

BY-LAW NUMBER 2015/46

BY-LAW NO. 2015/46 is a by-law of the County of Wetaskiwin No. 10 in the Province of Alberta, for the purpose of establishing a Municipal Emergency Management Agency.

WHEREAS the Council of the County of Wetaskiwin is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of May 13, 2011), 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;

NOW, THEREFORE, THE COUNCIL OF THE COUNTY OF WETASKIWIN, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1) This By-law may be cited as the Municipal Emergency Management By-law.
- 2) In this By-law,
 - a) "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
 - b) "Council" means the Council of the County of Wetaskiwin;
 - c) "Director of Emergency Management" means an individual appointed by the local authority to: prepare and coordinate emergency plans and programs for the municipality; act as the director of operations on behalf of the local authority's Emergency Management agency; coordinate all emergency series and other resources used in an emergency; and, perform other related duties.
 - d) "disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;
 - e) "Emergency Advisory Committee" means the committee established under this By-law;
 - f) "emergency" means a present or imminent 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;
 - g) "exercise" is a simulated emergency in which members of a Municipal Emergency Management Agency perform the tasks that would be expected of them in a real emergency;
 - h) "Minister" means the Minister charged with administration of the Act;
 - i) "Municipal Emergency Management Agency" means the agency established under this By-law; and
 - j) "Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.
- 3) There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
- 4) The Emergency Advisory Committee shall consist of two (2) Council Members, the Director of Emergency Management, and the Deputy Director of Emergency Management.
- 5) The Emergency Advisory Committee shall

- a) Review the Municipal Emergency Plan and related plans and programs on a regular basis by conducting or participating in a minimum of one (1) exercises per calendar year;
 - b) Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the County of Wetaskiwin; and
 - c) Advise Council on the status of the Municipal Emergency Plan and related plans and programs annually.
- 6) There is hereby established a Municipal Emergency Management Agency to act as the agency 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, nor the powers contained in Section 14 of this By-law.
- 7) The Municipal Emergency Management Agency shall be comprised of one or more of the following:
- a) The Director of Emergency Services/ Director of Emergency Management;
 - b) The Deputy Director of Emergency Management;
 - c) The Manager, Administrator, Clerk or other administrative staff member(s) of the municipality;
 - d) The Police Chief or designate or the N.C.O. in Charge, R.C.M. Police or designate;
 - e) The Fire Chief or designate;
 - f) The Public Information Officer, or designate;
 - g) The Public Works Foreman, or designate;
 - h) The Ambulance Services Manager, or designate;
 - i) The Health Unit Manager, or designate;
 - j) Representative(s) from Alberta Health Services
 - k) Director of Leisure & Community Services, or designate;
 - l) The School Board Chairperson(s), or designate;
 - m) Directors of Emergency Management or Deputy Directors of Emergency Management from adjacent municipalities which have entered into mutual aid agreements;
 - n) Representative(s) from local business or business associations (e.g. Chamber of Commerce, Board of Trade);
 - o) Representative(s) from local industry or industrial associations;
 - p) Representative(s) from Alberta Municipal Affairs;
 - q) Representative(s) from Alberta Environmental Protection;
 - r) Representative(s) from Alberta Transportation and Utilities;
 - s) Representative(s) from Federal government agencies; and
 - t) Anybody else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan.
- 8) The Municipal Emergency Management Agency may expend monies required for the response to and recovery from an emergency event up to a maximum of \$50,000 per event without prior approval from Council.
- 9) Council shall
- a) By resolution, appoint two (2) of its members to serve on the Emergency Advisory Committee;
 - b) Provide for the payment of expenses of the members of the Emergency Advisory Committee;
 - c) By resolution, appoint a Director of Emergency Management and a Deputy Director of Emergency;
 - d) Approve the County of Wetaskiwin's emergency plans and programs; and

- e) Review the status of the Municipal Emergency Plan and related plans and programs annually.
- 10) Council may
- a) Borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency; and
 - b) Enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development of implementation of emergency plans or programs, including mutual aid plans and programs.
- 11) The Director of Emergency Management shall
- a) Prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the County of Wetaskiwin.
 - b) Act as 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; and
 - c) Co-ordinate all emergency services and other resources used in an emergency; or
 - d) Ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).
 - e) Perform other duties as prescribed by the local authority.
- 12) The power to declare or renew a state of local emergency under the Act, and the requirement specified in Section 17 of this By-law, are hereby delegated to a committee comprised of the Reeve, or in the absence of the Reeve the Deputy Reeve or in their absence any two Councillors. This 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.
- 13) 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 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; and
 - c) Forward a copy of the declaration to the Minister forthwith.
- 14) Subject to Section 17, when a state of local emergency is declared, the Municipal Emergency Management Agency may
- a) Put into operation an emergency plan or program;
 - 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 he or she is qualified to provide;
 - d) Control or prohibit travel to or from any area 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

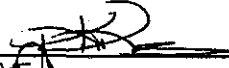
- and protection of those persons or livestock and of the personal property;
- g) Authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program;
 - h) Cause the demolition or removal of any trees, structures or crops if 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 local emergency;
 - j) Authorize the conscription of persons needed to meet an emergency; and
 - 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.
- 15) When a state of local emergency is declared,
- a) Neither Council nor any member of Council, and
 - b) No person or agency appointed by Council to carry out measures relating to emergencies or disasters, are liable in respect of damage caused through any action taken under this By-law, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
- 16) Notwithstanding Section 15,
- 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 By-law.
- 17) When, in the opinion of the person or persons declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.
- 18) 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 17;
 - b) A period of seven (7) days has lapsed since it was declared, unless it is 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 of Municipal Affairs cancels the state of local emergency.
- 19) When a declaration of a 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 considered most likely to notify the population of the area affected.
- 20) By-law No. 98/65 passed on September 22, 1998 dealing with the establishment of a Disaster Services Agency is hereby repealed.

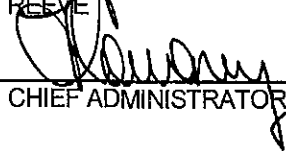
This By-law comes into force on the day it is finally passed.

READ: A First time this 1st day of September, A.D., 2015.

READ: A Second time 1st day of September, A.D., 2015.

READ: A Third time and finally passed 1st day of September, A.D., 2015.



REEVE


CHIEF ADMINISTRATOR