

**TOWN OF DRUMHELLER
COMMUNITY EMERGENCY MANAGEMENT
BYLAW NUMBER 02.21**

Repealing Bylaw No. 01.19

WHEREAS, pursuant to the *Emergency Management Act*, RSA 2000, c E-6.8 Council is responsible for the direction and control of the Town's emergency responses, and the preparation and approval of emergency plans and programs;

AND WHEREAS, pursuant to Section 11 of the *Emergency Management Act*, RSA 2000, c E-6.8, Council shall appoint an emergency advisory committee consisting of a member or members of Council to advise on the development of emergency plans and programs and Council shall establish and maintain an emergency management agency to act as its agent in exercising Council's powers and duties under the Act;

AND WHEREAS, pursuant to Section 203 of the *Municipal Government Act*, RSA 2000, c M-26, Council may by bylaw delegate any of its powers, duties or functions under the *Municipal Government Act* or any other enactment or a bylaw to a council committee, the chief administrative officer or a designated officer, unless the *Municipal Government Act* or any other enactment or bylaw provides otherwise.

NOW THEREFORE COUNCIL OF THE TOWN OF DRUMHELLER ENACTS AS FOLLOWS:

PART I – TITLE, PURPOSE AND DEFINITIONS

Title

1. This Bylaw shall be known as the "The Community Emergency Management Bylaw."

Purpose

2. The purpose of this Bylaw is to:
 - a) provide for the direction and control of the Town's emergency responses and the preparation and approval of the Community Emergency Management Plan and related plans and programs;
 - b) establish an Emergency Advisory Committee; and
 - c) establish an Emergency Management Agency to act as Council's agent in exercising Council's powers and duties under the Act.

Definitions

3. In this bylaw, unless the context otherwise requires, the following terms have the meanings shown:
 - a) "**Act**" means the *Emergency Management Act*, RSA 2000, c E-6.8;
 - b) "**Community Emergency Management Plan**" means the Town's plan that outlines how people and property will be protected; who is responsible for carrying out which actions; and how Emergency response is coordinated before, during, and after real or imminent Emergencies;

- c) **“Director of Emergency Management”** or **“Director”** means the Chief Administrative Officer or other person appointed to that position under this bylaw;
- d) **“Disaster”** means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property or to the environment;
- e) **“Emergency”** means an event that requires prompt co-ordination of action or special regulation or persons or property to protect the safety, health or welfare of people or to limit damage to property or the environment;
- f) **“Emergency Advisory Committee”** or **“Committee”** means the Emergency Advisory Committee established under this bylaw;
- g) **“Emergency Management”** means the development, coordination and execution of plans, measures and programs pertaining to the mitigation of, preparedness for, response to, and recovery from an Emergency;
- h) **“Emergency Management Agency”** or **“Agency”** means the Emergency Management Agency established under this bylaw;
- i) **“Minister”** means the Minister charged with the administration of the Act;
- j) **“State of Local Emergency”** means a State of Local Emergency declared in accordance with the provisions of the Act and this bylaw.

PART II – EMERGENCY ADVISORY COMMITTEE

Establishment

4. The Committee is hereby established with the passing of this Bylaw.

Membership and Chair

5. The Committee consists of the Mayor and two Councillors appointed by Council. All remaining members of Council are alternate members.
6. The Mayor is the Chair of the Committee. If the Mayor is absent, the Deputy Mayor will Chair the Committee.
7. In the absence of an appointed member of the Committee, the Chair may appoint any of the remaining members of Council to act in place of the absent appointed Councillor.
8. The Committee shall review the Community Emergency Management Plan and related plans and programs at least once each year.
9. The Committee shall recommend to Council any changes to the Community Emergency Management Plan if appropriate; and
10. Provide the Emergency Management Agency with guidance and direction.

Meetings

11. The Committee shall meet annually, or more frequently as required, at the call of the Chair, and may meet on less than 24 hours' notice.
12. Where in person meetings are not possible, the Committee may convene and make decisions by telephone or electronic means of communication.
13. The Director of Emergency Management may call an emergency meeting of the Committee

when the Director considers that a Disaster or Emergency exists or may exist that affects the Town.

14. Except as otherwise outlined within this bylaw, the Committee may establish its own rules of procedure but in doing so, it shall have due regard for the principles of procedural fairness.

Quorum and Decision Making

15. A quorum of the Committee shall be three members of the Committee.

16. All three members of the Committee must vote in favour of a resolution for that resolution to pass.

Purpose, Duty and Function of the Committee

17. The Committee shall:

- a) provide guidance and direction to the Agency, including advising on the development of emergency management plans and programs;
- b) expend all sums required for the response to, and recovery from an Emergency;
- c) 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 management plans and programs;
- d) perform any other functions or duties as required by this bylaw.

PART III – MUNICIPAL EMERGENCY MANAGEMENT AGENCY

Establishment

18. There is hereby established a Municipal Emergency Management Agency. The Agency is 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 Part IV of this Bylaw.

Director of Emergency Management

19. The Chief Administrative Officer is hereby appointed as the Director of Emergency Management.

Membership and Chair

20. The Director shall be the Chair of the Agency and be responsible for determining and appointing Agency members. The Agency shall be comprised of the following Town of Drumheller personnel:

- a) Director of Emergency Management;
- b) Deputy Director(s) of Emergency Management;
- c) Chief Resiliency and Flood Mitigation Officer;
- d) Director of Infrastructure Services;

- e) Director of Protective Services;
- f) Fire Chief;
- g) Other personnel at the discretion of the Director.

