

## BYLAW 728

### REGIONAL EMERGENCY MANAGEMENT BYLAW

#### A BYLAW OF THE TOWN OF WEMBLEY IN THE PROVINCE OF ALBERTA TO ESTABLISH A REGIONAL EMERGENCY MANAGEMENT COMMITTEE, AND REGIONAL AGENCY

##### WHEREAS:

- A. The Town of Wembley is responsible for the direction and control of its emergency response and is required under the *Emergency Management Act*, Chapter E-6.8, RSA 2000, to appoint a Director of Emergency Management, a Regional Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency.
- B. It is desirable in the public interest, and in the interests of public safety, that such a committee be appointed, such an agency be established and maintained to carry out Council's statutory powers and obligations under the said *Emergency Management Act*.
- C. It is desirable in the public interest, and in the interests of public safety that a regional emergency management group be formed to coordinate a regional emergency approach and programs.
- D. The municipalities of the Grande Prairie Regional Emergency Partnership will establish a Regional Emergency Management Committee and a Regional Emergency Management Agency.

##### NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF WEMBLEY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1. This Bylaw shall be called the "Regional Emergency Management Bylaw".
- 2. In this Bylaw the following words and terms shall have the following meanings:
  - a) "**Act**" means the *Emergency Management Act*, RSA 2000, Chapter E-6.8;
  - b) "**Council**" means the Council of the Town of Wembley;
  - c) "**Deputy Director of Emergency Management**" (DDEM) means the person responsible for the duties of the Director of Emergency Management in their absence;
  - d) "**Director of Emergency Management**" (DEM) means the person appointed by resolution of Council as the "Chief Administrative Officer" (CAO) who shall be responsible for the municipality's Emergency Management Program;
  - e) "**Disaster**" means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property or the environment;
  - f) "**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 or the environment;

- g) **“Emergency Coordination Centre”** (ECC) means the location that functions as a point of coordination, addressing the needs of the municipality or the GPREP Region as a whole, exercising the authority of the local officials, as well as anticipating and supporting the needs of one (1) or more incident sites;
  - h) **“Evacuation Order”** means the order to evacuate persons, the removal of livestock and personal property from an identified area during a state of local emergency or state of emergency;
  - i) **“Grande Prairie Regional Emergency Partnership Emergency Plan”** (The Plan) means the GPREP Emergency Plan prepared by the Directors of Emergency Management to co-ordinate the response to an emergency or disaster;
  - j) **“Grande Prairie Regional Emergency Partnership”** (GPREP) means the Grande Prairie Regional Emergency Partnership as established by agreement between and the bylaws of the respective municipal councils of the Parties;
  - k) **“Local Authority”** means, where a municipality has a council within the meaning of the *Municipal Government Act*, Chapter M-26, RSA 2000;
  - l) **“Minister”** means the Minister charged with administration of the Act;
  - m) **“Municipality” or “Municipalities”** means one (1) or more of the Parties;
  - n) **“Parties”** means the City of Grande Prairie, the County of Grande Prairie No. 1, the Town of Beaverlodge, the Village of Hythe, the Town of Sexsmith, and the Town of Wembley;
  - o) **“Regional Emergency Management Agency”** (the Agency) means the Grande Prairie Regional Emergency Partnership Agency as established by Agreement between and the bylaws of the respective municipal councils of the Parties; and
  - p) **“Regional Emergency Management Committee”** (the Regional Committee) means the Regional Emergency Management Committee of the Grande Prairie Regional Emergency Partnership as established by agreement between and the bylaws of the Parties.
3. Council agrees through the GPREP, to establish the Regional Emergency Management Committee to advise Council on the development of regional emergency plans and programs.
4. The Regional Committee shall:
- a) consist of municipal Councillors appointed by each of the Parties, with each municipality appointing one (1) primary member, each of whom shall have one (1) vote regarding any matter coming before the Regional Committee. A committee chair will be selected from the Regional Committee membership;
  - b) each municipality shall also appoint one (1) alternate member to the Regional Committee who shall be permitted to vote in the absence or in place of the primary member;
  - c) advise on the development of emergency plans and programs to address potential emergencies or disasters in the Town of Wembley and the GPREP Region;
  - d) advise Council, duly assembled, on the status of the emergency plans and programs at least once each year;

