

MOUNTAIN VIEW COUNTY

BYLAW NO. 06/19

MUNICIPAL EMERGENCY MANAGEMENT

Mountain View County
Province of Alberta

Bylaw No. 06/19

A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH A MUNICIPAL EMERGENCY ADVISORY COMMITTEE AND MUNICIPAL EMERGENCY MANAGEMENT AGENCY AND TO PROVIDE FOR REGULATIONS FOR THE MANAGEMENT OF EMERGENCIES WITHIN MOUNTAIN VIEW COUNTY

SECTION 1 - AUTHORITY

- 1.01. The *Municipal Government Act* 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
- 1.02. The *Emergency Management Act* provides that a Council of a Municipality is responsible for the direction and control of all municipal emergency responses; and
- 1.03. The *Emergency Management Act* requires that a Council of a Municipality pass a Bylaw to appoint an Emergency Advisory Committee and to establish an Emergency Management Agency; and
- 1.04. The Council of Mountain View County wishes to establish regulations and procedures to meet the obligations of the municipality under the *Emergency Management Act*.
- 1.05. Now, therefore, the Council of Mountain View County, duly assembled, enacts as follows:
- 1.06. This bylaw may be cited as the "Municipal Emergency Management Bylaw".

SECTION 2 - DEFINITIONS

- 2.01. In this Bylaw, unless the context otherwise requires:
 - a. "Act" means the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000;
 - b. "Chief Administrative Officer" means the person appointed by Council as the Chief Administrative Officer for Mountain View County or designate;
 - c. "Council" means the Council of Mountain View County;
 - d. "Disaster" means an event that results in serious harm to the safety, health or welfare of people, or in a widespread damage to property;
 - e. "Emergency" means an event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
 - f. "Minister" means the Minister charged with administration of the Act;

- g. "Municipal Emergency Advisory Committee" means the committee consisting of Council Members established under this bylaw to exercise those powers and duties of Council which are granted by the Act and assigned to the Emergency Advisory Committee under this bylaw;
- h. "Municipal Emergency Management Agency" means that agency established under this bylaw;
- i. "Municipal Emergency Plan" means the emergency plan prepared by the Municipal Emergency Management Committee and approved by the Municipal Emergency Advisory Committee to co-ordinate response to an Emergency or Disaster;

SECTION 3 - GENERAL

3.01 Council shall:

- a. by resolution, appoint seven (7) of its members to serve on the Municipal Emergency Advisory Committee and provide for the payment of expenses of the members of the Municipal Emergency Advisory Committee;
- b. allocate funding for, and attend, training within 90 days of taking their official oath as prescribed the Managing Director of the Alberta Emergency Management Agency;

3.02 Council may:

- a. during or within 60 days after the state of local emergency, by Bylaw that is not advertised but is approved by the Minister responsible for the Municipal Government Act, 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 the County.

SECTION 4 - MUNICIPAL EMERGENCY ADVISORY COMMITTEE

4.01 The Municipal Emergency Advisory Committee is hereby established for Mountain View County.

4.02 The Municipal Emergency Advisory Committee shall be comprised of all seven (7) Council Members, the Director of Emergency Management and the Deputy Director of Emergency Management.

4.03 Quorum of the Committee shall consist of:

- a. the Reeve; or
- b. the Deputy Reeve; or
- c. any two Councillors.

and either the:

- a. Director of Emergency Management; or
- b. Deputy Director of Emergency Management.

- 4.04 The Committee may meet electronically or via teleconference for the purpose of performing their duties prescribed under this Bylaw including but not limited to, passing a resolution for the declaration of a State of Local Emergency.
- 4.05 The Reeve shall be the chair of the Committee. In the absence of the Reeve, the Deputy Reeve shall be the chair of the Committee. In the absence of either the Reeve or Deputy Reeve, the Committee shall appoint a Councillor as the Chair.
- 4.06 The Committee shall meet at least once per year.
- 4.07 The Municipal Emergency Advisory Committee shall:
 - a. review and approve the Municipal Emergency Plan and related plans and programs on a regular basis to ensure that the municipality is prepared to address potential emergencies or disasters in Mountain View County;
 - b. Provide guidance, direction and/or assistance to the Municipal Emergency Management Agency, as requested by the Director of Emergency Management, before, during and after an Emergency or Disaster in the municipality;
 - c. Declare, renew, or terminate a State of Local Emergency by resolution.

