

**BYLAW 720-AP-02-17
TOWN OF COALDALE
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW OF THE TOWN OF COALDALE, IN THE PROVINCE OF ALBERTA, TO RESCIND BYLAW 687-AP-02-14, ESTABLISHMENT OF A MUNICIPAL EMERGENCY MANAGEMENT AGENCY.

WHEREAS the Council of the Town of Coaldale is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta December 11, 2013, to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency; and

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 maintain to carry out Council's statutory powers and obligations under the said Emergency Management Act;

NOW THEREFORE, the Municipal Council of the Town of Coaldale, Alberta duly assembled, hereby enacts as follows:

TITLE: This bylaw may be cited as the “Emergency Management Agency Bylaw”.

Definitions:

- a) **“Act”** means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2011. Current as of December 11, 2013.
- b) **“Council”** means the Council of the Town of Coaldale.
- c) **“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.
- d) **“Emergency”** means an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property;
- e) **“Emergency Advisory Committee”** means the Committee established under this bylaw.
- f) **“Minister”** means the Minister charged with administration of the Act.
- g) **“Municipal Emergency Management Agency”** means the agency established under this bylaw.
- h) **“Municipal Emergency Plan”** means the emergency plan prepared by the Director of Emergency Management to coordinate responses to an emergency or disaster.

1. The Emergency Advisory Committee:

There is hereby established a Municipal Emergency Advisory Committee to advise Council on the development of emergency plans and programs.

2. The Municipal Emergency Management Agency:

There is hereby established a Municipal Emergency Management Agency 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 powers contained in Section 11 of this bylaw.

3. The Council Shall:

- a) By resolution, appoint an Emergency Advisory Committee comprised of:
 - i) One (1) member of Council; and
 - ii) Three (3) citizen members;
 - iii) The Director of Emergency Management, as a non-voting member
- b) Citizen and Council members of the Committee may be appointed for a 1 year term.
- c) Provide for the payment of expenses of the members of the Emergency Advisory Committee.
- d) By resolution appoint a Director of Emergency Management in that person's absence.
- e) Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Coaldale.
- f) Approve the Town of Coaldale's emergency plans and programs.
- g) Review the status of the Municipal Emergency Plan and related plans and programs at least once each year.

4. The 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 Services Agency.
- 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.

5. The Municipal Emergency Advisory Committee Shall:

- a) Review the Municipal Emergency Plan and related plans and programs on a regular basis.

- b) Advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year.

7. Municipal Emergency Management Agency:

The Municipal Emergency Management Agency shall be comprised of one or more of the following permanent members:

- a) Director of Emergency Management or designate;
- b) Deputy Director of Emergency Management;
- c) Town Chief Administrative Officer;
- d) Police Chief or designate;
- e) Fire Chief or designate;
- f) Communication Coordinator or designate;
- g) Operations Manager or designate;
- h) Chief Financial Officer or designate;
- i) Director of Planning & Development or designate;
- j) Community Services Manager or designate;
- k) Human Resources Manager or designate;
- l) Infrastructure Manager or designate;
- m) IT Analyst;
- n) FCSS Representative;

and the following non-permanent members:

- a) Green Acres Representative or designate;
- b) Urgent Health Care Centre Director or designate;
- c) School Board Superintendent or designate;
- d) Directors of Emergency Management from adjacent municipalities;
- e) Representative(s) from C.P. Rail
- f) Representative from the Chamber of Commerce;
- g) Representative(s) from ATCO, TELUS; (local utility and telephone company)
- h) Representative(s) from ham radio operators;
- i) Representative(s) from Volker Stevin Contracting (Highway Maintenance Contractors);
- j) Representative(s) from Alberta Transportation;
- k) Representative(s) from Alberta Emergency Management Agency.
- l) Representative(s) from Alberta Health Services EMS

8. The Director of Emergency Management Shall:

- a) Prepare and coordinate the Municipal Emergency Plan and related plans and programs for the Town of Coaldale.
- b) Act as director of emergency operations or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency.
- c) Authorize and coordinate all emergency services and other resources used in an emergency.

- d) Conduct regular meetings with the Municipal Emergency Advisory Committee to ensure the Municipal Emergency Plan and related plans and programs are being managed, maintained, administered and coordinated in a satisfactory manner.
- e) Ensure that someone is designated to discharge the responsibilities specified in Section 8, (a), (b), (c) and (d).

9. Power to Declare a State of Local Emergency:

The power to declare or renew a state of local emergency pursuant to Section 21(1) of the Emergency Management Act, the powers specified in Section 11 of this bylaw, and the requirement specified in Section 14 of this bylaw, are hereby delegated to a Committee comprised of any three (3) members of the Town of Coaldale Council. This Committee may, at any time when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a state of local emergency.

10. Person Making the Declaration Shall:

When a state of local emergency is declared, the persons delegated in Section 9 making the declaration shall:

- a) Ensure that the declaration identifies the nature of the emergency and the area of the Town 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.
- c) Forward a copy of the declaration to the Minister forthwith.

11. Person Making the Declaration May:

Subject to Section 19(1) of the Emergency Management Act, when a state of local emergency is declared, the persons delegated in Section 9 making the declaration may:

- a) Cause the Municipal Emergency Plan or any related plans for 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 any 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 Town of Coaldale.
- 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 Town of Coaldale.

- f) Cause the evacuation of persons and the removal of livestock and personal property from any area of the Town that is, or may be, affected by a disaster and make arrangements for the adequate care and protection of those persons or livestock and the personal property.
- g) Authorize the entry into any building or on any land, without warrant by any authorized 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 property, services, resources or equipment within the Town for the duration of the state of emergency.
- j) Authorize the conscription of persons needed to meet an emergency.
- 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 this Section 11, (a – j) in relation to any part of the municipality affected by a declaration of a state of local emergency.

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, are liable for anything done or omitted to be done in good faith while carrying out a power or duty under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

14. Termination the Declaration:

When, in the opinion of the persons delegated in Section 9 declaring the state of local emergency, are satisfied an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.

15. When a Declaration is considered Terminated:

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 (7) 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. Public Notification of Terminated Declaration:

When a declaration of a state of local emergency has been terminated, the persons delegated in Section 9 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. Repeal:

This Bylaw 720-AP-02-17 rescinds the following bylaws and all amendments thereto:

Bylaw 473-AP-02-01 Establish Municipal Disaster Services Agency
Bylaw 594-AP-02-08 Establish Emergency Management Agency
Bylaw 687-AP-02-14 Establishment of an Emergency Management Agency

18. Effective Date:

Bylaw 720-AP-02-17 shall come into force when it receives THIRD and FINAL reading and is duly signed.

READ a FIRST time this 13th day of February, 2017

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 044.17

READ a SECOND time this 13th day of February, 2017.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 045.17

UNANIMOUS CONSENT to hold THIRD and FINAL reading this 13th Day of February, 2017.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 046.17

READ a THIRD and FINAL time this 13th day of February, 2017.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 047.17