

THE TOWN OF TROCHU
BYLAW NO 2020-15
REGIONAL EMERGENCY MANAGEMENT BYLAW

PURPOSE: A bylaw of the Town of Trochu, in the Province of Alberta, to establish a Regional Municipal Emergency Management Committee and Agency.

WHEREAS the Council of the Town of Trochu is responsible for the direction and control of its emergency response and is required, under the *Emergency Management Act*, RSA 2000, Chapter E-6.8 to appoint an Emergency Management 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 said *Emergency Management Act*;

AND WHEREAS the municipalities of Acme, Carbon, Linden, Kneehill County, Three Hills and Trochu wish to establish a Regional Emergency Management Committee and a Regional Emergency Management Agency.

NOW THEREFORE, the Council for the Town of Trochu, duly assembled, enact as follows:

1. This Bylaw may be cited as the "Regional Emergency Management Bylaw".
2. In this Bylaw:
 - a. "**Act**" means the *Emergency Management Act*, R.S.A 2000, Chapter E-6.8, amendments thereto, including provincial regulations such as the Local Authority Emergency Management Regulation 203/2018 and amendments thereto.
 - b. "**Council**" means the Council of the Town of Trochu.
 - c. "**Deputy Director of Emergency Management (DDEM)**" means the person(s) responsible for the duties of the Director of Emergency Management in their absence.
 - d. "**Director of Emergency Management (DEM)**" means the person appointed by resolution of Council who shall be responsible for the municipalities' Emergency Management Program as contained in Section 9 of the Bylaw.
 - e. "**Disaster**" means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property.
 - f. "**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.
 - g. "**Emergency Management Advisory Committee**" means the Kneehill Regional Emergency Management Committee as established by Agreement between and the bylaws of the parties hereto. The Emergency Management Committee shall consist of Councillors appointed by the parties hereto.

- h. **“Local Authority”** means, where a municipality has a Council within the meaning of the *Municipal Government Act*, that council.
 - i. **“Minister”** means the Minister charged with administration of the Act.
 - j. **“Regional Emergency Management Agency”** means the Kneehill Regional Emergency Management Agency as established by agreement and the bylaws of the parties hereto.
 - k. **“Regional Emergency Coordinator”** means the person appointed by the Emergency Management Advisory Committee to act as the Regional Emergency Coordinator. The Regional Emergency Coordinator is delegated with the responsibility for program administration, planning, preparedness and mitigation on behalf of the Committee and Director(s) of Emergency Management and who shall facilitate coordination of planning for and response to regional or intermunicipal disasters or emergencies.
 - l. **“Regional Emergency Plan”** means the Kneehill Regional Emergency Management Plan prepared by the Directors of Emergency Management to coordinate responses to an emergency or disaster based on the Incident Command System for command and control.
3. There is hereby established, a Regional Emergency Management Advisory Committee to advise Council on the development of emergency plans and programs and to provide direction to the Regional Emergency Management Agency with regard to planning priorities, policy issues and budget.
4. There is hereby established, a Regional Emergency Management Agency responsible for administering the Emergency Management Program on behalf of the Town of Trochu and the partner municipalities within the Kneehill Region. The Regional Emergency Management Agency is authorized to act as the agent of Council to carry out its statutory powers and obligations under Section 11.2(2) and Section 24(1) of the Act and the Local Authority Emergency Management Regulation. This does not include the power to declare, renew, or terminate a state of local emergency, nor the powers contained in Section 12 of this Bylaw.
5. Council shall:
- a. by resolution, appoint one of its members to serve on the Regional Emergency Management Advisory Committee and at least one member as an alternate;
 - b. provide for the payment of expenses of its member(s) of the Regional Emergency Management Advisory Committee;
 - c. by resolution, on the recommendation of the Regional Emergency Management Advisory Committee, appoint a Director of Emergency Management and Deputy Director of Emergency Management;
 - d. ensure that emergency plans and programs are prepared to address potential emergencies or disasters in The Town of Trochu;
 - e. approve the Regional Emergency Plans and Programs as they relate to the Town of Trochu; and

- f. review the status of the Regional Emergency Plan and related plans and programs at least once a year.
6. Council may:
 - a. by Bylaw, borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Regional 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 or implementation of emergency plans or programs, including mutual aid plans and programs.
7. The Regional Emergency Management Advisory Committee shall:
 - a. review the Regional Emergency Plan and related plans and programs on a regular basis;
 - b. advise Council, duly assembled, on the status of the Regional Emergency Plan and related plans and programs at least once each year;
 - c. provide guidance and direction to the Regional Emergency Management Agency;
 - d. approve the annual operating budget for the Regional Emergency Management Agency;
 - e. adopt policies as required for the effective and efficient operation of the Regional Emergency Management Agency; and
 - f. provide input for Hazard Identification Risk Assessments as required;
 - g. meet at least (1) time per year as scheduled. The Regional Emergency Coordinator or any of the Directors of Emergency Management will be the meeting chairperson, and quorum will consist of committee members or alternates from at least four (4) of the member municipalities and motions will be carried by a simple majority of the committee members present.
 - h. be declared through this Bylaw to have delegated all powers and duties that are provided to the local authority under the Act.
 - i. The command, control and coordination system prescribed by the Managing Director of Alberta Emergency Management Agency will be utilized by the Regional Emergency Management Agency.
8. The Regional Emergency Management Agency shall be comprised of the following persons:
 - a. the Regional Emergency Coordinator;
 - b. the Chief Administrative Officers of each municipality which is a member of the Partnership Agreement;
 - c. the Directors of Emergency Management of each municipality which is a member of the Partnership Agreement;
 - d. the Deputy Directors of Emergency Management of each municipality which is a member of the Partnership Agreement; and
 - e. designated management and other staff identified for various emergency roles.

