

## BYLAW NO. 2021-02

### A BYLAW OF THE COUNTY OF ST. PAUL NO. 19 IN THE PROVINCE OF ALBERTA TO ESTABLISH, AN EMERGENCY ADVISORY COMMITTEE, AND REGIONAL EMERGENCY MANAGEMENT AGENCY.

**Whereas** the Council of the County of St. Paul is responsible under the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000 (“the Act”), for the direction and control of the local authority’s emergency response and is required to prepare and approve an emergency plan and program; and

**Whereas** the Council of the County of St. Paul is also required under the Act, to appoint an emergency advisory committee and to establish and maintain a municipal emergency management agency to carry out Council’s statutory powers and obligations under the Act; and

**Whereas** it is permissible under the Act, that an emergency management agency be maintained by and act as agent of more than one local authority; and

**Whereas** the County of St. Paul, Town of St. Paul, Town of Elk Point, and Summer Village of Horseshoe Bay (“the St. Paul Region”) have agreed to work together through a regional emergency management plan to carry out emergency management activities;

**Now Therefore**, the Council of the County of St. Paul, in the Province of Alberta, duly assembled, enacts as follows:

### TITLE AND DEFINITIONS

#### Bylaw Title

- 1 This Bylaw shall be known as the “Regional Emergency Management Bylaw”.

#### Definitions

- 2 In this Bylaw,
  - (a) “**Act**” means the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000;
  - (b) “**CEO**” means the Chief Elected Official as defined within the *Municipal Government Act*, Chapter M-26, Revised Statutes of Alberta 2000;
  - (c) “**Council**” means the Council of a city, village, summer village, municipal district or specialized municipality, as defined in the *Municipal Government Act*;

- (d) **“Director of the Regional Emergency Management Agency”** means the same as the “Director of Emergency Management Agency”, as defined in the *Emergency Management Act*, with responsibility for the Regional Emergency Management Agency;
  - (e) **“Disaster”** means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;
  - (f) **“Emergency”** means a present or imminent 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) **“Local Authority”** means, where a municipality has a council within the meaning of the *Municipal Government Act*, that council;
  - (h) **“Minister”** means the Minister charged with administration of the Act;
  - (i) **“Regional Emergency Advisory Committee”** means the committee established for the local authority under this Bylaw, as defined in the *Emergency Management Act*;
  - (j) **“Regional Emergency Management Agency”** means the agency established under this Bylaw; and means the same as the “emergency management agency” as defined in the *Emergency Management Act*;
  - (k) **“Regional Emergency Management Plan”** means the emergency plan prepared by the Regional Emergency Management Agency; and
  - (l) **“State of Local Emergency”** means the declaration made by a local authority, as defined in the *Emergency Management Act*.
- 3 The Council of the County of St. Paul agrees to provide two members of council to participate within the defined Regional Emergency Advisory Committee, to ensure that an emergency plan and program are prepared to address potential emergencies or disasters affecting the County of St. Paul.
- 4 The Council of the County of St. Paul hereby supports establishment of a Regional Emergency Management Agency to carry out emergency management activities on behalf of the County of St. Paul.
- 5 The Council may
- (a) By Bylaw that is not advertised borrow, levy, appropriate and expend 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.

- 6 The Regional Emergency Advisory Committee shall
  - (a) Review the status of the Regional Emergency Management Plan and related plans and programs at least once each year; and
  - (b) Advise respective Councils, duly assembled, on the status of the Regional Emergency Management Plan and related plans and programs at least once each year; and
  - (c) Provide guidance and direction to the local authorities, and the Regional Emergency Management Agency; and
  - (d) Meet at least once every year and may meet more frequently at the decision of the chair.
  - (e) The Chair and Vice-Chair will be chosen annually by the membership of the committee.
  