21. The Agency may invite representatives from the following organizations and agencies to participate in stakeholder meetings and exercises:

- a) Police Agency of Jurisdiction;
- b) Emergency Medical Service Providers;
- c) Alberta Health Services;
- d) School Divisions;
- e) Utility Providers;
- f) Alberta Emergency Management Agency;
- g) Provincial departments including Alberta Transportation, Commercial Vehicle enforcement, Agriculture and Forestry, and Environment and Parks;
- h) Non-Government Disaster/Emergency Response Organization;
- i) Any other organizations.

22. The Agency will:

- a) act as the agent of Council to carry out all of the powers and duties of Council under the Act, except for the powers and duties delegated by this bylaw to the Committee;
- b) be responsible for the administration of the Community Emergency Management Plan and related plans and programs;
- c) provide an annual report to the Committee to provide updates on Agency activities including an update on the Agency's review of emergency plans or programs, including the Community Emergency Management Plan;
- d) use a command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency; and
- e) perform any other functions and duties as required by this Bylaw or by Council.

Agency Meetings

23. The Agency will meet annually or more frequently at the call of the Director.

The Director may consult with, or permit other stakeholders or interested parties who can advise or assist with Emergency Management activities to participate in meetings of the Agency.

Duties and Functions of the Director

24. The Director shall:

- a) Determine the procedures to be followed by the Agency in its meetings and decision making;
- 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 Community Emergency Management Plan to so act;
- c) Coordinate the Community Emergency Management Agency to fulfill the Agency's obligations laid out herein;
- d) Ensure the preparation, coordination, approval, and annual review of Emergency Management plans and programs including, but not limited to, the Community Emergency Management Plan;
- e) Ensure the submissions of an annual report to the Committee on the status of all Emergency Management plans and programs;
- f) Make recommendations to the Emergency Advisory Committee;
- g) Appoint Deputy Directors of Emergency Management;
- h) Perform any other functions and duties as prescribed by Council or the Committee.

25. The Director shall:

- a) Coordinate emergency preparedness awareness and programs; and,
- b) Provide training for agency members, elected officials, the public, municipal staff, mutual aid responders.

PART IV – STATE OF LOCAL EMERGENCY

Declaration a State of Local Emergency

26. The power to declare or renew a State of Local Emergency under the Act and the powers specified in this Bylaw are hereby delegated to the Mayor or the Deputy Mayor or two members of Council acting in concert, as noted in Part II, clause 5.

27. A declaration of State of Local Emergency must identify the nature of the Emergency and the area of the municipality in which it exists.

28. When a State of Local Emergency is declared, the Director will:

- a) cause the details of the declaration to be published immediately by all means of communication that they consider most likely to reach the population of the area affected; and
- b) provide a copy of the declaration to the Minister;
- c) notify the Alberta Emergency Management Agency when practicable.

Powers of the Director in a State of Local Emergency

29. Upon declaration of a State of Local Emergency, the Director or delegate may exercise any power given to the Minister under Section 19(1) of the Act in relation to any part of the Town affected by the State of Local Emergency, including but not limited to;

- a) Put into operation the Community Emergency Management Plan;
- b) Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of the Disaster or Emergency;
- 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 municipality;
- e) Provide for restoration of essential facilities or distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the municipality;
- f) Order the evacuation of persons and the removal of livestock and personal property from any area of the municipality and make arrangements for the care and protection of those persons, livestock or personal property;
- g) 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 Emergency or to attempt to forestall its occurrence or to combat its progress;
- h) 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;
- 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 municipality for the duration of the State of Local Emergency;
- j) Authorize the conscription of persons needed to assist in an Emergency; and
- k) Authorize any persons at any time to exercise, in the operation of the Community Emergency Management 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.

Termination of State of Local Emergency

30. 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.
31. A declaration of a State of Local Emergency lapses seven days after it is made, or ninety days if the declaration is in respect to a pandemic, after its making by the local authority unless it is earlier canceled by the Minister or when, in the opinion of the local authority, an Emergency no longer exists in an area of the municipality in relation to which a declaration of a State of Local Emergency was made it shall by resolution terminate the declaration of a State of Local Emergency.

32. Immediately after:

- a) the passage of a resolution or order terminating a declaration, or
- 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 Director shall cause the details of the declaration of the cancellation to be published by all means of communication that they consider most likely to reach the majority of the population of the area affected.

STATEMENT

No action lies against the Town of Drumheller, or a person acting under the Town'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.

Transitional

33. Bylaw No. 01-19 is repealed.

34. This bylaw shall come into force and take effect upon third reading.

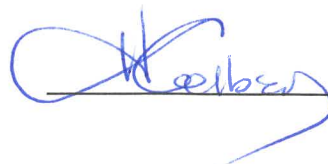
READ A FIRST TIME BY COUNCIL THIS 22ND DAY OF FEBRUARY, 2021

READ A SECOND TIME BY COUNCIL THIS 22ND DAY OF FEBRUARY, 2021

READ A THIRD TIME BY COUNCIL THIS 22ND DAY OF FEBRUARY, 2021

February 22, 2021

Date



Mayor



Chief Administrative Officer