

**BYLAW 2020-03
VILLAGE OF BEISEKER
EMERGENCY MANAGEMENT BYLAW**

A bylaw of the Village of Beiseker to rescind Emergency Management Bylaw 2014-03 and to establish and maintain a Municipal Emergency Advisory Committee and Regional Municipal Emergency Management Agency.

WHEREAS the Council of the Village of Beiseker 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 #-6.8 to appoint a Municipal Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency;

AND WHEREAS it is desirable in the public interest, and in the interest 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 said Emergency Management Act;

AND 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 Beiseker to such a degree that local resources would be inadequate to cope with a situation;

AND WHEREAS Council wishes to enter into a regional emergency management partnership with other municipalities within the geographical boundaries of Rocky View County, and Rocky View County itself for the purpose of integrated emergency management planning and operations. This partnership is to be recognized as the Rocky View Regional Emergency Management Agency;

AND WHEREAS Council chooses to delegate certain responsibilities to the Regional Emergency Management Agency;

NOWHEREFORE, the Council of the Village of Beiseker in the province of Alberta, duly assembled enacts as follows:

PART 1 - TITLE

1.1 This bylaw shall be known as the Emergency Management Bylaw.

PART 2 – DEFINITIONS

In this Act:

- 2.1 "Act" means the Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8 as amended;
- 2.2. "Council" means the Council of the Village of Beiseker;
- 2.3 "Disaster" means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property;
- 2.4 "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;
- 2.5 "Incident Management Team" means a group of trained individuals designated to respond and support the regional emergency management partners
- 2.6 "Minister" means the Minister determined under Section 16 of the Government Organization Act as the Minister responsible for the Emergency Management Act;
- 2.7 "Municipal Emergency Advisory Committee" means the committee established under this Bylaw; and
- 2.8 "Regional Municipal Emergency Management Agency" mans the agency established under this bylaw;
- 2.9 "Regional Partner" means a Municipality that has adopted the Rocky View County Regional Emergency Management Plan;

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PART 3 – ESTABLISHMENT OF A MUNICIPAL EMERGENCY ADVISORY COMMITTEE

- 3.1 There is hereby established a Municipal Emergency Advisory Committee to advise Council on the development of emergency plans and programs. The Emergency Advisory Committee shall be a Committee of Council as a whole.
- (a) The Emergency Advisory Committee term will run in conjunction with the term of office of village council and will be for up to four (4) years;
 - (b) Regional Partners participating in the Rocky View County Regional Emergency Management program will maintain their own Municipal Emergency Advisory Committee;
 - (c) The Mayor is designated as the Municipal Emergency Advisory Committee Chairperson and in their absence another member of council will be assigned as Chair.
 - (d) A quorum of the Emergency Management Advisory Committee is considered to be 50% of Council members in attendance.

PART 4 – ESTABLISHMENT OF A REGIONAL EMERGENCY MANAGEMENT AGENCY

- 4.1 There is hereby established a Regional Municipal Emergency Management Agency to act as the agent of all Regional Partners in carrying out its statutory powers and obligations under the Act. This does not include the power to declare, renew, terminate a state of local emergency, or the powers contained in Section 7.1 (a) through (d) of this bylaw.

- 4.2 The duties of the Regional Emergency Management Agency are as follows:

- (a) utilize the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency in accordance with the Act;
- (b) the Agency is responsible for the administration and development of the Rocky View County Regional Emergency Plan and program;
- (c) information share of best practices, plans, programs, etc.;
- (d) support and participate in regional training programs;
- (e) support the activation of the Incident Management Team;
- (f) the Agency must report to the Municipal Emergency Management Advisory Committee on an annual basis; and
- (g) the Rocky View County Director of Emergency Management or their designate shall be appointed the Agency Chair;
- (h) the Agency will meet at least annually to review the Rocky View County Emergency Management Plan and Activities.

- 4.3 The Regional Municipal Emergency Management Agency shall be comprised of the following:

- (a) Director(s) of Emergency Management from Regional Partners;
- (b) Deputy Director(s) of Emergency Management from Regional Partners;
- (c) The Chief Administrative Officers from participating Regional Partners;
- (d) the Fire Chief or designate from participating Regional Partners;
- (e) Enforcement Services or designate from participating Regional Partners;

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- (f) any municipal employee designate by the CAO or DEM of the participating Regional Partners.
- 4.4 In addition, the following public and private organizations may be invited to provide representative(s) to the Rocky View Emergency Management Agency:
- (a) the NGO in Charge, Local RCMP detachment(s) or designate;
 - (b) representative(s) from mutual aid partners;
 - (c) the School Division Superintendent (or designate);
 - (d) representatives from Alberta Health Services (AHS);
 - (e) representative(s) from Regional Partners of the Rocky View Regional Management Agency;
 - (f) representative(s) from local business or business associations (e.g. Chamber of Commerce);
 - (g) representative(s) from local industry or industrial associations;
 - (h) representative(s) from local telecommunication service provider(s);
 - (i) representative(s) from Municipal Affairs; Alberta Emergency Management Agency, Alberta Environment and Sustainable Resource Development; Alberta Transportation, or any other provincial or federal department that might serve a useful purpose in the preparation or implementation of the Rocky View County Emergency Management Plan;
 - (k) any other person/agency who might serve a useful purpose in the preparation or implementation of the Rocky View Emergency Management Plan.

4.4 For the purposes of this bylaw, reference to any member of the Emergency Management Agency shall include the duly appointed designate of that member.

