

**BYLAW 011:2021
TOWN OF IRRICANA**

Being a Bylaw of the Town of Irricana in the Province of Alberta to provide for the direction and control of the Town of Irricana's Emergency Operations under the Emergency Management Act

WHEREAS, the Municipal Government Act, RSA, 2000, c. M-26 and amendments thereto, authorizes a Council to pass bylaws for municipal purposes; and

AND 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 emergency response in the event of a major emergency;

AND WHEREAS, pursuant to the Emergency Management Act, Revised Status of Alberta 2000, Chapter 6.8 to appoint a Municipal 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 interest of public safety, that such a committee be appointed, and such an agency be establish and maintained to carry out Councils statutory powers and obligations under the said Emergency Management Act;

AND WHEREAS, it is recognized that an emergency or disaster of a jurisdictional or multi-jurisdictional nature could affect any or all of the municipalities within the geographical boundaries of the Town of Irricana to such a degree that local resources would be inadequate to cope with a situation;

AND WHEREAS, Council wishes to enter into a regional emergency management partnership with other municipalities within the geographical boundaries of Rocky View County, and Rocky View County itself for the purpose of integrated emergency management planning and operations. This partnership is to be recognized as the Rocky View Regional Emergency Management Agency;

AND WHEREAS, Council chooses to delegate certain responsibilities to the Regional Emergency Management Agency;

NOW THEREFORE, the Council of the Town of Irricana in the Province of Alberta duly assembled, enacts as follows:

PART 1 – TITLE

1.1 This Bylaw shall be known as the Emergency Management Bylaw.

PART 2 – DEFINITIONS

In this Act:

2.1 "Act" means the Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8, as amended;

2.2 "Agency" means the Emergency Management Agency established under this bylaw;

2.3 "CAO" means the Chief Administrative Officer of the Town of Irricana within the meaning of the Municipal Government Act, or his delegate;

2.4 "Committee" means the Emergency Management Committee established under this bylaw;

2.5 "Council" means the Council of the Town of Irricana;

2.6 "Councillor" includes the Mayor;

2.7 "Director" means the person appointed Director of the Emergency Management Agency under this Bylaw;

- 2.8 “Disaster” means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property;
- 2.9 “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;
- 2.10 “Incident Management Team” means a group of trained individuals designated to respond and support the regional emergency management partners;
- 2.11 “Minister” means the Minister determined under Section 16 of the Government Organization Act as the Minister responsible for the Emergency Management Act;
- 2.12 “Municipal Emergency Advisory Committee” means the committee established under this Bylaw;
- 2.13 “Municipal Emergency Plan” means the emergency plan prepared by the Director of the Emergency Management Agency to coordinate response to an emergency or disaster;
- 2.14 “Regional Municipal Emergency Management Agency” means the committee established under this Bylaw;
- 2.15 “Regional Partner” means a Municipality that has adopted the Rocky View County Regional Emergency Management Plan;
- 2.16 “Town” means the municipal corporation of the Town of Irricana;

Rules for Interpretation

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

PART 3 – ESTABLISHMENT OF A MUNICIPAL EMERGENCY ADVISORY COMMITTEE

- 3.1 There is hereby established a Municipal Emergency Advisory Committee to advise Council on the development of emergency plans and programs. The Emergency Advisory Committee shall be a Committee of Council as a whole.
- a) The Emergency Advisory Committee term will run in conjunction with the term of office of Town of Irricana Council and will be for up to four (4) years;
 - b) Regional Partners participating in the Rocky View County Regional Emergency Management program will maintain their own Municipal Emergency Advisory Committee;
 - c) The Chief Administrative Office (CAO) is the Chair of the Committee. If the CAO is absent, the Mayor will act as the Chair of the Committee;
 - d) A quorum of the Emergency Management Advisory Committee is considered to be 50% of Council members in attendance;
 - e) The members of the Committee, including the Chair, will be entitled to reasonable expenses in accordance with Council policy;
 - f) The Committee will follow the procedures governing Council committees prescribed by the Procedures and Committees Bylaw;
 - g) The Committee will review the Municipal Emergency Plan and related plans and programs on a regular basis.
 - h) 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 this bylaw, are hereby delegated to the Committee;

- i) 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;
- j) 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;
- k) 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;
- l) 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;
- m) The notice required in subsection (l) will be by such means of communication considered by the CAO to be most likely to notify the members and the public;
- n) Those members attending an emergency meeting of the Committee constitute of quorum.

3.2 (a) The Emergency Management Advisory Committee will consist of:

- i) the Director;
- ii) the Deputy Director;
- iii) the CAO, or other administrative staff;
- 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 FCSS Director or designate;
- viii) the Ambulance provider designate;

(b) In addition to the members appointed under subsection 3.2(a) above, 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.

3.3 The Director of the Emergency Management Advisory Committee will:

- a) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Town;
- b) 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
- c) co-ordinates all emergency services and other resources used in an emergency.

