

Town of Magrath
Bylaw No. 1166
Emergency Management Bylaw

**A BY-LAW OF THE TOWN OF MAGRATH IN THE PROVINCE OF ALBERTA
TO ESTABLISH A MUNICIPAL EMERGENCY ADVISORY COMMITTEE AND AGENCY**

WHEREAS in accordance with the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta, Council is responsible: for the direction and control of its emergency response, for the preparation and approval of emergency plans and programs, for the appointment of an Emergency Advisory Committee, to establish and maintain a Municipal Emergency Management Agency, and to appoint a Director of Emergency Management;

AND WHEREAS in accordance with the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property.

NOW THEREFORE, the Council of the Town of Magrath duly assembled enacts as follows:

1. This Bylaw may be cited as the **Municipal Emergency Management Bylaw**.
2. **DEFINITIONS**
 - (a) "**Act**" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta.
 - (b) "**Agency**" means the Municipal Emergency Management Agency established under this Bylaw.
 - (c) "**Council**" means the Council of the Town of Magrath.
 - (d) "**Committee**" means the Emergency Advisory Committee established under this Bylaw.
 - (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 co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.
 - (g) "**Minister**" means the Minister charged with administration of the Act.
 - (h) "**Town**" means the Town of Magrath.
3. **Council's Responsibilities**
 - (a) Council is responsible for the direction and control of the Town's emergency response unless the Province of Alberta assumes direction and control under provisions of the Act.

- (b) Council is responsible to oversee the preparation of emergency plans and programs.
- (c) Council must approve emergency plans and programs.
- (d) Council is responsible to appoint the members of the Committee by resolution.
- (e) Council may remove any member of the Committee at any time for any reason by resolution of Council.
- (f) Council may 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.
- (g) 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 emergency plans or programs, including mutual aid plans and programs.
- (h) Council shall by resolution appoint a Director of Emergency Management and a Deputy Director of Emergency Management.
- (i) Council may, at any time when it is satisfied that an emergency exists or may exist in Town, by resolution make a declaration of a state of local emergency relating to all or any part of the Town.

4. A Committee to be known as the Emergency Advisory Committee is hereby established in and for the Town.

5. Emergency Advisory Committee

- (a) The Committee's purpose is to advise on the development of the Town's emergency plans and programs.
- (b) The Committee shall consist of four (4) Council members, the Director of Emergency Management, and the Deputy Director of Emergency Management.
- (c) The Town shall provide for the payment of expenses of the members of the Committee.

6. Proceedings of the Committee

- (a) Annually, during the month of November, the Committee shall hold a meeting at which time a Chair and Vice-Chair shall be selected for the ensuing year.
- (b) Meetings of the Committee shall be held on a regular basis at a time to be set by resolution of the Committee, at least annually, and at such time as deemed necessary.
- (c) A quorum of the Committee shall be at least four (4) members.
- (d) Committee meetings may be called by any member of the Committee at any time deemed necessary.

- (e) Meeting procedures shall be conducted in accordance with good meeting practices and disputes resolved in accordance with Roberts Rules of Order.
- (f) The Committee shall have the power to pledge the credit of the Town in connection with performance of their duties as outlined in this Bylaw and have the power to authorize expenditures charged against the Town.

7. DUTIES OF THE COMMITTEE

- (a) The Committee is responsible for preparing, drafting, and presenting for the consideration of Council the emergency plan and programs for the Town and for recommending to Council any amendments to the plan and program as required from time to time.
- (b) The Committee is responsible to review and update the emergency plan and related plans and programs on a regular basis.
- (c) The Committee is responsible to coordinate emergency management training and plan exercises.
- (d) Within the budget approved by Council, the Committee shall carry out a program for the promotion of the goals and objectives of the emergency plan.
- (e) The Committee shall foster the development of relationships with business, industry, other local authorities, special interest groups, citizens, and the Provincial Government enabling the Town's ability to respond to emergency situations.
- (f) The Committee is responsible for public education regarding emergency situations and responsible practices or measure residents can take to prepare themselves for a state of emergency.
- (g) The Committee will advise Council on the status of the emergency plan and related plans and programs at least once each year.
- (h) Annually, before the 1st day of October, the Committee shall submit a statement showing in reasonable form and detail, expenditures proposed to be made by the Committee during the next year with respect to all matters over which the Committee has jurisdiction.

