



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

Town of Bowden – Province of Alberta

MUNICIPAL EMERGENCY MANAGEMENT BYLAW

03 /2020

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 & responsibilities and in accordance with the requirements of Provincial legislation, including but not limited to the;

- i. Emergency Management Act, RSA2000, Chapter E-6.8 (as amended over time)
 - ii. Local Authority Emergency Management Regulation 203/2018 January 2020 (as amended over time)
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3 DEFINITIONS

In this Bylaw (and the attached Schedules) 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 to act on behalf of the Town of Bowden.

CAO (Chief Administrative Officer)

Is the person appointed by the Council into the position of Chief Administrative Officer for the Town accordance with the MGA and is the administrative head of the Municipality.

Council

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

Director of Emergency Management (DEM)

Means the person appointed by Council to act as defined in this Bylaw and to act as liaison between the Town and the Director of the Emergency Management Agency.

Director of the Emergency Management Agency

Means the person appointed by Emergency Management Agency to liaise with the Town's appointed Director of Emergency Management.

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 Management Agency

Means the organization (as stated in Schedule A of this Bylaw) designated to act as an agent of Council to carry out the Council's statutory powers and obligations.

Emergency Advisory Committee

Means the Council Committee established under the Act consisting of three appointed Councillors as defined in Schedule A of this Bylaw.

Emergency Management Team

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

Joint Municipal Emergency Plan

Means a joint plan, designed and approved by Council and the Emergency Management Agency, that outlines the procedures and actions to taken in response to a declared Emergency or Disaster.

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)

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.

4 GOVERNING BODIES & RESPONSIBILITIES

4.1.1

Alberta Emergency Management Agency

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 under this Bylaw in accordance with the requirement of the Act & Regulation.

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 Act
- ii. liaise with Red Deer County Emergency Planning Officers with regard to the obligations and responsibilities contained within the Joint Municipal Emergency Plan
- iii. liaison with neighboring Municipalities regarding the requirements of any local emergency response plans that are relevant and applicable to the Town of Bowden
- iv. liaise with community groups and representatives of protective services where required in order to create effective emergency programs and plans
- v. liaise 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
- vi. make recommendations for the recruitment and hiring of a Director of Emergency Management

4.2.2

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

4.2.3

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

4.2.4

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

4.2.5

The Emergency Advisory Committee will review the Joint Municipal Emergency Plan at least every year.

4.2.6

The Emergency Advisory Committee will advise Council as a whole on the status of the Joint Municipal Emergency Plan at least once every calendar year.

4.3 Emergency Management Agency

4.3.1

This Bylaw hereby establishes an Emergency Management Agency whose purpose is to act as the agent of the Town and to carry out its statutory powers and obligations under the Act.

4.3.2

The Emergency Management Agency does not have the power to declare a state of local emergency (refer to section 6 of this Bylaw).

4.3.3

The 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. track training and exercises to support preparedness, response and recovery activities
- iii. support and assist the Director of Emergency Management in the implementation and coordination of the emergency response pursuant to the Joint Municipal Emergency Plan
- iv. at least once a year, provide an update to the Emergency Advisory Committee on the activities of the Agency
- v. at least once a year, provide an update to the Emergency Advisory Committee of the review of the Joint Municipal Emergency Plan
- vi. be responsible for the administration of the Town's emergency management program
- vii. annually make the Joint Municipal Emergency Management Plan available to the Alberta Emergency Management Agency for review or comment
- viii. conduct mandatory exercises as per the requirement of the Regulation.

