

VILLAGE OF ROCKYFORD

BYLAW NO. 2019-007

A BYLAW OF VILLAGE OF ROCKYFORD, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A REGIONAL EMERGENCY MANAGEMENT COMMITTEE, AGENCY, AND PLANNING AND COORDINATING GROUP

WHEREAS:

- A. Village of Rockyford is responsible for the direction and control of its emergency response and is required under the *Emergency Management Act*, Chapter E-6.8, RSA 2000, to appoint an Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency.
- B. It is desirable in the public interest, and in the interests of public safety, that such a committee be appointed, such an agency be established and maintained to carry out Council's statutory powers and obligations under the said *Emergency Management Act*.
- C. It is desirable in the public interest, and in the interests of public safety that a regional emergency management group be formed to coordinate a regional emergency approach and programs.
- D. The municipalities of the Wheatland County Region wish to establish a Regional Emergency Advisory Committee, a Regional Emergency Management Agency, and a Regional Emergency Planning and Coordinating Group.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF VILLAGE OF ROCKYFORD, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. SHORT TITLE

- 1.1. This Bylaw may be cited as the "Regional Emergency Management Bylaw".

2. DEFINITIONS

In this Bylaw the following words and terms shall have the following meanings:

- 2.1. "Act" means the Emergency Management Act, Chapter E-6.8, RSA 2000;
- 2.2. "Council" means the Council of Village of Rockyford;
- 2.3. "Deputy Director of Emergency Management" (DDEM) means the person responsible for the duties of the Director of Emergency Management in their absence;
- 2.4. "Director of Emergency Management" (DEM) means the person appointed by resolution of Council who shall be responsible for the municipality's Emergency Management Program;
- 2.5. "Disaster" means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property;
- 2.6. "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;
- 2.7. "Emergency Coordination Centre" (ECC) means the location that functions as a point of coordination, addressing the needs of the municipality or the Wheatland Region

as a whole, exercising the authority of the local officials, as well as anticipating and supporting the needs of one (1) or more incident sites;

- 2.8. "Wheatland Regional Emergency Partnership" (WREP) means the Wheatland Regional Emergency Partnership as established by agreement between and the bylaws of the respective municipal councils of the Parties;
- 2.9. "Wheatland Regional Emergency Management Coordinator" (WREM Coordinator) means the person appointed to coordinate the activities of the Wheatland Regional Emergency Planning and Coordinating Group;
- 2.10. "Wheatland Regional Emergency Planning and Coordinating Group" (Planning and Coordinating Group) means the Wheatland Regional Emergency Planning and Coordinating Group as established by agreement between and the bylaws of the respective municipal councils of the Parties;
- 2.11. "Local Authority" means, where a municipality has a council within the meaning of the Municipal Government Act, Chapter M-26, RSA 2000, that council;
- 2.12. "Minister" means the Minister charged with administration of the Act;
- 2.13. "Parties" means Village of Rockyford, The Town of Strathmore, The Village of Hussar, The Village of Rockyford, and The Village of Standard;
- 2.14. "Regional Emergency Management Agency" (the Agency) means the Wheatland Regional Emergency Partnership Agency as established by Agreement between and the bylaws of the respective municipal councils of the Parties;
- 2.15. "Regional Emergency Advisory Committee" (the Committee) means the Regional Emergency Management Committee of the Wheatland Regional Emergency Partnership as established by agreement between and the bylaws of the Parties;
- 2.16. "Regional Emergency Management Plan" means the Wheatland Regional Emergency Management Plan prepared by the Directors of Emergency Management to co-ordinate the response to an emergency or disaster.

3. ESTABLISHMENT OF REGIONAL EMERGENCY MANAGEMENT

- 3.1. Council agrees through the WREP, to establish the Committee to advise Council on the development of emergency plans and programs.
- 3.2. Council agrees through the WREP, to establish a Planning and Coordinating Group to guide the creation, implementation and evaluation of WREP plans and programs and to set the direction for the WREP Agency and any of its subgroups. This does not include the power to declare, renew or terminate a state of local emergency.
- 3.3. Council agrees through the WREP, to establish a position of Wheatland Regional Emergency Management Coordinator to handle program administration, planning, coordination and leadership on behalf of the Committee and the Planning and Coordinating Group.
- 3.4. Council agrees through the WREP, to establish the Agency to act as the agent of Council to carry out its statutory powers and obligation under the Act. This does not include the power to declare, renew or terminate a state of local emergency, nor the powers contained in Section 9.2 of this Bylaw.

