BYLAW 1-2020

EMERGENCY MANAGEMENT BYLAW

SUMMER VILLAGE OF BETULA BEACH

WHEREAS

A. Pursuant to the Emergency Management Act, RSA 2000, c E-6.8, the council is responsible for the direction and control of emergency responses, and the preparation and approval of emergency plans and approvals.

B. Pursuant to section 11.1 of the Emergency Management Act, RSA 2000, c E-6.8, Council must appoint an Emergency Advisory Committee consisting of a member or members of council to advise on the development of emergency plans and programs, and provide for the payment of expenses of the members of the Emergency Advisory Committee.

C. Pursuant to section 11.2 of the Emergency Management Act, RS 200, c E-6.8, Council must maintain an Emergency Management Agency to act as its agent in exercising Council's powers and duties under the Emergency Management Act.

D. Pursuant to section 145 of the Municipal Government Act, RSA 2000, c M-26, Council may pass bylaws in relation to the establishment and functions of, and procedures to be followed by, council committees established by Council.

E. Pursuant to section 203 of the Municipal Government Act, RSA 2000, c M-26 Council may 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 CAO or a designated officer, unless the Municipal Government Act or any other enactment or bylaw provides otherwise.

NOW THEREFORE, Council enacts as follows:

PART 1

CITATION, PURPOSE, INTERPRETATION AND DEFINITIONS

Citation 1. This bylaw may be cited as the "Emergency Management Bylaw"

Purpose 2. The purpose of this bylaw are:

(1) To provide for the direction and control of the Summer Village of Betula Beach emergency responses and the preparation and approval of the Municipal Emergency Plan and related plans and programs.

(2) To establish and appoint an emergency advisory committee and provide for the payment of expenses of the members of the emergency advisory committee, and

(3) To establish and emergency management agency to act as Council's agent in exercising Council's powers and duties under the Emergency Management Act.

In accordance with the Emergency Management Act.

Interpretation 3. The headings of the bylaw are for reference purposes only.

4. References to enactments and bylaws in this bylaw include amendment and replacement enactments and bylaws and regulations and orders made in accordance with them.

Definitions 5. In this bylaw:

(1) Chief Administrative Officer means the Chief Administrative Officer for the Summer Village of Betula Beach.
(2) Council means the municipal council of the Summer Village of Betula Beach.
(3) Councillor means the members of council and includes the Mayor.
(4) Deputy Director of Emergency Management (DDEM) means the person appointed Deputy Director of Emergency Management of the Emergency Management Agency under this bylaw.
(5) Director of Emergency Management (DEM) means the person appointed director of the Emergency Management Agency under this bylaw.
(6) Disaster means an event that results in serious harm to the safety, health, or welfare of people or in widespread damage to property.
(7) 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.
(8) Emergency Advisory Committee means the emergency advisory committee established under this bylaw.
(9) Emergency Management Act means the Emergency Management Act, RSA 2000, c E-6.8.
(10) Emergency Management Agency means the emergency management agency established under this bylaw.
(11) Emergency Coordination Centre or ECC means a site within the village from which the civic officials coordinate, direct, monitor and support the emergency responses and recovery activities during an emergency, disaster or emergency event.
(12) Emergent Event means an extraordinary event or circumstance, or a present or imminent threat of loss that requires prompt coordination of action to protect the safety, health, or welfare of people or to limit damage to property.
(13) Mayor means the chief elected official of the Summer Village.
(14) Minister means the minister responsible for the Emergency Management Act.

(15) Municipal Emergency Plan (MEP) means the village's emergency plan for coordinating the response to an Emergency or Disaster.

(16) Unified Command means an authority structure:

a. In which the role of incident commander is shared by two or more individuals, each already having authority in a different responding agency; and

b. That allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility or accountability.

(17) Village means the municipal corporation of the Summer Village of Betula Beach.

PART 11

EMERGENCY ADVISORY COMMITTEE

Establishment

6. The Emergency Advisory Committee is hereby established.

Membership

7. All councillors are members of the Emergency Advisory Committee.

Expenses

8. All members of the Emergency Advisory Committee will be entitled to payment or reasonable expenses in accordance with the Council policy.

Functions

9. The Emergency Advisory Committee will:

(1) Review the MEP and related plans and programs on an annual basis.

(2) Advise council on the development and status of the MEP and related plans and programs on an annual basis.

(3) Perform any other functions and duties as required by this bylaw.

Chair Duties

10. The Mayor is the Chair of the Emergency Advisory Committee and will preside at all meetings of the Emergency Advisory Committee.

