



Town of Bowden
Box 338, 2101 20th Ave
Bowden, Alberta, T0M 0K0

Town of Bowden – Province of Alberta
MUNICIPAL EMERGENCY MANAGEMENT BYLAW
03 / 2023

Whereas the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 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 whereas the Council of the Town of Bowden is responsible for the direction and control of its emergency response, and is required under the Emergency Management Act, RSA2000, Chapter E-6.8 (as amended over time) to appoint an 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 interests 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 Emergency Management Act,

And whereas, Council of the Town of Bowden wishes to establish regulations and procedures to meet the obligations of the municipality under the Emergency Management Act and the Local Authority Emergency Management Regulation,

Now therefore, the Municipal Council of the Town of Bowden hereby enacts as follows.

1 SHORT TITLE

This bylaw may be known as, and cited as, the "Municipal Emergency Management Bylaw".

2 PURPOSE

This bylaw provides direction on emergency management roles and responsibilities in accordance with the requirements of Provincial legislation, including but not limited to the:

- i. Emergency Management Act, RSA2000, Chapter E-6.8 (November 2020),
- ii. Local Authority Emergency Management Regulation 203 / 2018 (January 2020),

and the,

- iii. Red Deer Regional Emergency Management Partnership Agreement.
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3 DEFINITIONS

In this bylaw the following definitions apply:

Act

Means the Emergency Management Act, RSA2000, Chapter E-6.8. (as amended over time)

Alberta Emergency Management Agency

Means the Provincial Government Agency charged with the administration of the Emergency Management Act and the Local Authority Emergency Management Regulation.

Authorized Person

Means any person appointed by the CAO to act on behalf of the Town of Bowden.

Chief Administrative Officer (CAO)

Is the person appointed by Council into the position of Chief Administrative Officer for the Town of Bowden in accordance with the MGA and is the administrative head of the Municipality, and includes any person given designated responsibilities by the CAO.

Council

Means the duly elected Municipal Council of the Town of Bowden.

Director of Emergency Management (DEM)

Means the person appointed by Council, as defined in this bylaw, to act as liaison between Council, the Town and the Red Deer Regional Emergency Management Agency.

Disaster

Means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property or the environment.

Emergency

Means an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property or the environment.

Emergency Advisory Committee

Means the Council Committee established under the Act and Town bylaw consisting of all appointed Councillors.

Emergency Management Team

Means personnel designated to respond to and manage emergencies within the Municipality.

MGA

Means the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time).

Municipality (or Local Authority)

Means the Town of Bowden.

Person

Means any of the following:

- a) an individual
- b) a legal entity or business entity, including a firm, developer, contractor, association, partnership, society, or corporation.

Regulation

Means the Local Authority Emergency Management Regulation 203 / 2018 January 2020 (as amended over time).

Red Deer Regional Emergency Management Agency

Means an agency consisting of the Directors of Emergency Management from each of the municipalities within the Red Deer Regional Emergency Management Partnership.

Red Deer Regional Emergency Management Partnership

Means those municipalities who have entered into the Red Deer Regional Emergency Management Partnership Agreement for the purpose of organizing integrated emergency planning, training, assistance, and emergency operations programs.

Red Deer Regional Emergency Management Plan

Means the integrated emergency management plan, prepared by the Red Deer Regional Emergency Management Partnership to coordinate the response to an emergency or disaster.

State of Local Emergency

Means a declaration of a state of local emergency, made by resolution of the Municipality declared in accordance with section 21 of the Act and pursuant to this bylaw.

Town

Means the municipal corporation of the Town of Bowden.

Words (interpretation)

- i. "may" is to be interpreted as permissive (allowed but not obligatory, optional).
- ii. "must" is to be interpreted as imperative (obligatory, mandatory, required, unavoidable).
- iii. "shall" is to be interpreted as "must".
- iv. "should" is to be interpreted as a recommended (desirable, not required to conform).
- v. "including but not limited to" means when listing a number of items, does not limit the bylaw term to only those words or those items listed.

