an order for a State of Emergency under the Act, relating to the same area; or
  - 7.8.4 the Minister cancels the State of Local Emergency.

7.9 When a declaration of a State of Local Emergency has been terminated, the Regional Municipal Emergency Advisory Committee 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.

## **8.0 SECTION 8 – EMERGENCY MUTUAL AID AGREEMENTS**

8.1 The Regional Emergency Advisory Committee is delegated the authority to enter into Emergency Management Mutual Aid Agreements with another regional entity or single municipality. The decision for the Committee to enter into a mutual aid agreement must be made by unanimous vote of all partners. The partners shall be permitted to vote in person or through fax, or digitally via email.

## **9.0 SECTION 9 - SEVERABILITY**

9.1 Should any section or part of this Bylaw be found to have been improperly enacted or ultra vires, for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

## **10.0 Section 10 – PENALTIES**

10.1 Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do so or who refrains from doing anything required to be done by the provisions of this Bylaw, or who does any act or thing or omits any act of thing, thus violating any provision of this Bylaw, shall be deemed to be guilty of an offence under this Bylaw, and upon conviction, is liable to a fine of not less than \$200.00 and not more than \$5000.00 plus costs. No person found guilty of an offence under this Bylaw shall be liable to imprisonment.

## **SECTION 11- MISCELLANEOUS**

11.1 Bylaw No. 708/99 is hereby repealed.

Read a first time November 5, 2019.

Read a second time November 5, 2019.

READ a third time with the unanimous consent of all councillors present on November 5, 2019.

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Date

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Mayor

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Date

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CAO