

BYLAW NO 2020-02
VILLAGE OF ANDREW
IN THE PROVINCE OF ALBERTA
Regional Emergency Management Bylaw

A BYLAW OF THE VILLAGE OF ANDREW IN THE PROVINCE OF ALBERTA TO ESTABLISH THE FOLLOWING:
THE LAMONT REGIONAL EMERGENCY MANAGEMENT PARTNERSHIP, A REGIONAL EMERGENCY
ADVISORY COMMITTEE AND A REGIONAL EMERGENCY MANAGEMENT AGENCY IN LAMONT COUNTY.

WHEREAS, the Municipal Government Act R.S.A. 2000, Chapter M-26 and amendments thereto provides that a council of a municipality may pass by-laws respecting the safety, health and welfare of people and the protection of people and property and for services provided by or on behalf of the municipality;

AND WHEREAS, Pursuant to the Emergency Management Act, R.S.A. 2000 c E-6.8 (the "Act"), the Village of Andrew Council is responsible for the direction and control of its emergency response and is required, under the Act to appoint a Municipal Emergency Advisory Committee and to advise on the development of emergency plans and programs;

AND WHEREAS, it is recognized that an emergency or disaster of a jurisdictional or multi-jurisdictional nature could affect any or all of the municipalities within the geographical boundaries of Lamont County to such a degree that local resources would be inadequate to cope with the situation independently;

AND WHEREAS a local authority may delegate some or all the local authority's powers or duties under the Emergency Management Act of Alberta;

AND WHEREAS Council wishes to enter a regional emergency management partnership with other municipalities within the geographical boundaries of Lamont County, the Towns of Lamont, Mundare, and Villages of Andrew and Chipman, for the purpose of integrated regional emergency management planning and operations. This partnership to be recognized as the Lamont Regional Emergency Management Partnership;

AND WHEREAS Council elects to delegate certain responsibilities to the Regional Emergency Advisory Committee and the Regional Emergency Management Agency.

BE IT RESOLVED THAT the Council of the Village of Andrew in the Province of Alberta duly assembled enacts as follows:

1.0 SECTION 1 – NAME OF BYLAW

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

2.0 SECTION 2 – DEFINITIONS

In this Bylaw:

2.1 "**Act**" means the Emergency Management Act of Alberta, Chapter e 6.8, Revised Statutes of Alberta 2000, c. E-6-8.

2.2 "**CAO**" means the Chief Administrative Officer of the Village of Andrew, Alberta or their designate to implement the Bylaw.

2.3 "**Council**" means the duly elected municipal council of the Village of Andrew in the Province of Alberta.

- 2.7 ***“Emergency Management”*** means the development, coordination and execution of plans, measures and programs pertaining to mitigation, preparedness, response, and recovery before, during and after an emergency event.
- 2.8 ***“Local Authority”*** means, where a municipality has a council within the meaning of the Municipal Government Act, RSA 2000 c.M-26.
- 2.9 ***“Lamont Region”*** means the geographical area within the boundaries of Lamont County including the Municipalities of Andrew, Chipman, Lamont, Mundare and Lamont County.
- 2.10 ***“Lamont Regional Emergency Management Partnership”*** is a partnership comprising the Municipalities of Andrew, Chipman, Lamont, Mundare and Lamont County who have entered into a joint agreement for the purpose of organizing integrated regional emergency planning, training, assistance, and emergency operations programs.
- 2.11 ***“Minister”*** means the Minister charged with administration of the Act
- 2.12 ***“Parties”*** means the Municipalities of Andrew, Chipman, Lamont, Mundare and Lamont County.
- 2.13 ***“Regional Director of Emergency Management (RDEM)”*** means an individual appointed Regional Director of Emergency Management under this bylaw.
- 2.14 ***“Regional Deputy Director of Emergency Management (RDDEM)”*** means an individual appointed Regional Deputy Director of Emergency Management under this bylaw.
- 2.15 ***“Regional Emergency Advisory Committee”*** means a regional committee comprised of one (1) elected official, or alternate, from each of the partnering municipalities of the Lamont Regional Emergency Management Partnership as established by agreement between and the bylaws of the partners.
- 2.16 ***“Regional Emergency Management Agency”*** means a regional emergency management agency established by the partnering municipalities of the Lamont Regional Emergency Management Partnership as established by agreement between and the bylaws of the respective municipal councils of the Parties hereto.
- 2.17 ***“Regional Emergency Management Plan”*** means the Regional Emergency Management Plan prepared by the Lamont Regional Emergency Management Agency to coordinate the response to an emergency or disaster; the training program to ensure stakeholders are equipped to manage an incident/event of scale and the governance/administrative functions that empower stakeholders to take whatever measures necessary to protect lives, property and environment.
- 2.18 ***“Regional Emergency Coordination Centre”*** (RECC) means the location that functions as a point of coordination, addressing the needs of the municipality and/or the Lamont Region as a whole, exercising the authority of local officials, as well as anticipating and supporting the needs of one or more incident sites.

