

**SUMMER VILLAGE OF BIRCHCLIFF  
EMERGENCY MANAGEMENT BYLAW  
BYLAW NO. 217-19**

**A BYLAW OF THE SUMMER VILLAGE OF BIRCHCLIFF, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL EMERGENCY ADVISORY COMMITTEE AND A MUNICIPAL EMERGENCY MANAGEMENT AGENCY.**

**WHEREAS** the Council of the Summer Village of Birchcliff is responsible for the direction of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency;

**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** it is recognized that an emergency or disaster of a multi-jurisdictional nature could affect any or all the municipalities within the geographical boundaries of Lacombe County to such a degree that local resources would be inadequate to cope with the situation, to enter into a regional emergency management partnership.

**NOW, THEREFORE, THE COUNCIL OF THE SUMMER VILLAGE OF BIRCHCLIFF, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.
2. In this Bylaw, words have the meanings as set out in the Municipal Government Act, except that:
  - (a) "Act" means the Emergency Management Act, Chapter E-6.8 and amendments;
  - (b) "Agency" means the Municipal Emergency Management Agency as established by this bylaw;
  - (c) "Committee" means the Emergency Advisory Committee as established by this bylaw;
  - (d) "Council" means the Council of the Summer Village of Birchcliff;
  - (e) "Director" means the Director of Emergency Management for the Summer Village of Birchcliff;
  - (f) "Disaster" means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property;
  - (g) "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;
  - (h) "Lacombe Regional Emergency Management Partnership" means those municipalities who have entered into a joint agreement for the purpose of organizing integrated emergency planning, training, assistance and emergency operations programs;
  - (i) "Lacombe Regional Emergency Advisory Committee" means a regional committee comprised of a Councillor, or designate, from each

of the partnering municipalities of the Lacombe Regional Emergency Management Partnership.

- (j) “Lacombe Regional Emergency Management Agency” means the Directors of Emergency Management, or designate, from each of the partnering municipalities of the Lacombe Regional Emergency Management Partnership;
- (k) “Lacombe Regional Emergency Management Plan” means the integrated emergency management plan prepared by the Lacombe Regional Emergency Management Agency to coordinate response to an emergency or disaster within the geographic boundaries of Lacombe County;
- (l) “Minister” means the Minister responsible for the Emergency Management Act;
- (m) “Municipal Emergency Advisory Committee” means the committee established under this Bylaw; and
- (n) “Municipal Emergency Management Agency” means the agency established under this Bylaw;
- (o) “Municipal Emergency Plan” means the emergency plan prepared by the Director of Emergency Management to coordinate response to an emergency or disaster.

### **3.0 EMERGENCY ADVISORY COMMITTEE**

- 3.1 The Emergency Advisory Committee (the “Committee”) is hereby established for the Summer Village of Birchcliff.
- 3.2 The Committee shall:
  - (a) consist of the Mayor and all members of Council;
  - (b) review the Municipal Emergency Plan and related plans and programs at least once each year;
  - (c) recommend to Council any changes to the Municipal Emergency Plan if appropriate; and
  - (d) provide the Emergency Management Agency with guidance and direction.
- 3.3 The Mayor shall be the Chair of the Committee. If the Mayor is absent, the Deputy Mayor will chair the Committee.
- 3.4 The Committee shall meet annually, or more frequently as required, and may meet on less than twenty-four (24) hours’ notice. Where meetings in person are not feasible, the Committee may convene by electronic means of communication.
- 3.5 The Director of Emergency Management may call an emergency meeting of the Committee where he/she considers that a disaster exists or may exist that affects the Summer Village.
- 3.6 A minimum of one (1) hour notice of the time and place of an emergency meeting must be given to as many members of Council as possible in the circumstances.

3.7 Those members of Council attending an emergency meeting of the Committee constitute a quorum.

**4.0 MUNICIPAL EMERGENCY MANAGEMENT AGENCY**

4.1 The Municipal Emergency Management Agency (the “Agency”) is hereby established to act as the agent 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 power contained in Section 8 of this Bylaw.

4.2 The Agency shall be comprised of the following Summer Village personnel:

- (a) Director of Emergency Management;
- (b) Deputy Director(s) of Emergency Management;
- (c) Community Peace Officer
- (d) Fire Chief
- (e) Other personnel at the discretion of the Director.