PART 4 – ESTABLISHMENT OF A REGIONAL EMERGENCY MANAGEMENT AGENCY

4.1 There is hereby established a Regional Municipal Emergency Management Agency to act as the agent of all Regional partners in carrying out its statutory powers and obligations under the Act. This does not include the power to declare, renew, and terminate a state of local emergency;

4.2 The duties of the Regional Emergency Management Agency are as follows:

- (a) the Agency is responsible for the administration and development of the Rocky View County Regional Emergency Plan and program;
 - (b) information share of best practices, plans, programs, etc;
 - (c) support and participate in region training programs;
 - (d) support the activation of the Incident Management Team;
 - (e) the Agency must report to the Municipal Emergency Management Advisory Committee on an annual basis; and
 - (f) the Rocky View County Directory of Emergency Management or their designate shall be appointed the Agency Chair;
 - (g) the Agency will meet at least annually to review the Rocky View County Emergency Management Plan and Activities.
- 4.3 The Regional Municipal Emergency Management Agency shall be comprised of the following:
- (a) Director(s) of Emergency Management from Regional Partners;
 - (b) Deputy Director(s) of Emergency Management from Regional Partners;
 - (c) The Chief Administrative Officers from participating Regional Partners;
 - (d) Fire Chief or designate from participating Regional Partners;
 - (e) Enforcement Services or designate from participating Regional Partners;
 - (f) Any municipal employee designate by the CAO or DEM of the participating Regional Partners.
- 4.4 For the purposes of this bylaw, reference to any member of the Emergency Management Agency shall include the duly appointed designate of that member.

PART 5 – DUTIES AND RESPONSIBILITIES OF COUNCIL

- a) provide for the payment and expenses of the members of the Municipal Emergency Advisory Committee;
 - b) by resolution, by recommendation of the Municipal Emergency Advisory Committee, appoint a Municipal Director of Emergency Management and Municipal Deputy Director(s) of Emergency Management who shall do those things required of the Director of Emergency Management in that persons absence;
 - c) review the Rocky View County Regional Emergency Management Plan and programs as presented by the Advisory Committee on an annual basis and assure that plans and programs are sufficient to address potential emergencies or disasters within the Town of Irricana; and
 - d) approve the Rocky View County's Regional Emergency Management Plan and programs.
- 5.2 Council may:
- a) by bylaw, borrow, appropriate and expend, without the consent of the electors, all sums required for the operation of the Regional Emergency Management Agency for costs associated with the Town of Irricana;
 - b) enter into agreements with and make payments, grants or both, to persons or organizations for the provision of services in the development or implementation of the Rocky View County Regional Emergency Management Plan, or programs, including mutual aid plans and programs.

PART 6 – DECLARING A STATE OF LOCAL EMERGENCY

- 6.1 If at any time, Council is satisfied by information provided by the Municipal Director or Municipal Deputy Director of Emergency Management that an

emergency or disaster exists or may exist, Council may, by resolution, declare a state of local emergency.

- 6.2 The power to declare, terminate or renew of state of local emergency under the Act, the powers specified in Section 6 of this bylaw, and the requirement specified in Section 6.5 of this bylaw are hereby delegated to a committee comprised of the Mayor, or the Deputy Mayor alone, or in their absence, any two members of Council.
- 6.3 When a state of local emergency is declared, the person or persons making the declaration shall:
- a) ensure that the declaration identified the nature of the emergency and the area of the Town of Irricana 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.
- 6.4 Subject to Section 6.3, when a state of local emergency is declared, the person or persons make the declaration may:
- a) cause the Rocky View 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 the person is qualified to provide;
 - d) control or prohibit travel to or from any area of the Town of Irricana;
 - e) provide for the restoration of essential facilities and the distribution of essential supplies and other essential services I any part of the Town of Irricana;
 - f) cause the evacuation of persons and the removal of any animals and personal property from any area of the Town of Irricana that is nor may be affected by a disaster and make arrangements for the adequate care and protection of those persons or animals 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 vegetation 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 Town of Irricana for the duration of the state of local emergency;
 - j) authorize the conscription of persons needed to meet an emergency or disaster; 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.
- 6.5 When, in the opinion of a Committee comprised of the Mayor or Deputy Mayor,

or in their absence, two or more members of Council, an emergency disaster no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.

- 6.6 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 6.5;
 - b) a period of seven days has lapsed since it was declared, unless it has been 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
 - e) the Minister cancels the state of local emergency.
- 6.7 When a declaration of 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 most likely to notify the population for the area affected.

PART 7 – REGIONAL COLLABORATION

- 7.1 Through regional collaboration, the Town of Irricana has delegated the powers of the Emergency Management Agency to the Rocky View Regional Emergency Management Agency. The Rocky View Regional Management Agency will report to the Town of Irricana Emergency Management Committee.

PART 8 – INDEMNIFICATION

- 8.1 No action lies against the Town of Irricana or a person acting under the Town of Irricana's direction or authorization for anything done or omitted to be done in good faith while carrying out a power under the Emergency Management Act or the regulations during a state of local emergency.

PART 9 – SEVERABILITY

- 9.1 It is the intention of Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

PART 10 – NUMBER AND GENDER REFERENCES

- 10.1 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.

PART 11 – REPEAL

- 11.1 Bylaw 005:2009 is hereby repealed.

PART 12 – EFFECTIVE DATE

AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.

READ for a First time this 16th day of August 2021

READ for a Second time this 7th day of September 2021

READ for a Third and Final time this 7th day of September 2021



Mayor, Frank Friesen



**Chief Administrative Officer
Barrie Hutchinson**