In addition, the Agency may request that the following persons to join or advise the Committee, for each period of time that the Agency deems appropriate:

- a. Health Agencies;
- b. Fire Chiefs or designates;
- c. Emergency Social Services Manager or designate;
- d. Local RCMP Detachment or designate;
- e. Public Information Officers or designates;
- f. Public Works Directors or designates;
- g. School Board trustees, area school division or designate;
- h. representative(s) from adjacent municipalities which have entered into the Regional Emergency Management Agency;
- i. representative(s) from an Alberta Ministry;
- j. representative(s) from local businesses;
- k. representative(s) from local industry or industrial associations;
- l. representative(s) from local utility companies and coops;
- m. anyone else who might serve a useful purpose in the preparation or implementation of the Regional Emergency Plan.

The Regional Emergency Management Agencies responsibilities shall be:

- a. to report on its activities at each Regional Emergency Management Advisory Committee meeting, and to include any observations from the agency's review of the emergency plan;
- b. to produce an annual report for presentation to all of Councils and the public;
- c. to represent all municipalities identified in this bylaw.

9. The Director of Emergency Management on behalf of the Emergency Management Agency shall:

- a. Prepare, review and coordinate the Regional Emergency Plan and related plans and programs for The Town of Trochu;
- b. act as director of the emergency coordination centre, or ensure that someone is designated under the Regional Emergency Plan to so act, on behalf of the Regional Emergency Management Agency;
- c. coordinate all emergency services and other resources used in an emergency; and
- d. ensure that someone is designated to discharge the responsibilities specified in Sections a, b, and c above.

10. In the event of an Emergency entirely within the boundaries of, or only affecting, The Town of Trochu, the authority and powers to declare or renew a state of local emergency under the Act, the authority and powers specified in Section 16 of this Bylaw, are hereby delegated to a committee of The Town of Trochu comprised of the Mayor and 1 other Member of Council, or in their absence, a combination of any two (2) Members of Council. 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.

11. In the event of an Emergency within or affecting more than one municipality within the Kneehill Emergency Management Region, the authority and power to declare or renew a state of local emergency under the Act; the authority and powers specified in Section 13 of this Bylaw; and the requirement specified in Section 16 of this Bylaw are hereby delegated to a committee of two (2) Elected Officials within the region's municipalities, and strive to first have those members be from the affected municipalities, if at all possible. 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 for the entire area affected. Whenever possible this resolution should be made by at least one member or alternate from each municipality affected.

12. 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 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.

13. When a state of local emergency is declared, the Regional Emergency Management Agency may:
 - a. cause the Regional Emergency Plan or any related plans or programs to be put into operation;
 - 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 the person is qualified to provide;
 - d. control or prohibit travel to or from any area of the Town of Trochu;
 - e. 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 Town of Trochu;
 - f. order the evacuation of persons and the removal of livestock and personal property from any area of the Town of Trochu 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 Town of Trochu for the duration of the state of local emergency;
 - j. authorize the conscription of persons needed to meet an emergency; and
 - k. authorize any person at any time to exercise, in the operation of the Regional Emergency Plan and related plans or programs, any power specified in sub-paragraphs (b) through (j) of this section in relation to any part of the municipality affected by a declaration of a state of local emergency, including as part of a Regional Emergency affecting more than one municipality for which a declaration of state of local emergency was made under section 10 or 11 hereof.
14. In accordance with Section 28 of the Act, no action lies against a local authority or a person acting under the local authority's direction or authorization for anything done or omitted to be done in good faith while carrying out a power of duty under this Act or the regulations during a state of local emergency.
15. In accordance with Section 532(2) of the *Municipal Government Act*, R.S.A 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.
16. When, in the opinion of the Local Authority who have a declaration of a state of local emergency, an emergency no longer exists in relation to which the declaration was made, the person or persons who made the declaration shall, by resolution, terminate the declaration.
17. 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 16;
 - b. a period of seven 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 local emergency under the Act, relating to the same area, which specifically cancels a state of local emergency; or
 - d. the Minister cancels the state of local emergency.
18. 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.


19. The Emergency Management Advisory Committee is delegated the authority to enter into an Emergency Management Mutual Aid Agreement with another regional group or single municipality.
20. The Emergency Management Advisory Committee is delegated the authority to create policies relating to the emergency preparedness, mitigation response, recovery and the effective and efficient operation of the Regional Emergency Management Agency.
21. Should any provision of this bylaw become invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the bylaw and the remainder shall remain in force and be binding as though such provision had not been invalid.
22. The following bylaw is hereby repealed: Regional Emergency Management Agency Bylaw No.2009-04
23. This bylaw shall come into force and take effect on the day of third and final reading thereof.

Read for a first time on this 28th day of September, 2020

Read for the second time on this 28th day of September, 2020

Given Unanimous Consent to Proceed to a third reading this 28th day of September, 2020

Read for the third time on this 28th day of September, 2020

X 

Barry Kletke
Mayor

X 

Carl Peterson
CAO