SECTION 5 - MUNICIPAL EMERGENCY MANAGEMENT AGENCY

- 5.01 There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew or terminate a state of local emergency.
- 5.02 The Municipal Emergency Management Agency shall be responsible for the administration of the municipality's emergency management program.
- 5.03 The Municipal Emergency Management Agency shall be comprised of one or more of the following:
 - a. the Director of Municipal Emergency Management;
 - b. the Deputy Director of Municipal Emergency Management;
 - c. the County Chief Administrative Officer;
 - d. the Public Information Officer or designate;
 - e. the Director of Operations or designate;
 - f. those individuals appointed by an organization whom the Director of Municipal Emergency Management invites to nominate a volunteer representative to serve as a member of the Municipal Emergency Management Agency. Such organization may include the Regional Health Authority;
 - g. Any other person appointed by the Director of Municipal Emergency Management Agency;

- 5.04 The Municipal Emergency Management Agency shall report to the Municipal Emergency Advisory Committee annually to provide an update on the review of the Municipal Emergency Plan.
- 5.05 The Municipal Emergency Management Agency will utilize the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency.

SECTION 6 - DIRECTOR OF EMERGENCY MANAGEMENT

- 6.01 The Director of Operational Services for Mountain View County shall be the Director of Municipal Emergency Management and have the authority to declare a Deputy Director of Municipal Emergency Management as required.
- 6.02 The Director of Municipal Emergency Management shall:
- a. prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for Mountain View County.
 - b. act as a director of emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency.
 - c. co-ordinate all emergency services and other resources used in an emergency.
 - d. ensure that someone is designated to discharge the responsibilities specified in paragraphs a, b, and c.

SECTION 7 - STATE OF LOCAL EMERGENCY

- 7.01 The power to pass a resolution to declare, renew or terminate a state of local emergency under the Act, is hereby delegated to the Municipal Emergency Advisory Committee.
- 7.02 When a state of local emergency is declared, the Municipal Emergency Management Agency shall:
- a. ensure that the declaration identifies the nature of the emergency and the area of the County 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;
 - d. notify Emergency Management Alberta, as soon as is reasonably practicable;
 - e. forward a copy of the declaration to the Minister forthwith.
- 7.03 When a state of local emergency is declared, the Municipal Emergency Management Agency is authorized by Council to exercise those powers granted within the Act *which* may include the authority to:
- a. cause the Municipal Emergency 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 for a type he or she is qualified to provide;
- d. control or prohibit travel to or from any are of the County;
- 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 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 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 County for the duration of the state of emergency;
- j. authorize the conscription of persons needed to meet an emergency;
- k. authorize any persons at any time to exercise, in the operation of the Municipal Emergency 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.

7.04 When a state of local emergency is declared:

- a. neither Council nor any member of Council; and
- b. no persons appointed by Council to carry out measures relating to emergencies of 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.

7.05 Notwithstanding Section 7.04:

- 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.

- 7.06 When, in the opinion of the Municipal Emergency Advisory Committee an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.
- 7.07 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 by the Municipal Emergency Advisory Committee;
 - b. a period of seven days has lapsed since it was declared, unless it is renewed by resolution by the Municipal Emergency Advisory Committee;
 - c. the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area;
 - d. the Minister cancels the state of local emergency.
- 7.08 When a declaration of a state of local emergency has been terminated, the Municipal Emergency Management Agency 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 and shall notify Emergency Management Alberta as soon as is reasonably practicable.

SECTION 8 - REGIONAL EMERGENCY RESPONSE

- 8.01 Mountain View County will collaborate with the other communities in Mountain View County in developing a Regional Emergency Response Plan.
- 8.02 Mountain View County will operate a joint Municipal Emergency Management Agency with the other communities in Mountain View County for the purpose of managing the Regional Emergency Response Plan.

SECTION 9 - SEVERABILITY

- 9.01 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

SECTION 10 - REPEAL OF BYLAW

- 10.01 Bylaw No. 06/19 rescinds bylaw No. 28/08

SECTION 11 - EFFECTIVE DATE

11.01 This Bylaw shall come into effect at such time as it has received third (3rd) reading and have been signed in accordance with the *Municipal Government Act*.

Read the first time this 12 day of June 2019.

Read the second time this 12 day of June 2019.

Read the third time this 12 day of June 2019.



Reeve



Chief Administrative Officer

June 12, 2019
Date of Signing