4.4 Council

4.4.1

Council will;

- i. by resolution appoint three (3) of its members to serve on the Emergency Advisory Committee
- ii. by resolution appoint a Director of Emergency Management
- iii. review and approve the Joint Municipal Emergency Plan at least once a year
- iv. provide for the expenses of the members of the Emergency Advisory Committee

4.4.2

Council may;

- i. borrow, levy, appropriate and make expenditures, without the consent of the electorate, any sums required for the operation of the Joint Municipal Emergency Plan and the services of the Emergency Management Agency
- ii. enter into agreement with, and make payments to, persons or organizations for the provision of essential services for the ongoing development and maintenance of the Joint Municipal Emergency Plan

4.4.3

Councillors shall complete any training as prescribed by the Alberta Management Agency in accordance with the Act and Regulations (within 90 days of taking oath of office)

4.5 Director of Emergency Management

4.5.1

The Director of Emergency Management (DEM) will;

- i. liaise with the Alberta Emergency Management Agency (and any other regulatory body)
- ii. liaise with the 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 Joint Municipal Emergency Plan
- iv. prepare the Municipal Emergency Plan and its programs
- v. review emergency response plans submitted by other municipal stake holders
- vi. appoint persons to the Emergency Management Team as deemed necessary
- vii. complete any courses prescribed by the Emergency Management Agency in accordance with the Act and Regulations (within 18 months of being appointed)

4.5.2

The DEM has the responsibility for implementing and putting into operation the Joint Municipal Emergency Plan in accordance with;

- i. the Emergency Management Act, Regulation or Ministerial directives
- ii. this Bylaw and any other part of any related Municipal Bylaws, regulations and policies
- iii. the direction of Council

The DEM will direct, control and coordinate all emergency services and other recourses used in an Emergency.

4.5.3

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

4.5.4

Without limitation, the DEM is empowered to make decisions concerning any other matter or thing or act which is necessary for the implementation and putting into effect of any part of;

- i. the Joint Municipal Emergency Plan
- ii. this Bylaw
- iii. any provision or decision made in good faith not specifically stated in the Act or this Bylaw

4.6 Emergency Management Team

4.6.1

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

4.6.2

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.

4.6.3

Any employee of the Town assigned responsibilities in respect to the implementation of the Joint Emergency Management Plan shall complete any courses prescribed by the Alberta Emergency Management Agency (within 6 months of being identified for a role).

5 GENERAL PROVISIONS ON EMERGENCY MANAGEMENT

5.1 Joint Municipal Emergency Plan

The Town will collaborate with other communities within the region (refer to Schedule A, A3 of this Bylaw) in developing a Joint Municipal Emergency Plan and will maintain an effective presence in the management of the Emergency Management Agency.

5.2

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

5.3

The content of the emergency plan must satisfy the requirements of the Local Authority Emergency Management Regulation 203/2018, January 2020 (as amended over time)

This must 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 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 the Joint Municipal Emergency Plan

The Joint Municipal Emergency 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 is 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 assumes direction and control under the Emergency Management Act and / or the Public Health Act.

5.6

When the Joint Municipal 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 and council as 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 in its 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 the Joint Municipal Emergency Plan, including;

- i. exercise any power given by the Minister in relation to the part of the municipality affected by the declaration
- ii. making operation the Joint Municipal Emergency Plan or any related plans or programs
- 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 the Joint Municipal 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 LIMIT OF LIABILITY

No action may be taken against the Town, 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 Joint Municipal Emergency Plan (including exercising any powers during a declared state of local emergency).

8 APPLICABILITY

8.1

This Bylaw applies to all persons, owners, occupants, customers and businesses within the Town of Bowden municipal boundaries

8.2

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

8.3

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.

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 **13/2007** and all amendments thereto are hereby repealed.

Schedules attached to this Bylaw;

Schedule A Appointments

This Bylaw and the schedules listed below will come into effect on the final day of passing and signature thereof.

Read a first time in open council this _27th_ day of _April 2020_,

Read a second time in open council this _27th_ day of _April 2020_,

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

Read a third time in open council this _27th_ day of _April 2020_,



Robb Stuart, Mayor



Greg Skotheim, 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

This shall consist of;

Three (3) appointed members of Town Council

A3

Emergency Management Agency

The joint body established under this Bylaw and appointed by Council consisting of;

**Red Deer County
Town of Sylvan Lake
Town of Penhold
Town of Innisfail
Town of Bowden
Village of Delburne
Village of Elnora
Summer Village of Jarvis Bay
Summer Village of Norglenwold**

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**