- e) meet twice a year and shall have the option of calling special meetings on an as needed basis, upon fourteen (14) days advance notice to all Regional Committee members. The DEM of each municipality or his alternate and the GPREP staff as requested shall attend all meetings. In the event of a pending or imminent emergency, no notice shall be required to call a special meeting of the Regional Committee. All members shall use their best efforts to be present at all meetings despite no notice having been provided;
- f) the agenda for all upcoming regular meetings of the Regional Committee shall be distributed to all members a minimum of one (1) week prior to the scheduled date of the meeting. Minutes shall be kept at each of the Regional Committee meeting and shall be circulated to all Committee members and/or their alternates and the DEM from each municipality within fourteen (14) days of the meeting;
- g) have the authority to alter, establish and implement rules to govern the conduct of their meetings from time to time, subject to the approval of the majority of the Regional Committee members; for regular meetings and business, four (4) Committee members shall constitute a quorum of the Regional Committee and a motion of the Committee may only be passed by an affirmative vote of the majority of the members voting on the motion. The City of Grande Prairie and County of Grande Prairie No. 1 have a veto power over budget decisions as their cost of the membership are the most substantial; and
- h) meetings may be held through the use of a conference telephone or similar communications equipment such as email, instant messaging so long as all members participating in such meeting can communicate with one another at the time of such meeting. Participation in such a meeting constitutes presence in person at such meeting. Each person participating in the meeting shall sign the minutes thereof, which may be in counterparts. Approval of said meeting may be accomplished via email or fax.

5. Outside of Emergency or Disaster events the purpose of the Regional Committee is to:

- a) advise on the development of emergency plans and programs;
- b) advise respective Parties annually on matters pertaining the GPREP emergency management program and plan;
- c) review the GPREP Program progress annually;
- d) establish the GPREP Program priorities and budget;
- e) complete training as required;
- f) enter into agreements as appropriate to increase local capacity to respond to emergencies and disasters; and
- g) provide guidance and direction to the Agency.

6. During an Emergency or Disaster, the purpose of the Regional Committee is to:

- a) support the DEM, DDEM or alternate in the management of the emergency response and provide strategic direction as required;
- b) in accordance with section 17 declare, renew or terminate a state of local emergency;

- c) in consultation and coordination with the ECC through the DEM, DDEM or alternate, Regional Committee members may be requested to:
    - i) assist with keeping the community informed using established key messages;
    - ii) serve as a spokesperson if required;
    - iii) engage with other levels of government for financial and resource support;
    - iv) provide briefings to other levels of government; and
    - v) authorize major expenditures as required.
- 7. Council delegates the following powers and duties to the Regional Committee:
  - a) advise on the development of GPREP emergency plan and programs;
  - b) in accordance with section 17 of this bylaw, declare, renew or terminate a state of local emergency for part or all of the region;
  - c) set GPREP priorities and budget;
  - d) enter into emergency management agreements with another regional group or single municipality. The decision for the Regional Committee to enter into such an agreement must be made by unanimous vote of all Parties; and
  - e) create policies relating to the emergency preparedness, response, and the operation of the GPREP and the Agency.
- 8. Council maintains the authority to:
  - a) declare, renew or terminate a state of local emergency for an emergency occurring entirely within the boundaries of its municipality and only impacting that municipality;
  - b) create plans or programs to address mitigation, business continuity, long term recovery and to address hazards specific to their community that complement the GPREP Plan.
  - c) approve the GPREP funding formula; and
  - d) approve this Bylaw.
- 9. Council shall:
  - a) by resolution, appoint one (1) of its members to serve on the Regional Committee and at least one (1) member as an alternate;
  - b) provide for the payment of expenses of its member(s) of the Regional Committee; and
  - c) by resolution appoint the Chief Administrative Officer (CAO) as DEM.
- 10. Council may:
  - a) by resolution appoint one (1) or more DDEM;
  - b) by bylaw that is not advertised, borrow, levy, appropriate and expend all sums required for its share of the operation of the Agency; and