4. ROLE OF COUNCIL

- 4.1. Council shall:
 - 4.1.1. by resolution, appoint one (1) of its members to serve on the Committee and at least one (1) member as an alternate;
 - 4.1.2. provide for the payment of expenses of its member(s) of the Committee;
 - 4.1.3. ensure that emergency plans and programs are prepared to address potential emergencies or disasters in Village of Rockyford and the WREP Region;
 - 4.1.4. approve the Regional Emergency Management Plans and Programs as they related to Village of Rockyford and the WREP Region;
 - 4.1.5. review the status of the Regional Emergency Management Plan and related plans and programs at least once a year; and
 - 4.1.6. by resolution appoint a DEM.

- 4.2. Council may:
 - 4.2.1. by resolution appoint one (1) or more DDEM;
 - 4.2.2. by bylaw that is not advertised, borrow, levy, appropriate and expend all sums required for its share of the operation of the Agency; and
 - 4.2.3. 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.

5. COMMITTEE STRUCTURE

- 5.1. The Committee shall:
 - 5.1.1. consist of municipal Councillors appointed by each of the Parties, with each municipality appointing one (1) primary member, each of whom shall have one (1) vote regarding any matter coming before the committee;
 - 5.1.2. each municipality shall also appoint one (1) alternate member to the committee who shall be permitted to vote in the absence or in place of the primary member;
 - 5.1.3. review the Regional Emergency Management Plan and related plans and programs on a regular basis; and
 - 5.1.4. advise Council, duly assembled, on the status of the Regional Emergency Management Plan and related plans and programs at least once each year.

6. AGENCY STRUCTURE

- 6.1. The Agency shall be comprised of the following persons:
 - 6.1.1. the CAO of each municipality which is a member of WREP;
 - 6.1.2. DEM of each municipality which is a member of WREP;
 - 6.1.3. DDEM of each municipality which is a member of WREP.

- 6.2. The Agency may request that the following persons join or advise the Agency on either a standing or as needed basis for each period of time that the Agency deems appropriate:
 - i. RCMP Detachment Commander or designate;
 - ii. Fire Chiefs or designates;
 - iii. Wheatland and District Emergency Medical Services Association Manager or designate;
 - iv. Enforcement Services Supervisor or designate;
 - v. Family and Community Support Services Director or designate;
 - vi. Public Works Supervisor or designate;
 - vii. Utility Manager or designate;
 - viii. Emergency Public Information Officers or designates;
 - ix. Emergency Social Services Manager or designate;
 - x. Alberta Health Services representatives or designates;
 - xi. School Superintendent or designate;
 - xii. Disaster Social Services Managers or designates;

- xiii. Representative(s) from adjacent municipalities or First Nations;
- xiv. Representatives from local business;
- xv. Representatives from local industry or industrial associations;
- xvi. Representatives from Alberta Municipal Affairs;
- xvii. Representatives from local utility companies; and
- xviii. Anybody else who might serve as useful purpose in the preparation or implementation of the Regional Emergency Management Plan.

7. PLANNING AND COORDINATING GROUP

- 7.1. The WREP Planning and Coordinating Group shall:
 - 7.1.1. consist of the DEM from each of the Parties, the DDEM from the Parties, and the Wheatland Regional Emergency Management Coordinator. Despite a vacancy in any of these positions from time to time, the Planning and Coordinating Group shall continue to exist;
 - 7.1.2. guide the creation, implementation and evaluation of Regional Emergency Management Plans and programs for the WREP Region;
 - 7.1.3. determine the direction of the Agency and any of its sub groups;
 - 7.1.4. coordinate all emergency services and other resources used in an emergency;
 - 7.1.5. 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 Agency. The designation of an individual or group of individuals to act on behalf of the Agency shall be guided by the following:
 - i. once an ECC has been activated, any one (1) of the DEMs or DDEMs that are members of the Agency may serve as DEM for the incident. Whenever possible, the DEM or DDEM from the impacted municipality shall fill that role. The intent is to ensure that there is leadership in the ECC while the DEM may be on route to the ECC, or the DEM is away or not available for whatever reason;
 - ii. in the event of an Emergency within or affecting more than one (1) municipality within the WREP Region, the first DEM to the ECC will serve as DEM for the incident. As other DEMs arrive at the ECC, they will jointly decide who will take the lead role. DEM and DDEMs from the Agency may rotate through the role of DEM for the ECC;
 - 7.1.6. ensure someone is designated to discharge the responsibilities specified in paragraphs 7.1.2, 7.1.3, 7.1.4 and 7.1.5.

