

THE COUNTY OF VERMILION RIVER

BYLAW 23-14

MUNICIPAL EMERGENCY MANAGEMENT BYLAW

**BEING A BYLAW OF THE COUNTY OF VERMILION RIVER IN THE PROVINCE OF ALBERTA,
FOR THE PURPOSE OF ESTABLISHING MUNICIPAL EMERGENCY MANAGEMENT**

WHEREAS under the provisions of the *Emergency Management Act*, the council of a municipality is responsible for the direction and control of the municipality's response to an emergency and is responsible to prepare and approve emergency plans and programs.

NOW THEREFORE the Council of the County of Vermilion River in the Province of Alberta, enacts as follows:

Citation

1. This bylaw is cited as the County of Vermilion River "Municipal Emergency Management Bylaw".

Definitions

2. In this bylaw:
 - a. "Act" means the *Emergency Management Act*, Revised Statutes of Alberta 2000, Chapter E-6.8, as amended;
 - b. "AEMA" means Alberta Emergency Management Agency;
 - c. "Agency" includes the Emergency Management Agency established under this bylaw;
 - d. "CAO" means the Chief Administrative Officer appointed by Council;
 - e. "Committee" means the Emergency Advisory Committee established under this bylaw;

- f. "Council" means the elected council of the County of Vermilion River;
- g. "County" means the County of Vermilion River;
- h. "Deputy Director" means the employee appointed to be the Deputy Director of Emergency Management;
- i. "Director" means the employee appointed to be the Director of Emergency Management;
- j. "District Fire Chief" means the Fire Chief of a fire district, whether a Fire Chief of a County Fire Department or their designate and, where the context so requires, shall include the Fire Chief of a Fire Department operated by another municipality or entity which provides fire services in the County via contract, or their designate;
- k. "Employee" means employees of Council and the County of Vermilion River;
- l. "Regulations" means the Local Authority Emergency Management Regulation, Alberta Regulation 203/2018;

Emergency Advisory Committee

- 3. The County hereby establishes an Emergency Advisory Committee.
- 4. The Committee shall:
 - a. review the Emergency Plan and related plans and programs;
 - b. review any proposed revisions to the Emergency Plan or related plans and programs;
 - c. advise Council on the status of the Emergency Plan and related plans and programs and on the state of emergency preparedness in the municipality, at least once per year;
 - d. provide guidance and direction to the County's Emergency Management Agency;

- e. consist of the Director, who shall chair the Committee, the Deputy Director(s), the Safety Coordinator and the Protective Services Administrative Assistant. In the absence of the Director, the remaining Committee members shall appoint a Chair; and
 - f. meet at least once per year and may meet more frequently at the call of the Chair.
5. A quorum of the Committee consists of a majority of its members.
6. The power to declare, renew, or terminate a State of Local Emergency, is subject to the provisions of sections 16 to 27 of this bylaw.

Emergency Management Agency

7. The County hereby establishes an Emergency Management Agency.
8. The Agency shall:
- a. be responsible for the administration of the County's emergency plan;
 - b. assist in developing recommendations for policies and programs, and requests to the CAO or Council for resources or budget approvals;
 - c. report to the Emergency Advisory Committee, at least once per year, to provide updates on agency activities, and must include an update on the agency's review of the County's emergency plan;
 - d. engage in at least one exercise per year in which participants identify a significant possible emergency or disaster scenario and discuss how the County would respond to and resolve emergency management issues that may arise from the scenario;
 - e. engage in at least one exercise every 4 years in which participants identify a significant possible emergency or disaster scenario and carry out actions as if the significant emergency or disaster was actually occurring, but without deploying personnel or other resources;

- f. meeting with external stakeholder groups during any phase of emergency management;
 - g. use the command, control and coordination system prescribed by the Managing Director of the AEMA; and
 - h. make the emergency plan available to the AEMA for review and comment annually.
9. Subsection 8(e) does not apply if the Agency has responded to an emergency or disaster within the previous 4 years that resulted in the implementation of the County's emergency plan and a written post-incident assessment that included observations and recommendations for improvement and corrective action being conducted.
10. The Agency may fulfill the obligations in subsections 8(d) and (e) by participating in regional emergency exercises that require the County to utilize relevant portions of the County's emergency plan.
11. The Agency must submit an exercise notification to the AEMA 90 days before engaging in the exercise required by subsection 8(e) and must:
 - a. outline the exercise scenario,
 - b. state the exercise objectives,
 - c. identify the participants, and
 - d. state the date the exercise will be conducted.
12. Membership of the Agency consists of:
 - a. the Director, who shall direct the activities of and preside at meetings of the Agency;
 - b. the Deputy Director(s);
 - c. the Safety Coordinator; and
 - d. the Protective Services Administrative Assistant.
13. The Director may invite representatives to work with the Agency in developing the Emergency Management Plan or related plans or programs, or in implementing the Emergency Management Plan or related plans or programs after they have been adopted or approved, including:
 - a. Employees;

- b. the RCMP;
- c. the Government of Alberta;
- d. District Fire Chiefs;
- e. County Peace Officers;
- f. industry or industry groups;
- g. business or business groups;
- h. utility and telecommunications providers;
- i. community organizations;
- j. local leaders;
- k. support groups;
- l. emergency social services organizations; and
- m. mutual aid partners.

