

**THE TOWN OF IRRICANA**  
**BYLAW 5:2009**  
**EMERGENCY MANAGEMENT BYLAW**

**Whereas**, pursuant to the *Emergency Management Act*, R.S.A. 2000, c.E-6.8, Irricana Town Council is responsible for the direction and control of the Town of Irricana's response in the event of a major emergency;

**And Whereas**, pursuant to section 11 of the *Emergency Management Act*, Irricana Town Council is required to appoint a committee to advise on the development of emergency plans and programs;

**And Whereas**, pursuant to section 21 of the *Emergency Management Act*, Irricana Town Council may delegate any of its powers and duties under the Act to a committee composed of a member or members of Council or Council appointed individuals;

**And Whereas**, pursuant to section 11 of the *Emergency Management Act*, Irricana Town Council is required to establish and maintain a municipal emergency management agency to act as the agent of Irricana Town Council to carry out its statutory powers and obligations under the Act;

Irricana Town Council enacts:

**PART i. - PURPOSE, DEFINITIONS AND INTERPRETATION**

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| <b>PURPOSE</b>     | 1) The purpose of this bylaw is to provide for the direction and control of the Town of Irricana's emergency operations under the <i>Emergency Management Act</i> .  |
| <b>DEFINITIONS</b> | 2) In this bylaw, unless the context otherwise requires: <ul style="list-style-type: none"><li>i) "Act" means the <i>Emergency Management Act</i>, R.S.A. 2000, c.E-6.8;</li><li>ii) "Agency" means the Emergency Management Agency established under this bylaw;</li><li>iii) "Town" means the municipal corporation of the Town of Irricana;</li><li>iv) "CAO" means the Chief Administrative Officer of the Town within the meaning of the Municipal Government Act, or his delegate;</li><li>v) "Committee" means the Emergency Management</li></ul> |

Committee established under this bylaw;

- vi) **“Council”** means the municipal council of the Town of Irricana;
- vii) **“Councillor”** includes the Mayor;
- viii) **“Director”** means the person appointed Director of the Emergency Management Agency under this bylaw;
- ix) **“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;
- x) **“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;
- xi) **“Minister”** means the minister charged with the administration of the Act;
- xii) **“Municipal Emergency Plan”** means the emergency plan prepared by the Director of the Emergency Management Agency to coordinate response to an emergency or disaster.

**RULES FOR INTERPRETATION**

- 3) The marginal notes and headings in this bylaw are for reference purposes only.

**PART i. - EMERGENCY MANAGEMENT AGENCY**

**ESTABLISHMENT**

- 4) a) The Emergency Management Agency is hereby established.
- b) An individual appointed by Town council will be the Director of the Emergency Management Agency
- c) In the absence of the Director of the Emergency Management Agency, the Deputy Director of the Emergency Management Agency, who is also appointed by the Town council, will act as the Director of the Emergency Management Agency.

**MEMBERS OF AGENCY**

- 5) a) The Emergency Management Agency will consist of:
  - i) the Director;

- ii) the Deputy Director;
  - iii) the CAO, or other administrative staff (s);
  - iv) the RCMP designate for this area;
  - v) the Fire Chief or designate;
  - vi) the Public Information Officer or designate;
  - vii) the Public Works Foreman or designate;
  - viii) the F.C.S.S. Director or designate;
  - ix) the Ambulance provider designate;
- b) In addition to the members appointed under subsection (1) other organizations may be invited by the Director to nominate representatives to serve as members of the Agency, including:
- i) utility companies;
  - ii) health agencies;
  - iii) service organizations; and
  - iv) any other agency or organization that, in the opinion of the Director, may assist in the preparation or implementation of the Municipal Emergency Plan.

**DUTIES OF DIRECTOR**

- 6) The Director of the Emergency Management Agency will:
- i) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Town;
  - ii) act as Director of the Emergency Operations Centre, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Agency; and
  - iii) coordinate all emergency services and other resources used in an emergency.

**FUNCTIONS**

- 7) The Agency will act as the agency for Council to carry out all statutory powers and obligations of Council under the Act, except for those powers and duties delegated by this bylaw to the Emergency Management Committee.

**PART i. - EMERGENCY MANAGEMENT COMMITTEE**

**ESTABLISHMENT**

- 8) a) The Emergency Management Committee is hereby established.
- b) All Councillors are members of the Committee
- c) The Director of Emergency Management is a non voting member
- d) The CAO is the Chair of the Committee. If the CAO is absent, the Mayor will act at the Chair of the Committee.
- e) The members of the Committee, including the Chair, will be entitled to reasonable expenses in accordance with Council policy.
- f) Subject to sections 9 and 10 of this bylaw, the Committee will follow the procedures governing Council committees prescribed by the Procedures and Committees Bylaw.