3.0 SECTION 3 – REGIONAL EMERGENCY ADVISORY COMMITTEE

3.1 Councils of the Lamont County Region agree through the Lamont Regional Emergency Management Partnership, to establish a Regional Emergency Advisory Committee to advise all Councils on the development of regional emergency plans and programs.

3.1.1 A minimum of three (3) voting members shall constitute quorum.

3.1.2 The members will elect from the membership a Chairperson and Vice-Chairperson.

3.2 The Regional Emergency Advisory Committee shall consist of a municipal Councillor appointed by each of the "Parties", with each municipality appointing one primary member, each of whom shall have one vote regarding any matter coming before the committee.

3.3 Each municipality shall also appoint an alternate member of the local authority to the committee who shall be permitted to vote in the absence or in place of the primary member.

3.4 The Committee shall:

3.4.1 Meet a minimum once annually, or as any emergent or immediate need arises

3.4.2 Be delegated the authority to:

3.4.2.1 Develop and approve policies concerning emergency preparedness, mitigation, response, recovery and the operation and administration of the Regional Emergency Management Partnership and the Regional Emergency Management Agency.

3.4.2.2 Approve the Regional Emergency Management plan.

3.4.2.3 Declare, renew and/or terminate a State of Local Emergency as per Section 7 of this bylaw.

3.4.2.4 Appoint the Regional Director of Emergency Management and Regional Deputy Director of Emergency Management by resolution of the committee.

3.4.3 Provide guidance and direction to the Regional Emergency Management Agency.

3.4.4 Review the Regional Emergency Management Plan and related plans and programs at a minimum of an annual basis.

3.4.5 Advise all Councils, duly assembled, on the status of the Regional Emergency Plan and related plans and programs at least once annually.

3.5 The Chairperson or Vice-Chairperson may call a special meeting of the Regional Emergency Advisory Committee where information is presented that an emergency exists which can or may affect one or more Lamont Regional Emergency Management partners.

the reason for the special meeting, date, time, and meeting method (physical and/or virtual). If a physical meeting is called, the location must be included in the notification.

3.7 Those members of the Regional Emergency Advisory Committee in attendance at a special meeting of the Regional Emergency Advisory Committee will constitute quorum.

3.7.1 Notwithstanding, if the special meeting requires a decision be made regarding the declaration, termination, or renewal of a State of Local Emergency then a minimum of two (2) members of the Regional Emergency Advisory Committee must be present as per section 7.2 of this Bylaw.

4.0 **SECTION 4 – REGIONAL EMERGENCY MANAGEMENT AGENCY**

4.1 Councils agree, through the Lamont Regional Emergency Management Partnership, to establish a Regional Emergency Management Agency to act as the agent of the Councils of the Parties to carry out its statutory powers and obligations under the Act.

4.2 The Regional Emergency Management Agency is hereby established

4.3 The Regional Emergency Management Agency, through the Lamont Regional Emergency Management Partnership, will administer and deliver programs related to Emergency Management.