Director of Emergency Management

14. The Director of Protective Services is appointed as the Director of Emergency Management.

15. The Director shall:

- a. prepare and co-ordinate emergency plans and programs for the municipality;
- b. act as director of emergency operations on behalf of the emergency management agency;
- c. co-ordinate all emergency services and other resources used in an emergency;
- d. advise the CAO and Council when the Director considers that a State of Local Emergency should be declared, and to what part of the County the State of Local Emergency should apply;
- e. complete any courses prescribed by the Managing Director of the AEMA within 18 months of being appointed as the Director; and
- f. perform other duties as prescribed by the local authority.

Declaration of a State of Local Emergency

16. The County may, at any time when it is satisfied that an emergency exists or may exist within the County, by resolution make a declaration of a state of local emergency related to all or any part of the County.
17. A declaration of a state of local emergency under section 19 must identify the nature of the emergency and the area of the County in which it exists.
18. Immediately after the making of a resolution for the declaration of a state of local emergency, the County shall cause the details of the declaration to be published by any means of communication that it considers is most likely to make known to the population of the area of the County affected the contents of the declaration.
19. The County shall forthwith on making a declaration of a state of local emergency forward a copy of the declaration to the Minister.

Cancellation of Declaration of State of Local Emergency

20. The Minister may cancel the declaration of a state of local emergency at any time the Minister considers appropriate in the circumstances.
21. A declaration of a state of local emergency lapses at the end of 7 days, or at the end of 90 days if the declaration is in respect of a pandemic, after its making by the County unless it is earlier cancelled by the Minister, terminated by the County or renewed by the County.

Termination of Declaration of State of Local Emergency

22. When, in the opinion of the County, an emergency no longer exists in an area of the County in relation to which a declaration of a state of local emergency was made, it shall by resolution, or, in the case of the Minister responsible for the *Municipal Government Act*, by order, terminate the declaration of a state of local emergency in respect of that area.

23. Immediately after:

- a. the passage of a resolution terminating a declaration under the Act,

- b. the cancellation by the Minister of a declaration of a state of local emergency, or
- c. the termination by lapse of time of a declaration of a state of local emergency,

the County shall cause the details of the declaration or cancellation or the fact of the termination by lapse of time to be published by any means of communication that it considers is most likely to make known to the majority of the population of the area affected the contents of the declaration or cancellation or the fact of the termination.

Powers of the County

24. On the making of a declaration of a state of local emergency and for the duration of the state of local emergency, the County may do all acts and take all necessary proceedings including the following:

- a. cause any emergency plan or program to be put into operation;
- b. exercise any power given to the Minister under Section 19(1) of the Act in relation to the part of the municipality affected by the declaration;
- c. authorize any persons at any time to exercise, in the operation of an emergency plan or program, any power given to the Minister under Section 19(1) of the Act in relation to any part of the County affected by a declaration of a state of local emergency.

25. Despite Section 28 (a), (b) and (c), the Minister may, by order, restrict, prohibit or terminate the exercise:

- a. by the County of any power given to the Minister under Section 19(1) of the Act in relation to the part of the County affected by the declaration of a state of local emergency, or
- b. by a person authorized by the County to exercise, in the operation of an emergency plan or program, any power given to the Minister under Section 19(1) of the Act in relation to any part of the County affected by the declaration of a state of local emergency.

26. The Minister may, by order, rescind, cancel or modify any bylaw enacted, resolution passed, action taken, order made or direction given by the County during a state of local emergency.
27. If the County acquires or utilizes real or personal property or if any real or personal property is damaged or destroyed due to an action of the County in preventing, combating or alleviating the effects of an emergency or disaster, the County shall cause compensation to be paid for it.
28. The County may, during or within 60 days after the state of local emergency, by bylaw that is not advertised but is approved by the Minister responsible for the *Municipal Government Act*, borrow any money necessary to pay expenses caused by the emergency including payment for services provided by the Government of Alberta or by the Government of Canada when the services were provided at the request of the County.

Liability Protection for Emergency Service Providers

29. No action lies against the County or a person acting under the County's direction or authorization for anything done or omitted to be done in good faith while carrying out a power or duty under the Act or the regulations including a power or duty under the Act or the exercise of the powers under the Act, during a state of local emergency.

SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed, and the remaining bylaw shall be maintained.

THIS Bylaw shall come into force and effect upon receiving Third and Final Reading and having been signed by the Reeve and Chief Administrative Officer.

Read this First time this 12 day of December, 2023

Read this Second time this 12 day of December, 2023

Introduced for Third and Final time this 12 day of December, 2023

Read a Third and Final time and finally passed, this 12 day of December, 2023

SIGNED by the Reeve and Chief Administrative Officer this 12th day of December 2023.



REEVE



CHIEF ADMINISTRATIVE OFFICER