PART 5 – DUTIES AND RESPONSIBILITIES OF COUNCIL

- 5.1 Council shall:
- (a) provide for the payment and expenses of the members of the Municipal Emergency Advisory Committee;
 - (b) by resolution, on the recommendation of the Municipal Emergency Advisory Committee, appoint a Municipal Director of Emergency Management and Municipal Deputy Director(s) of Emergency Management who shall do those things required of the Director of Emergency Management in that person’s absence;
 - (c) will meet annually to review the Rocky View County Regional Emergency Management Plan and programs as presented by the Advisory Committee on an annual basis and assure that plans and programs are sufficient to address potential emergencies or disasters within the Village of Beiseker; and
 - (d) approve the Rocky View County’s Regional Emergency Management Plan and programs.
- 5.2 Council may:
- (a) by bylaw, borrow, appropriate and expend, without the consent of the electors, all sums required for the operation of the Regional Emergency Management Agency for costs associated with the Village of Beiseker;
 - (b) enter into agreements with and make payments, grants or both, to persons or organizations for the provision of services in the development or implementation of the Rocky View County Regional Emergency Management Plan, or programs, including mutual aid plans and programs.

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PART 6 - DUTIES AND RESPONSIBILITIES OF THE MUNICIPAL EMERGENCY ADVISORY COMMITTEE:

- 6.1 The Municipal Emergency Advisory Committee shall:
- (a) review the Rocky View County Emergency Management Plan and related plans and programs on at least an annual basis;
 - (b) advise Council, duly assembled on the status of the Rocky View County Emergency Management Plan and related plans and programs at least on an annual basis; and
 - (c) provide guidance and direction to the Regional Emergency Management Agency.

PART 7 – DUTIES AND RESPONSIBILITIES OF THE MUNICIPAL DIRECTOR OF EMERGENCY MANAGEMENT

- 7.1 The Director of Emergency Management in cooperation with the Chief Administrative Officer shall:
- (a) participate with participating municipalities/agencies in the preparation and coordination of the Regional Emergency Management Plan as it relates to the Village of Beiseker and the region;
 - (b) act as the Director of emergency operations for the Village of Beiseker;
 - (c) coordinate all emergency services and other resources required for an emergency or disaster;
 - (d) ensure that each member of the Emergency Management Agency has a duly appointed designate identified to act in their absence in the event of an emergency or disaster, or as a Village of Beiseker representative, to attend to the requirements of the Agency.

PART 8 – DECLARING A STATE OF LOCAL EMERGENCY

- 8.1 If at any time, Council is satisfied by information provided by the Municipal Director or Municipal Deputy Director of Emergency Management that an emergency or disaster exists or may exist, Council may, by resolution, declare a state of local emergency.
- 8.2 The power to declare, terminate or renew a state of local emergency under the Act, the powers specified in 8 of this bylaw, and the requirement specified in Section 8.5 of this bylaw are hereby delegated to a committee comprised of the Mayor, or the Deputy Mayor alone, or in their absence, any two members of Council.
- 8.3 When a state of local emergency is declared, the person or persons making the declaration shall:
- (a) ensure that the declaration identifies the nature of the emergency and the area of the Village of Beiseker 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; and
 - (c) forward a copy of the declaration to the Minister forthwith.
- 8.4 Subject to Section 8.3, when a state of local emergency is declared, the person or persons making the declaration may:
- (a) cause the Rocky View Emergency Management Plan or any related plans or programs to be put into operation;

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- (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 the person is qualified to provide;
 - (d) control or prohibit travel to or from any area of the Village of Beiseker;
 - (e) provide for the restoration of essential facilities and the distribution of essential supplies and other essential services in any part of the Village of Beiseker.
 - (f) cause the evacuation of persons and the removal of any animals and personal property from any area of the Village of Beiseker that is or may be affected by a disaster and make arrangements for the adequate care and protection of those persons or animals 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 vegetation 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 Village of Beiseker for the duration of the state of local emergency;
 - (j) authorize the conscription of persons needed to meet an emergency or disaster; and
 - (k) authorize any persons at any time to exercise, in the operation of the Regional Emergency Management 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.
- 8.5 When, in the opinion of a committee comprised of the Mayor or Deputy Mayor, or in their absence, two or more members of Council, an emergency disaster no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.
- 8.6 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 under Section 8.5;
 - (b) a period of seven days has lapsed since it was declared, unless it has been renewed by resolution;
 - (c) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
 - (d) the Minister cancels the state of local emergency.
- 8.7 When a declaration of state of local emergency has been terminated, the person or persons who made the declaration shall cause the details of the termination to be published immediately by such means of communication most likely to notify the population of the area affected.

PART 9 – REGIONAL COLLABORATION

- 9.1 Through regional collaboration, the Village of Beiseker has delegated the powers of the Emergency Management Agency to the Rocky View Regional Emergency Management Agency. The Rocky View Regional Management Agency will report to the Beiseker Emergency Advisory Committee.

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PART 10 – COUNCILLOR AND EMPLOYEE TRAINING

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

10.2 Any employee of the Village 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.

PART 11 – INDEMNIFICATION

11.1 No action lies against the Village of Beiseker or a person acting under the Village of Beiseker'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.

PART 12 - SEVERABILITY

12.1 It is the intention of Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

BYLAW 2018-06 is hereby rescinded.


This Bylaw comes into full force and effect on the date of its third and final reading.

Read a first time this 27th day of January, 2020


Read a second time this 27th day of January, 2020

Moved unanimously to third reading this 27th day of January, 2020

Read a third and final time this 27th day of January, 2020.



Mayor Wise



CAO Leslie