4.4 The Regional Emergency Management Agency membership shall consist of one (1) permanent member from each Partnering Municipality, who shall be the Chief Administrative Officer or designate, in addition to the Regional Director of Emergency Management and Regional Deputy Director of Emergency Management.

4.5 The Regional Emergency Management Agency may have representation from the following entities as deemed necessary by the Regional Director of Emergency Management:

- a. Public Works designate(s) from any of the Parties
- b. Emergency Social Services
- c. Agriculture Services
- d. RCMP
- e. Alberta Health Services EMS and/or the local contracted EMS provider
- f. Lamont County Emergency Services & Protective Services
- g. Alberta Health Services
- h. Lamont Health Care Center
- i. Local individuals, companies, associations, organizations, or other entities with specialties that will benefit the Agency during an emergency and in preparation of the Municipal Emergency Plan.

4.6 The Regional Emergency Management Agency shall:

4.6.1 Meet at a minimum of once annually.

4.6.2 Be charged with the responsibility of administering the local authority's emergency management program. This includes guiding the creation, implementation and evaluation of regional emergency plans and programs for the Lamont Regional Emergency Management Partnership.

4.6.3 Ensure someone is designated to discharge the responsibilities specified in this

5.0 SECTION 5 - REGIONAL DIRECTOR OF EMERGENCY MANAGEMENT

5.1 The Regional Director of Emergency Management shall:

- 5.1.1 Act as Chair of the Regional Emergency Management Agency.**
- 5.1.2 Act as the Director of the Regional Emergency Coordination Centre or ensure that someone is designated under the Lamont Regional Emergency Management Plan to so act, on behalf of the Lamont Regional Emergency Management Agency.**
- 5.1.3 Prepare and coordinate the Emergency Management plans and programs for all Parties as required by the Act.**
- 5.1.4 Coordinate all emergency services and other resources used in an emergency.**
- 5.1.5 Ensure staff of the organization and members of the Regional Emergency Advisory Committee and the Regional Emergency Management Agency are made aware of the Lamont Regional Emergency Management Plan and as required ensure training is done to maintain effectiveness in the event of an emergency.**
- 5.1.6 Recommend a Regional Deputy Director of Emergency Management to the Regional Emergency Advisory Committee for appointment.**
- 5.1.7 Perform other duties and prescribed by local authorities.**

6.0 SECTION 6 - COUNCIL

6.1 Council shall:

- 6.1.1 By resolution, appoint one (1) of its members to the Regional Emergency Advisory Committee.**
- 6.1.2 Appoint one (1) alternate member to the Regional Emergency Advisory Committee.**
- 6.1.3 Provide for payment of expenses of the members of the Regional Emergency Advisory Committee in accordance with remuneration policy or bylaw, as amended from time to time.**
- 6.1.4 Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Lamont Region.**
- 6.1.5 Review the status of the Regional Emergency Management Plan and related plans and programs at least once a year.**

6.2 Council may:

- 6.2.1 By bylaw, borrow, levy, appropriate and expend, without consent of the electors, all sums required for the operation of the Regional Emergency**