11. If the Mayor is unable to perform the chair's duties, the Councillor holding the position of Deputy Mayor at the time of the meeting shall act as the chair.

12. If the Councillor holding the position of Deputy Mayor at the time of the meeting is unable to perform the chair's duties, the Councillor holding the position of acting Mayor at the time of the meeting will act as the chair.

Meetings

13. The Emergency Advisory Committee will meet at least annually, at the call of the chair of the Emergency Advisory Committee or the Chief Administrative Officer,

14. Except where inconsistent with anything in this bylaw, the Emergency Advisory Committee will follow the procedures governing council committees.

This section 14 does not apply to a special meeting of the Emergency Advisory Committee.

Special Meetings

15. The Chair of the Emergency Advisory Committee or Chief Administrative Officer may call a special meeting of the Emergency Advisory Committee where a Councillor or the Chief Administrative Officer considers that an emergency exists, or may exist within or in proximity to the village.

16. The Chair of the Emergency Advisory Committee or the Chief Administrative Officer must give at least one (1) hour notice of the special meeting to as many members of the Emergency Advisory Committee, and the public, as possible in the circumstances stating the date, time and location at which the special meeting is to be held.

17. The method of giving the notice required by section 16 will be by such means of communication considered by the Chair of the Emergency Advisory Committee or Chief Administrative Officer to be the most likely to notify the members of the Emergency Advisory Committee and the public.

18. Those members of the Emergency Advisory Committee in attendance at a special meeting of the Emergency Advisory Committee shall constitute a quorum.

PART III

EMERGENCY MANAGEMENT AGENCY

Establishment

19. The Emergency Management Agency is hereby established.

Membership

20. The members of the Emergency Management Agency are:

(1) The Director of Emergency Management (DEM); and
(2) The Deputy Director of Emergency Management (DDEM).

Participation

21. Other organizations may be invited by the DEM to nominate representatives to participate in the emergency response and recovery activities for an Emergency, Disaster or Emergent Event, including participating from the ECC, either as an Assisting or Cooperating Agency or as part of a Unified Command structure under ICS. These may include:

(1) Health Organizations
(2) Utility companies
(3) Local school representatives
(4) Government of Alberta and Government of Canada representatives
(5) Municipalities that may have entered into mutual aid agreements with the Village
(6) Business that may be located within the village

(7) Any other organization that, in the opinion of the DEM may assist in the preparation or implementation of the MEP.

22. Village personnel may be invited by the DEM to participate in the emergency response and recovery activities for an Emergency, Disaster or Emergent event, including participating from the ECC, provided such personnel are qualified.

Functions/Duties

23. The Emergency Management Agency will:

(1) Act as an agent of Council to carry out all of the powers and duties of Council under the Emergency Management Act, except for the powers and duties delegated by this bylaw to the Emergency Advisory Committee and set out in Sections 29 through 32 of this Bylaw.
(2) Provide advice to the Emergency Advisory Committee.
(3) Advise the Emergency Advisory Committee on the work of the Emergency Management Agency on at least an annual basis.
(4) Ensure that all aspects of the Village's emergency management planning, preparedness, responses, and recovery activities are conducted in accordance with the principles of the Incident Command System.
(5) Review the MEP and related plans and programs to be put into operation in an Emergency, Disaster or Emergent event.
(6) Cause the MEP and related plans and programs to be put into operation in an Emergency, Disaster, or Emergent event.
(7) Establish and maintain the ECC so that it is ready to be activated in the event of an Emergency, Disaster or Emergent event.
(8) Provide training for village personnel that may be invited by the DEM in accordance with this Bylaw to participate in the emergency response and recovery activities of an Emergency, Disaster or Emergent event, including participating from the ECC.
(9) Assist the DEM with the performance of duties and powers of the DEM under this Bylaw.
(10) Perform any other functions and duties as required by Council and this Bylaw.

DEM/DDEM Duties

24. Mark Eckley is appointed DEM.

25. John Krysa is appointed DDEM.

26. In the absence of the DEM, the DDEM will act as DEM.

27. The DEM is authorized to delegate and authorize further delegations of any powers, duties and functions delegated to the DEM under this Bylaw.

28. The DEM will:

(1) Prepare and coordinate the MEP and related plans for the Village(s).