**FUNCTIONS**

- 9) a) The Committee will review the Municipal Emergency Plan and related plans and programs on a regular basis.
- b) The power to declare or renew a state of local emergency under the Act, the power to terminate a state of local emergency, and the power to put emergency plans into operations as specified in section 12 of this bylaw are hereby delegated to the Committee.
- c) Subject to (4), the Committee may by bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Agency.
- d) The Committee 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 provided by the Government of Alberta or by the Government of Canada, when the services were provided at the request of the Town.

**EMERGENCY MEETING**

- 10) a) The CAO may call an emergency meeting of the Committee where the Director of Emergency Management or the CAO considers that a major emergency exists or may exist in the Town.
- b) The CAO must give a minimum of one (1) hour notice of the time and place of an emergency meeting to as many members of the agency as possible in the circumstances.
- c) The notice required in subsection (2) will be by such means of communication considered by the CAO to be most likely to notify the members and the public.
- d) Those members attending an emergency meeting of the Committee

constitute a quorum.

**PART i. - STATE OF LOCAL EMERGENCY**

**DECLARATION OF STATE OF EMERGENCY**

- 11) a) The Committee may, at any time when it is satisfied that a major emergency exists or may exist, by resolution declare a state of local emergency.
- b) The Committee must ensure that the declaration identifies the nature of the emergency and the area of the Town of Irricana in which it exists.
- c) When a state of local emergency is declared, the Director will:
  - i) 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
  - ii) forthwith forward a copy of the declaration to the Minister.

**MUNICIPAL EMERGENCY PLAN**

- 12) When a state of local emergency is declared, the Committee may cause the Municipal Emergency Plan or any related plans or programs to be put into operation, if not already in operation.

**EXTRAORDINARY EMERGENCY POWERS**

- 13) When a state of local emergency is declared, the Agency may at any time, in accordance with the Municipal Emergency Plan and related plans or programs:
  - i) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
  - ii) authorize or require any qualified person to render aid of a type he or she is qualified to provide;
  - iii) control or prohibit travel to or from any area of the Town of Irricana;
  - iv) 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 Town of Irricana;
  - v) cause the evacuation of person and the removal of livestock and personal property from any area of the Town of Irricana 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;

- vi) 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;
- vii) 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;
- viii) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property within the Town of Irricana for the duration of the state of emergency; and
- ix) authorize the conscription of persons needed to meet an emergency.

**PROTECTION FROM LIABILITY**

14) When a state of local emergency is declared:

- i) the Committee, the Agency, and any member of the Committee or Agency, and
- ii) any person appointed by the Committee or Agency to carry out measures relating to emergencies or disasters

are not liable in respect of damages caused through any action taken under this bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

**LIABILITY FOR GROSS NEGLIGENCE**

15) Notwithstanding section 14:

- i) the Committee, the Agency, and any member of the Committee or Agency, and
- ii) any person acting under the direction or authorization of the Committee or Agency

are liable for gross negligence in carrying out their duties under this bylaw.

**TERMINATION OF LOCAL EMERGENCY**

16) When, in the opinion of the Committee, a major emergency no longer exists in relation to which the declaration was made, the Committee shall, by resolution, terminate the declaration.

- 17) A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:
  - i) a resolution is passed under section 16;
  - ii) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;
  - iii) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
  - iv) the Minister cancels the state of local emergency.
- 18) When a declaration of a state of local emergency has been terminated, the CAO 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.

**PART i. - GENERAL**

**DELEGATION**

- 19) The CAO is authorized to delegate and authorize further delegations of any powers, duties and functions delegated to the CAO under this bylaw.

**NUMBER AND GENDER REFERENCES**

- 20) All references in this bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

**REPEALS**

- 21) Bylaw #6:94 is repealed.

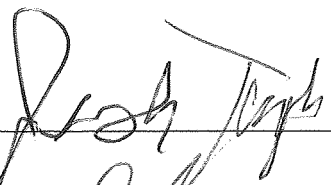
Read a first time this 1<sup>st</sup> day of June, 2009


Read a second time this 1<sup>st</sup> day of June, 2009

Unanimous consent for third reading given this 1<sup>st</sup> day of June 2009

Read a third time this 1<sup>st</sup> day of June, 2009.

SIGNED AND PASSED  
THE TOWN OF IRRICANA

  
 \_\_\_\_\_  
 MAYOR

  
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 CHIEF ADMINISTRATIVE OFFICER