4 GOVERNING BODIES & RESPONSIBILITIES

4.1 Alberta Emergency Management Agency

4.1.1

This is the Provincial Government Agency charged with the administration of the Emergency Management Act and the Local Authority Emergency Management Regulation.

The Minister will appoint a Director of the Agency.

4.1.2

The Minister or his / her representative may declare a State of Emergency relating to all or any part of Alberta, if satisfied that an emergency exists, in accordance with the provisions of the Emergency Management Act.

4.2 Emergency Advisory Committee

4.2.1

The Emergency Advisory Committee is established by the Town of Bowden Council Committee Bylaw in accordance with the requirement of the Municipal Government Act and section 11 of the Emergency Management Act.

4.2.2

The purpose of the Emergency Advisory Committee is to:

- i. ensure that the Town provides resource to satisfy the requirements of the Emergency Management Act RSA2000, Chapter E-6.8,
- ii. review the Red Deer Regional Emergency Management Plan at least once a year and make recommendations to Council of any proposed changes to the plan or emergency programs or services,
- iii. liaison with the Director of Emergency Management in matters relating to the direction and control of duties and responsibilities and to ensure that emergency plans and programs are prepared, tested, and implemented in accordance with any Provincial statute or regulation, or agreement,
- iv. recommend the appointment of the Director of Emergency Management.

4.2.3

Council may on the advice of the Emergency Advisory Committee:

- i. borrow, levy, appropriate and make expenditures, without the consent of the electorate, any sums required for the operation of a municipal emergency plan or the Red Deer Regional Emergency Management Plan,
- ii. enter into an agreement with, and make payments to, persons or organizations for the provision of essential services for the ongoing development and maintenance of a municipal emergency plan or the Red Deer Regional Emergency Management Plan.

4.2.4

Members of the Emergency Advisory Committee Councillors shall complete any training as prescribed and in accordance with the requirements of any enactment or agreement regarding emergency management.

4.2.5

Meetings of the Emergency Advisory Committee will be chaired by the Mayor or in his / her absence the Deputy Mayor.

4.2.6

All meetings of the Emergency Advisory Committee will include the Director of Emergency Management (DEM) and any other persons, organizations and representatives as required or deemed necessary.

4.2.7

The Emergency Advisory Committee will meet as a minimum once every calendar year or as required or deemed necessary.

4.2.8

The Emergency Advisory Committee will review the Red Deer Regional Emergency Management Plan at least once every year.

4.3 Director of Emergency Management

4.3.1

The Director of Emergency Management (DEM) will:

- i. liaise with the Alberta Emergency Management Agency (and any other regulatory body),
- ii. liaise with the Red Deer Regional Emergency Management Agency and its appointed representatives,
- iii. liaise with representatives of any other agency or organization that assists in the development or implementation of the Red Deer Regional Emergency Management Plan,

- iv. attend any meetings and complete any courses prescribed by the Red Deer Regional Emergency Management Agency as required.
- v. prepare the Municipal Emergency Plan and its programs,
- vi. appoint persons to the Emergency Management Team as deemed necessary.

4.3.2

The DEM has the responsibility for implementing and putting into operation emergency operations in accordance with:

- i. the Emergency Management Act, Regulation or Ministerial directives,
- ii. the direction of the municipal Emergency Advisory Committee,
- iii. the direction of the Red Deer Regional Emergency Management Agency,
- iv. this authority provided by this bylaw and any other part of any applicable or relevant Town bylaw, regulation, or policy.

The DEM will direct, control, and coordinate all emergency services and other resources used in an emergency or disaster.

4.3.3

The DEM may delegate powers to other authorized persons, organizations, contractors, inspectors or employees of the Town or neighbouring municipalities as deemed appropriate or necessary.