- 7 The Emergency Management Agency shall operate as the Regional Emergency Management Agency on behalf of the Town of St. Paul, Town of Elk Point, County of St. Paul and Summer Village of Horseshoe Bay.
  - (a) May consist of representatives from all emergency services, utility & telecommunication providers, school division, industry groups, businesses or business groups, indigenous groups, Government of Alberta and mutual aid partners.
  - (b) Shall report to and support the Director of the Regional Emergency Management and act as the agent of the local authority in exercising the Council's powers and duties under the Act, with the exception of the power to declare, renew, or terminate a State of Local Emergency, subject to the further directions and limitations set out in this bylaw; and
  - (c) Shall assist in development and ongoing review of the Region's Emergency Management Plan and any other documents that relate to or support the Emergency Management Plan including administrative directives, strategic plans, budgets, business plans and business continuity plans;
  - (d) Shall assist in developing recommendations for policies and programs, and requests to the CAO or Council for resources or budget approvals;
  - (e) During and following the response phase of an Emergency, may assist with coordinating or facilitating communications; implementing business continuity plans, and supporting recovery planning;
  - (f) May meet with external stakeholder groups during any phase of Emergency Management.
  - (g) Shall utilize the command, control and coordination system prescribed by the Managing Director of the Regional Emergency Management Agency.
  - (h) Shall report to the Regional Emergency Advisory Committee annually on the status of the communities' emergency plans and programs.

- 8 The Director of the Regional Emergency Management Agency shall;
  - (a) Act as director of emergency operations, or ensure that someone is designated as Deputy Director under the Regional Emergency Management Plan to so act, on behalf of the St. Paul Region;
  - (b) Coordinate all emergency services and other resources used in an emergency;
  - (c) Prepare, co-ordinate and review the Regional Emergency Management Plan and related plans and programs on a regular basis with assistance from any person or agency who/which might serve a useful purpose in the preparation or implementation of the Regional Emergency Management Plan; and;
  - (d) Revise and update the Regional Emergency Management Plan, upon authority of the Regional Emergency Advisory Committee for each of the County of St. Paul, Town of St. Paul, Town of Elk Point, and Summer Village of Horseshoe Bay; and
  - (e) Delegate duties and tasks as necessary to ensure conformance with paragraphs (a), (b), (c) and (d).
- 9 The power to declare or renew or terminate a state of local emergency under the Act, are hereby delegated to the CEO of the County of St. Paul, relating to all or any part of the County of St. Paul.
- 10 In the absence of the CEO, the power to declare, renew or terminate a state of local emergency is delegated to the Deputy CEO, or Acting CEO, or any two (2) Councillors of the County of St. Paul.
- 11 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 of the municipality 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.
- 12 Subject to Section 15, when a state of local emergency is declared, the person making the declaration may do all acts and take all necessary proceedings including the following:
  - (a) Cause the Regional Emergency Management 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 he or she is qualified to provide;
- (d) Control or prohibit travel to or from any area of the municipality;
- (e) 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 in any part of the municipality;
- (f) Cause the evacuation of persons and the removal of livestock and personal property from any area of the municipality 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 municipality 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 Regional 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.

13 When a state of local emergency is declared,

- (a) 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 or duty under this Bylaw or the Act or the regulations.

14 When, in the opinion of the persons declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.

15 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 14;
- (b) A period of seven days has lapsed since it was declared, unless it is renewed by resolution;
- (c) A period of ninety days has lapsed if the declaration was due to a pandemic;
- (d) The Minister cancels the state of local emergency.

16 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 majority of the population of the area affected.

**Recession**

17 This Bylaw repeals Bylaw No. 2014-30.

**Enactment**

18 This bylaw shall take effect on the date of the third and final reading.

Read a first time in Council this 9<sup>th</sup> day of March A.D. 2021

Read a second time in Council this 9<sup>th</sup> day of March A.D. 2021

Read a third time in Council this 9<sup>th</sup> day of March A.D. 2021

*(original signed by Reeve S. Upham)*

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REEVE

*(original signed by Interim CAO T. Mahdiuk)*

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INTERIM CAO