7.0 SECTION 7 – DECLARATION OF A STATE OF LOCAL EMERGENCY

- 7.1 Under the advisement of the Regional Director of Emergency Management or their designate, the Committee may at any time when it is satisfied that an emergency exists or may exist make a declaration of a State of Local Emergency.
- 7.2 The authority to declare, terminate or renew a State of Local Emergency, the powers specified in Section 7.4 of this bylaw, and the requirements specified in Section 7.3 of this bylaw, are hereby delegated to any two (2) members of the Regional Emergency Advisory Committee.
- 7.3 When a State of Local Emergency is declared the Regional Emergency Advisory Committee shall:
 - 7.3.1 Ensure that the declaration identifies the nature of the emergency and the area of the Region in which it exists.
 - 7.3.2 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.
 - 7.3.3 Forward a copy of the declaration to the Minister forthwith.
- 7.4 Subject to Section 7.3, when the Regional Emergency Advisory Committee has declared a State of Local Emergency, that Committee may, for the duration of that State of Local Emergency, do all acts and take all necessary proceedings including any combination of the following:
 - 7.4.1 Cause the Lamont Regional Emergency Management Plan or any related plans or programs to be put into operation.
 - 7.4.2 Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster.
 - 7.4.3 Authorize or require any qualified person to render aid of a type the person is qualified to provide.
 - 7.4.4 Control or prohibit travel to or from any area of the area or region identified within the State of Local Emergency.
 - 7.4.5 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 the Lamont Region.
 - 7.4.6 Cause the evacuation of persons and the removal of livestock and personal property from any area of the Lamont Region 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.
 - 7.4.7 Authorize the entry into any building or on any land, without warrant, by any

- 7.4.10 Authorize the conscription of persons needed to meet an emergency.
- 7.4.11 Authorize any persons at any time to exercise, in the operation of the Lamont Regional Emergency Management Plan and related plans or programs, any power specified in section 7.4 in relation to any part of the municipality affected by a declaration of a State of Local Emergency.
- 7.5 No action lies against the Parties or a person acting under the Lamont Region's direction or authorization for anything done or omitted to be done in good faith while carrying out a power under the Emergency Management Act or the regulations during a State of Local Emergency.
- 7.6 In accordance with Section 535(2) of the *Municipal Government Act*, RSA 2000, c.M 26, 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
- 7.7 When, in the opinion of the Regional Emergency Advisory Committee an emergency no longer exists in relation to which the declaration was made, that Committee shall terminate the declaration.
- 7.8 A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when:
 - 7.8.1 A resolution is passed under Section 7.7 (Section 23 of the *Emergency Management Act*).
 - 7.8.2 A period of seven (7) days has lapsed, or ninety (90) days has lapsed in the case of a Pandemic, since it was declared, unless it is renewed by resolution.
 - 7.8.3 The Minister cancels the State of Local Emergency.
- 7.9 When a declaration of a State of Local Emergency has been terminated, the Regional Emergency Advisory 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.

8.0 SECTION 8 – EMERGENCY MUTUAL AID AGREEMENTS

- 8.1 The Regional Emergency Advisory Committee is delegated the authority to enter into Emergency Management Mutual Aid Agreements with another regional entity or any single municipality. The decision for the Committee to enter into a mutual aid agreement must be made by unanimous vote of all partners. The partners shall be permitted to vote in person or through fax, or digitally via email.

9.0 SECTION 9 – SEVERABILITY

- 9.1 Should any section or part of this Bylaw be found to have been improperly enacted or ultra vires, for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw

10.2 Notwithstanding, the Act, Paragraph 17 "Offences", outlines additional penalties that can be issued for failing to adhere to the provisions provided for in the Act.

11.0 **SECTION 11 – MISCELLANEOUS**

11.1 Bylaw No. 784/18 passed on February 13, 2018 is hereby repealed upon receipt of the Ministerial Order that makes this Bylaw enforceable.

RECEIVED FIRST READING THIS ²⁴ DAY OF
Feb., A.D. 2021 IN THE VILLAGE OF ANDREW,
IN THE PROVINCE OF ALBERTA


MAYOR


CHIEF ADMINISTRATIVE OFFICER

RECEIVED SECOND READING THIS ²⁴ DAY OF
Feb., A.D. 2021 IN THE VILLAGE OF ANDREW,
IN THE PROVINCE OF ALBERTA


MAYOR


CHIEF ADMINISTRATIVE OFFICER

Unanimously Passed

RECEIVED THIRD READING THIS ²⁴ DAY OF *Feb.*
, A.D. 2021 IN THE VILLAGE OF ANDREW,
IN THE PROVINCE OF ALBERTA


MAYOR


CHIEF ADMINISTRATIVE OFFICER