4.3.4

Without limitation, the DEM is empowered to make decisions, acting responsibly and in good faith, concerning any matter or thing which is necessary or appropriate for emergency management including the implementation and putting into effect:

- i. this bylaw,
- ii. the Red Deer Regional Emergency Management Plan,
- iii. any action as deemed necessary, or appropriate, that may not be stated but which fulfills the general provisions of this bylaw, and which is in the best interest of the community.

4.4 Emergency Management Team

4.4.1

The Emergency Management Team are persons appointed by the DEM to manage, assist, or respond to an emergency or disaster.

4.4.2

The DEM will appoint a Deputy Director(s) of Emergency Management (DDEM) to the Emergency Management Team.

The DDEM(s) will carry out the responsibilities of the DEM in that person's absence.

4.4.3

Any employee of the Town assigned responsibilities in respect to the implementation of the Red Deer Regional Emergency Management Plan must attend any meetings and complete any courses prescribed by the Red Deer Regional Emergency Management Agency as required or deemed necessary.

4.5 Emergency Management Agency

4.5.1

Subject to section 11 of the Act this bylaw hereby establishes an emergency management agency whose purpose is to, *"subject to the regulations to act as the agent of the local authority in exercising the local authorities' powers and duties under this Act"*.

The emergency management agency is the Red Deer Regional Emergency Management Agency.

4.5.2

The Red Deer Regional Emergency Management Agency shall:

- i. utilize the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency in accordance with the Act,
- ii. and conduct those responsibilities as outlined in the Red Deer Regional Emergency Management Partnership agreement (as amended over time).

5 GENERAL PROVISIONS ON EMERGENCY MANAGEMENT

5.1 Joint Municipal Emergency Plan

The Town will collaborate with the other partnering communities within the Red Deer Regional Emergency Management Partnership to develop a joint Emergency Management Plan.

5.2

The Director of Emergency Management is responsible for the content and update of the Emergency Management Plan as appropriate and relevant to the Town.

5.3

The content of the emergency management plan must satisfy the requirements of section 4 of the Local Authority Emergency Management Regulation 203 / 2018. These provisions include:

- i. a description of the administration of the local authority's emergency management program,
- ii. the procedures for implementing the emergency plan during an emergency or exercise response,
- iii. the local authority's plan for preparedness, response, and recovery activities,
- iv. a hazard and risk assessment,
- v. emergency management program exercises that the local authority will engage in,
- vi. the local authority emergency program management agency's plan for regular review and maintenance of the local authority's emergency plan,
- vii. the local authority emergency management agency's plan for the review and maintenance of the local authority's emergency plan after an exercise, emergency, or disaster,
- viii. how the command, control and coordination system prescribed by section 3(3) will be used by the local authority's emergency management agency,
- ix. the assignment of responsibilities to local authority employees and elected officials, by position, respecting the implementation of the local authority's emergency plan,
- x. a training plan for staff assigned with responsibilities under the local authority's emergency plan,
- xi. the mechanisms that will be used to prepare and maintain an emergency management staff contact list for employees and elected officials who have been assigned responsibilities respecting the implementation of the local authority's emergency plan,
- xii. the local authority's plan for communications, public alerts and notifications during exercises, emergencies and disasters, and the local authority's plan for providing emergency social services during an emergency or disaster.

5.4 Activation of an Emergency Plan

An emergency management plan may be activated in part or whole:

- i. on declaration of a Provincial State of Emergency in accordance with the Emergency Management Act,

- ii. on order by the Minister or the Regional Health Authority of a declaration of a state of public health emergency in accordance with the Public Health Act,
- iii. by the Director of Emergency Management when an emergency situation occurs that requires a coordinated and controlled response by the Town or municipal agencies,
- iv. on declaration of a State of Local Emergency in accordance with the procedures contained within this bylaw.

5.5

The Director of Emergency Management is responsible for the direction and control of the municipal emergency response unless the Government of Alberta (or other agency) assumes direction and control under the Emergency Management Act, the Public Health Act or any other enactment or agreement.