(2) Act as director of the ECC, or ensure that someone is designated under the MEP to so act, on behalf of the Emergency Management Agency.
(3) Coordinate all emergency services and other resources including the activation of the ECC, use in:
    (1) An emergency, disaster or emergent event;
    (2) A recovery from an emergency, disaster, or emergent event;
    (3) The response to a request for assistance from another municipality, the Government of Alberta, or the Government of Canada, related to an emergency, disaster or emergent event.
(4) Act as the liaison on behalf of the Emergency Management Agency between the Emergency Management Agency and other organizations, including the Alberta Emergency Management Agency.
(5) Perform any other functions and duties as required by this Bylaw or by Council.

PART 1V

FINANCIAL

Financial

29. Council may 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 the MEP and related plans and programs.

30. Subject to section 29, council may by Bylaw that is not advertised borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Emergency Management Agency.

31. Council may, during or within 60 days after the State of Local Emergency, by Bylaw that is not advertised but is approved by the Minister, borrow any money necessary to pay expenses caused by the emergency, including payment for services by the Government of Alberta or by the Government of Canada when the services were provided at the request of the Council.

32. Council may expend all money borrowed in accordance with Section 29 to pay expenses caused by the emergency.

PART V

STATE OF LOCAL EMERGENCY

Declaration

33. The powers of Council to declare or renew a State of Local Emergency under the Emergency Management Act are hereby delegated to the Emergency Advisory Committee.

34. The Emergency Advisory Committee may, at any time when it is satisfied that an emergency exists or may exist within the Village, by resolution make a declaration of a state of local emergency relating to all or any part of the Village.

35. The Emergency Advisory Committee must ensure that the declaration identifies the nature of the emergency and the area in which it exists.

36. Immediately after the making of a resolution for a declaration of a state of local emergency, the Emergency Management Agency will:

(1) cause the details of the declaration to be published by any means of communication that it considers most likely to make known to the population of the area affected by the contents of the declaration.
(2) forward a copy of the declaration to the Minister.

Activities During

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

(1) cause the MEP and related plans and programs to be put into operation.
(2) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of the emergency or disaster.
(3) authorize or require any qualified person to render aid of a type the person is qualified to provide.
(4) control or prohibit travel to or from any area within the village.
(5) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services within the village.
(6) cause the evacuation of persons and the removal of personal property from any area of the village that is or may be affected by a disaster and make arrangements for the adequate care and protection of those persons and the personal property.
(7) authorize the entry into any building or on any land without warrant, by any person in the course of the implementation of the MEP and related plans and programs.
(8) cause the demolition or removal of any trees or structures 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.
(9) procure of fix prices for food, equipment, or other essential supplies and the use of any property, services, resources or equipment within any part of the village for the duration of the State of Local Emergency.

(10)Authorize the conscription of persons needed to meet an emergency or disaster.

Termination

38. A declaration of a state of local emergency ceases to be of any force or effect on the making of an order for a state of local emergency by the Lieutenant Governor in Council relating to the same area.

39. A declaration of a state of local emergency lapses after 7 days after its making by the Emergency Advisory Committee unless it is earlier cancelled by the Minister or terminated by the Emergency Advisory Committee or unless it is renewed by the Emergency Advisory Committee.

40. The power of Council to terminate a state of local emergency under the Emergency Management Act is hereby delegated to the Emergency Advisory Committee.

41. When the Emergency Advisory Committee is of the opinion that an emergency no longer exists in the village in relation to which a declaration of a State of Local Emergency was made, it will by resolution terminate the declaration of a State of Local Emergency in respect to the village.

42. Immediately after:

(1) The passage of a resolution terminating a declaration of a state of local emergency,
(2) The Cancellation by the Minister of a declaration of a state of local emergency, or
(3) The termination by lapse of time of a declaration of a state of local emergency,

the Emergency Management Agency will cause the details of the declaration or cancellation or the fact of termination by lapse of time to be published by any means of communication that it considers is most likely to make it known to the majority of the population of the village the contents of the declaration or cancellation or the fact of the termination.

Protection

43. No action lies against Council, the Emergency Advisory Committee, the Emergency Management Agency, and any member of council, the Emergency Advisory Committee, or the Emergency Management Agency, or any person's acting under Council's, the Emergency Advisory Committee's or the Emergency Management Agency's direction or authorization, for anything done or omitted to be done in good faith while carrying out a power of duty under this Bylaw during a state of local emergency.

PART VI

REPEAL

Repeal 44. none

READ A FIRST TIME THIS 17th day of March, 2020

READ A SECOND TIME THIS 22nd day of April, 2020

READ A THIRD TIME AND DULY PASSED THIS 22nd day of April, 2020

Rob Dickie, Mayor

Susan H. Evans, CAO