4.3 The Agency shall invite representatives from the following organizations and agencies to participate in an annual stakeholder meeting and exercise:

- (a) Policy Agency of Jurisdiction;
- (b) Emergency Medical Services Provider(s);
- (c) Alberta Health Services;
- (d) School Divisions;
- (e) Utility Providers;
- (f) Alberta Environment;
- (g) Alberta Emergency Management Agency;
- (h) Non-Governmental Aid / Disaster Response Organizations;
- (i) Amateur Radio Emergency Services; and
- (j) any other organizations that may be required from time to time.

4.4 The Agency shall be responsible for administration of the Municipal Emergency Plan and related plans and programs;

4.5 The Agency shall operate in accordance with a command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency; and

4.6 The Agency shall review the Municipal Emergency Plan and make recommendations to the Emergency Advisory Committee regarding enhancement of the Municipal Emergency Plan at least once annually.

**5.0 COUNCIL'S POWERS AND RESPONSIBILITIES**

5.1 Council shall:

- (a) appoint a Director of Emergency Management for the Summer Village;
- (b) provide for the payment of expenses of the members of the Emergency Advisory Committee;
- (c) ensure that emergency plans and programs are prepared to address potential emergencies or disasters that can reasonably be foreseen in the Summer Village; and
- (d) approve the Summer Village's Municipal Emergency Plan.

5.2 Council may:

- (a) by Bylaw, borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency when a State of Local Emergency has been declared pursuant to Section 7; and
- (b) enter into agreements with and make payments or grants, or both, to person or organizations for the provision of services in the development or implementation of the emergency plans for programs, including Mutual Aid plans and programs according to the provisions of the Municipal Government Act.

**6.0 DIRECTOR OF EMERGENCY MANAGEMENT POWERS AND RESPONSIBILITIES**

6.1 The Director of Emergency Management shall appoint Deputy Directors of Emergency Management for the Summer Village to act on the Director's behalf in his/her absence.

6.2 The Director of Emergency Management shall:

- (a) Ensure the preparation and coordination of the Municipal Emergency Plan and related plans and programs for the Summer Village;
- (b) Act as Director of emergency operations to coordinate all emergency services and other resources used in an emergency, or ensure that someone is designated under the Municipal Emergency Plan to so act;
- (c) Coordinate the Municipal Emergency Management Agency to fulfill the Agency's obligation laid out herein; and
- (d) Communicate recommendations made by the Municipal Emergency Management Agency to the Emergency Advisory Committee.

**7.0 DECLARING A STATE OF LOCAL EMERGENCY**

7.1 The power to declare or renew a State of Local Emergency under the Act and the powers specified in Section 9 of this Bylaw are hereby delegated to the Mayor, or the Deputy Mayor, or two members of Council acting in concert.

- 7.2 When a State of Local Emergency is declared, the Director or delegate shall:
- (a) ensure that the declaration identifies the nature of the emergency and the area of the Summer Village in which 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;
  - (c) forward a copy of the declaration to the Minister forthwith; and
  - (d) notify the Alberta Emergency Management Agency when practicable.

## **8.0 STATE OF LOCAL EMERGENCY**

- 8.1 Subject to Section 9, when a State of Local Emergency is declared, the Director or delegate may:
- (a) cause the Municipal 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 Summer Village;
  - (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 Summer Village;
  - (f) order the evacuation of persons and the removal of livestock and personal property from any area of the Summer Village 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, structure 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, or resources or equipment within the Summer Village for the duration of the state of 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.

**9.0 TERMINATING A STATE OF LOCAL EMERGENCY**

- 9.1 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 terminate the declaration.
- 9.2 The person or persons declaring the State of Local Emergency shall terminate the declaration immediately after:
- (a) the cancellation by the Minister of a State of Local Emergency; or
  - (b) the termination by a lapse of time of a State of Local Emergency.
- 9.3 When a declaration of a State of Local Emergency has been terminated, the Director or delegate 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.

**10.0 STATEMENT**

- 10.1 No action lies against the Summer Village or a person acting under the Summer Village'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, the Local Authority Emergency Management Regulation or this Bylaw during a State of Local Emergency.

**11.0 TRANSITIONAL**

- 11.1 This Bylaw comes into forces on the date of its final passing.
- 11.2 Bylaw #161-11 is hereby repealed on the date of final passing of this Bylaw.

READ a first time this 23<sup>rd</sup> day of May 2019.

READ a second time this 23<sup>rd</sup> day of May 2019.

READ a third and final time this 23<sup>rd</sup> day of May 2019.

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Roger Dufresne, Mayor

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Phyllis Forsyth, C.A.O.