8. An Agency to be known as the Emergency Management Agency is hereby established in and for the Town.

9. Emergency Management Agency

- (a) The Agency's purpose is to act as the agent of the Town in exercising the powers and duties under the Act.
- (b) The Agency reviews and approves, if acceptable to Council, the emergency plans and programs prepared by the Emergency Advisory Committee to address potential emergencies or disasters within the Town.
- (c) The Agency reviews the status of the Municipal Emergency Plan and related plans and programs at least once each year.
- (d) The Municipal Emergency Management Agency shall be comprised of one or more of the following as stated in the Municipal Emergency Plan:

- i. the Director of Emergency Management
- ii. the Deputy Director of Emergency Management
- iii. the Town Chief Administrative Officer
- iv. An area RCMP Officer or designate
- v. the Fire Chief or designate
- vi. the Public Information Officer or designate
- vii. the Public Works Foreman or designate
- viii. the Ambulance Service Manager or designate
- ix. the Community Development Manager or designate
- x. the Health Unit Manager or designate
- xi. the Recreational Director or designate
- xii. the School Board Chairman or designate
- xiii. the Social Services Manager or designate
- xiv. representative(s) from adjacent communities which have entered into mutual aid agreements
- xv. representative(s) from local business or business associations (e.g. Chamber of Commerce, Board of Trade)
- xvi. representative(s) from local industry or industrial associations
- xvii. representative(s) from TELUS
- xviii. representative(s) from Alberta Agriculture, Food and Rural Development
- xix. representative(s) from Alberta Environmental Protection
- xx. representative(s) from Alberta Municipal Affairs and Housing
- xxi. anyone else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan.

10. Director of Emergency Management (DEM)

- (a) The DEM shall prepare and co-ordinate the Town's emergency plan, related plans and programs.
- (b) The DEM acts as the director of emergency operations on behalf of the emergency management agency.
- (c) The DEM co-ordinates all emergency services and other resources used in an emergency.
- (d) The DEM performs any other duty prescribed by Council.
- (e) The DEM will ensure that someone is designated to discharge the responsibilities under the Act.
- (f) After a declaration of a state of local emergency is declared by resolution of Council the DEM will cause the Municipal Emergency Plan or any related plans or programs to be put into operation.

11. Declaration of a State of Local Emergency

- (a) Council may, at any time when it is satisfied that an emergency exists or may exist in Town, by resolution make a declaration of a state of local emergency relating to all or any part of the Town. In a state of local emergency that is considered particularly time-critical, Council delegates the authority to declare a state of local

emergency to two elected officials, those being the Mayor or Deputy Mayor or simply two members of Council.

- (b) When a state of local emergency is declared, Council must identify the nature of the emergency and the area of the Town in which it exists.
 - (c) Immediately after the making of a resolution for a declaration of a state of local emergency, Council shall cause the details of the declaration to be published by any means of communication that they consider is most likely to make known to the population of the area of the Town affected by the contents of the declaration.
 - (d) Council shall forward a copy of the declaration to the Minister forthwith.
12. When a state of local emergency is declared,
- (a) neither Council nor any member of Council, and
 - (b) no person appointed by Council to carry out measures relating to emergencies or disasters,
- is liable in respect of damage caused through any action taken in good faith under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
13. Notwithstanding Section 12,
- (a) Council and any member of Council, and
 - (b) any person acting under the direction or authorization of Council,
- is liable for gross negligence in carrying out their duties under this Bylaw.
14. When, in the opinion of Council 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) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
 - (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 population of the area affected.
17. Bylaw No. 1088 is hereby rescinded.

This Bylaw comes into force on the day it is finally passed.

Read a first time this 10th day of April 2012.

Read a second time this 8 day of May 2012.

Read a third time and finally passed this 8 day of May 2012.



Russ Barnett, Mayor



Wade Alston, Chief Administrative Officer