8. AUTHORITY AND POWERS

- 8.1. In the event of an Emergency entirely within the boundaries of and only affecting Village of Rockyford, the authority and powers to declare or renew a state of local emergency under the Act, the authority and powers specified in Section 9.2 of this Bylaw, and the requirement specified in Section 9.5 of this Bylaw are hereby delegated to a municipal committee comprised of the Mayor or any two (2) Councillors. This municipal 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.
- 8.2. In the event of an emergency entirely within the boundaries of and affecting only Village of Rockyford and the local municipal committee cannot be reached or in the event of an emergency impacting more than one (1) municipality within the WREP Region, the authority and power to declare or renew a state of local emergency under the Act; the authority and powers specified in Section 9.2 of this Bylaw; and the requirements specified in Section 9.5 of this Bylaw are hereby delegated to any two (2) or more members of the 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 (1) member or alternate from each municipality affected.

9. STATE OF LOCAL EMERGENCY

- 9.1. When a state of local emergency is declared, the Local Authority or the Committee making the declaration shall:
 - 9.1.1. ensure that the declaration identifies the nature of the emergency and the area in which it exists;
 - 9.1.2. 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
 - 9.1.3. forward a copy of the declaration to the Minister forthwith.

- 9.2. Subject to Section 9.5, when a Local Authority or the Committee has declared a state of local emergency, that Local Authority or the Committee may, for the duration of that State of Local Emergency, do all acts and take all necessary proceedings including the following:
 - 9.2.1. cause the Regional Emergency Management Plan or any related plans or programs to be put into operation;
 - 9.2.2. acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - 9.2.3. authorize or require any qualified person to render aid of a type the person is qualified to provide;
 - 9.2.4. control or prohibit travel to or from any area of Village of Rockyford;
 - 9.2.5. 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 Village of Rockyford;
 - 9.2.6. cause the evacuation of persons and the removal of livestock and personal property from any of Village of Rockyford 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;
 - 9.2.7. authorize the entry into any buildings or any land, without warrant, by any person in the course of implementing an emergency plan or program;
 - 9.2.8. 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;
 - 9.2.9. 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 Village of Rockyford for the during of the state of local emergency;
 - 9.2.10. authorize the conscription of persons needed to meet an emergency; and
 - 9.2.11. 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) of this Section in relation to any part of the municipality affected by a declaration of an state of local emergency including as part of a Regional Emergency affecting more than one (1) municipality for which a declaration of State of Local Emergency was made under Sections 8.1 and 8.2.

- 9.3. In accordance with Section 28 of the Act, no action lies against a Local Authority or person acting under the Local Authority's direction or authorization for anything done or omitted to be done in good faith while carry out a power or duty under this Act or in the regulations during a state of local emergency.

- 9.4. In accordance with Section 535(2) of the Municipal Government Act, 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.

- 9.5. When, in the opinion of the Local Authority in which the state of local emergency was declared, or the Committee, as the case may be, an emergency no longer exists, the Local Authority or the Committee shall, by resolution, terminate the declaration.
- 9.6. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:
 - 9.6.1. a resolution is passed under Section 9.5;
 - 9.6.2. a period of seven days has lapsed since it was declared, unless it is renewed by resolution;
 - 9.6.3. the Lieutenant Governor in Council makes an order for a state of emergency for the same area; or
 - 9.6.4. the Minister cancels the state of local emergency for the affected area.
- 9.7. When a declaration of a state of local emergency has been terminated, the Local Authority or the 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.

10. AGREEMENTS & POLICIES

- 10.1. The Committee is delegated the authority to enter into an Emergency Management Mutual Aid Agreement with another regional group or single municipality. The decision for the Committee to enter into a mutual aid agreement must be made by unanimous vote of all Parties. The Parties shall be permitted to vote in person or by way of fax or email.
- 10.2. The Committee is delegated the authority to create policies relating to the emergency preparedness, mitigation, response, recovery and the operation of the Regional Emergency Partnership and the Agency.

11. SEVERABILITY

- 11.1. If any section or sections of this Bylaw or parts thereof are found in any court or law to be illegal or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of the Bylaw shall be deemed separate and independent therefrom and to be enacted as such.

12. COMING INTO FORCE

- 12.1. This Bylaw shall become effective when it has received third and final reading and has been signed by the Mayor and Municipal Administrator.


READ a first time this 9th day of October, 2019.

READ a second time this 13th day of November, 2019.

READ a third and final time this 13th day of November, 2019.



Mayor



Municipal Administrator