5.6

When an emergency plan is activated, coordination of emergency response is delegated to the:

- i. **Director of Emergency Management**
The Director or designate will act on behalf of the Mayor as the coordinator of all emergency services and resources used in the emergency.
- ii. **Incident Commander**
The Director of Emergency Management may appoint an Incident Commander who will establish an Incident Command Post (ICP) to manage and coordinate the overall emergency response operations.
- iii. **Emergency Coordination Centre (ECC)**
An ECC may be established under the management of the Director of Emergency Management.

5.7

The Emergency Management Team may fill roles in either the ECC or ICP based upon the requirements of the emergency, in accordance with the principles of the Incident Command System.

6 STATE OF LOCAL EMERGENCY

6.1 Declaration

The Town may, at any time when it is satisfied that an emergency exists, or may exist within municipality, by resolution make a declaration of a State of Local Emergency relating to all or any part of the municipality in accordance with Section 21 of the Act.

6.2 Requirements under the Act

A declaration, renewal or cancellation of a State of Local Emergency shall be made in accordance with the Act, and specifically:

- i. the declaration, renewal or termination must be made by resolution for which notice under sections 194 to 196 of the Municipal Government Act is not required,
- ii. all members of Council shall be notified of the declaration, renewal. or termination as soon as practicable,
- iii. the declaration must identify the nature of the Emergency and the area of the Town in which it exists,
- iv. the details of the declaration shall 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,
- v. notification of the declaration must be given to the Alberta Emergency Management Agency and the Minister

6.3 Authority to make a Declaration

The Mayor acting alone constitutes a quorum of the Emergency Advisory Committee for the purpose of making a decision to declare, renew or cancel a State of Local Emergency or expand or reduce the part of the municipality to which a State of Local Emergency applies.

If the Mayor is not available or incapacitated, then the Deputy Mayor acting alone may exercise this authority.

If no delegation of authority exists, then any two (2) Council members acting together may exercise this authority and by resolution make a declaration of a State of Local Emergency.

6.4 Action

Upon declaration of a State of Local Emergency, the local authority is responsible for the co-ordination and implementation of the necessary plans or programs prepared in accordance with the Act, this bylaw and other enactment or agreement, including:

- i. exercise any power given by the Minister in relation to the part of the municipality affected by the declaration,
- ii. putting into effect any emergency plan or operation,
- iii. acquiring and / or utilizing any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster,
- iv. authorizing or requiring any person to render aid of a type he or she is qualified to provide,
- v. controlling or prohibiting travel to or from any area of the Town,
- vi. providing for the restoration of essential facilities and the distribution of essential supplies and provide, maintaining and coordinating emergency medical, welfare and other essential services in any part of the Town,
- vii. evacuating persons and / or livestock or personal property from any area of the Town that is or may be affected by a disaster and making arrangements for the adequate care and protection of those persons or livestock and personal property,
- viii. authorizing the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program,
- ix. removing any trees, structures or crops if the 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,
- x. procuring and / or fixing prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Town for the duration of the state of emergency,
- xi. authorizing the conscription of persons needed to meet an emergency,
- xii. authorizing any persons at any time to exercise, in the operation of any emergency plan and related plans or programs, any power specified in (ii) to (x) in relation to any part of the municipality affected by a declaration of a state of local emergency.

6.5 Ending a State of Local Emergency

When, in the opinion of the local authority declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, the local authority shall, by resolution, terminate the declaration.

A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:

- i. a resolution is passed,
- ii. a period of seven days has lapsed since it was declared, unless it is renewed by resolution,
- iii. the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area,
- iv. the Minister cancels the state of local emergency.

When a declaration of a state of local emergency has been terminated, the local authority 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.

7 LIMITS OF LIABILITY

7.1

No action may be taken against the Town, or any Designated Officer, or any member of Council or the Director of Emergency Management or any person acting under the Town's direction or authorization for anything done or omitted to be done in good faith while carrying out a power, obligation or duty under the Act, this bylaw, or the Red Deer Regional Emergency Management Plan (including exercising any powers during a declared state of local emergency).

7.2

Any penalty or order issued under this bylaw shall not affect or remove in full or part any liability for claims or damages that may arise under a civil action brought to a Court in relation to an offence committed under this bylaw or any other enactment.

7.3 Right of Appeal

Any person who considers themselves to be aggrieved by a decision of the CAO (or a Designated Officer) made under this bylaw may appeal the decision to Council, in accordance with the procedures outlined in the Council Procedural Bylaw 08 / 2020 (as amended over time).

The Council's decision in respect of an appeal will be final and binding.

8 APPLICABILITY

8.1

This bylaw applies to all persons resident or present within the Town of Bowden municipal boundaries.

8.2

No person shall obstruct, hinder, or interfere with any person while exercising or performing their duties or powers pursuant to the provisions of this bylaw, or any other enactment.

8.3

Exceptions (either permanent or temporary) to any provision within this bylaw:

- i. are at the discretion of the CAO, due to special circumstances, arrangements or need,
- ii. are as stated in this bylaw,
- iii. may apply to any Designated Officer or person acting under authority, or agreement or in the normal course of their official duties, for example: Directors of Emergency Management, Peace Officers, RCMP, Fire Department.

8.4

Nothing in this bylaw relieves a person from:

- i. complying with the provision of any federal, provincial, municipal law or regulation,
- ii. any requirement of any lawful permit, order, or licence,
- iii. any fine, charge, fee or rate charge made by any other federal or provincial legislation or regulatory body.

Any person who contravenes any provision of this bylaw, by doing any act or thing which is prohibited, or by failing to do any act or thing that is required, is guilty of an offence in accordance with this bylaw.

8.5

All references in this bylaw to an act, statute, regulation, or other bylaw refer to the current version of that enactment, as amended or replaced from time to time including all successor legislation.

8.6

All schedules attached to this bylaw form part of this bylaw.

9 SEVERABILITY

Every provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.

Nothing in this bylaw relieves a person from complying with any provision of any Federal, Provincial, or municipal law or regulation or any requirement of any lawful permit, order, or licence.

10 BYLAW PRECEDENCE

This bylaw supersedes and takes precedence over all previously passed bylaws that make reference to municipal emergency management, emergency planning and appointed positions, persons or bodies.

Bylaw **03 / 2020** and all amendments thereto are hereby repealed.

Schedules attached to this bylaw:

Schedule A Appointments.


This bylaw and the attached schedule will come into effect on the final day of passing and signature thereof.

Read a first time in open council this 13th day of March 2023,

Read a second time in open council this 13th day of March 2023,

and finally passed by unanimous consent of the Councillor's present.

Read a third time in open council this 13th day of March 2023.



Robb Stuart, Mayor



Rudy Friesen, Chief Administrative Officer

**Municipal Emergency Management Bylaw
SCHEDULE A Appointments, Committees & Agencies**

**A1
Director of Emergency Management (DEM)**

The person appointed by resolution of Council is the:

Chief Administrative Officer

**A2
Emergency Advisory Committee**

The Emergency Advisory Committee established by bylaw consists of:

All members of Town Council

**A3
Emergency Management Agency**

The partnership body established under this bylaw and appointed by Council is the Red Deer Regional Emergency Management Partnership consisting of the following municipalities:

**City of Red Deer
Red Deer County
Town of Bowden
Town of Sylvan Lake
Town of Penhold
Town of Innisfail
Village of Delburne
Village of Elnora**

and other organizations and representatives as required, including but not limited to:

**Alberta Environment
Red Deer County Protective Services
Emergency Management Alberta
Royal Canadian Mounted Police
Emergency Medical Services Providers
School Divisions
Utility Providers
Canadian Red Cross**