- c) 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.
- 11. Council agrees, through the GPREP, to establish the Agency to act as the agent of Council to carry out its statutory powers and obligation under the Act. This does not include the power to declare, renew or terminate a state of local emergency.
- 12. The Agency shall be comprised of the following persons:
  - a) DEM of each municipality which is a member of GPREP;
  - b) DDEM of each municipality which is a member of GPREP;
  - c) the North West Alberta Field Officer(s) of the Alberta Emergency Management Agency; and
  - d) the DEMs may request any persons to join or advise the Agency at meetings, activities or in the preparing or implementation of the Regional Emergency Plan for each period of time that the Agency deems appropriate.
- 13. The Agency will:
  - a) approve and administer the GPREP emergency plans and program for the region, excluding municipal specific hazard plans, prevention/mitigation, business continuity planning and long-term recovery;
  - b) review the plans and program on a regular basis;
  - c) act as the appointed agent in exercising the local authorities' powers and duties under the Act;
  - d) act as the Regional Agency for GPREP and will carry out the duties on behalf of all Parties for greater certainty;
  - e) coordinate all emergency services and other resources used in an Emergency at the request of the Parties;
  - f) ensure that one of the DEMs, DDEMs or alternate is designated to discharge the responsibilities of the Agency;
  - g) meet a minimum of twice a year. Additional meetings may be called by the DEM's;
  - h) use the command, control and coordination system as prescribed by the Managing director of the Alberta Emergency Management Agency;
  - i) each DEM and/or DDEM shall be responsible for reporting back to their respective municipal councils to ensure that strong communication is maintained to ensure the transparency of GPREP; and
  - j) meetings may be held through the use of a conference telephone or similar communications equipment such as email, instant messaging so long as all members participating in such meeting can communicate with one another at the time of such meeting. Participation in such a meeting constitutes presence in person at such meeting. Each person participating in the meeting shall sign the minutes thereof, which may be in counterparts. Approval of said meeting may be accomplished via email or fax.

14. The designation of a DEM to act on behalf of the Agency shall be guided by the following:
  - a) once an ECC has been activated, any one (1) of the DEMs, DDEMs or alternates that are members of the Agency may serve as DEM for the incident. Whenever possible, the DEM, DDEM or alternate from the impacted municipality shall fill that role;
  - b) the first DEM, DDEM or alternate to the ECC will serve as DEM for the incident. As other DEMs, DDEMs or alternates arrive at the ECC, they will jointly decide who will take the lead role. DEM, DDEMs and alternates from the Agency may rotate through the role of DEM for the ECC; and
  - c) if required, the DEM or DDEM may appoint an alternate to discharge the duties of the Agency.
15. Council agrees through the GPREP, to establish a GPREP staff position(s) to assist with carrying out the duties of the Agency.

### **State of Local Emergency**

16. In the event of an Emergency entirely within the boundaries of and only affecting the Town of Wembley, the authority and powers to declare, renew or terminate a state of local emergency under the Act, the authority and powers specified in Section 22 of this Bylaw, and the requirement specified in Section 20 of this Bylaw are hereby delegated to a municipal committee comprised of the Mayor/Reeve or any two (2) Councillors. This municipal 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.
17. In the event of an Emergency entirely within the boundaries of and affecting only the Town of Wembley and the local municipal committee cannot be reached or in the event of an emergency impacting more than one (1) municipality within the GPREP Region, the authority and power to declare, renew or terminate a state of local emergency under the Act; the authority and powers specified in Section 22 of this Bylaw; and the requirements specified in Section 20 of this Bylaw are hereby delegated to any two (2) or more members of the Regional Committee. The Regional 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 for the entire area affected. Whenever possible this resolution should be made by at least one (1) member or alternate from each municipality affected.
18. When a state of local emergency is declared, the Local Authority or the Regional Committee making the declaration shall:
  - a) ensure that the declaration identifies the nature of the Emergency and the area 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) subject to the Act, the declaration of a state of local emergency must be renewed every seven (7) days until the Emergency has passed; and
  - d) forward a copy of the declaration to the Minister forthwith.

- e) this section applies to the any renewal of a state of local emergency.
19. 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 20 of this Bylaw;
  - 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 and order for a state of emergency for the same area; or
  - d) the Minister cancels the sate of local emergency for the affected area.
20. When, in the opinion of the Local Authority in which the state of local emergency was declared, or the Regional Committee, as the case may be, an emergency no longer exists, the Local Authority or the Regional Committee shall, by resolution, terminate the declaration.
21. When a declaration of a state of local emergency has been terminated by resolution or lapse of time or cancelled by the Minister, the Local Authority or the Regional Committee 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.
22. Subject to Section 20 of this Bylaw, when a Local Authority or the Regional Committee has declared a state of local emergency, the Agency may at any time, in accordance with the Act and related plans or programs may, for the duration of that state of local emergency, do all acts and take all necessary proceedings in the area under a state of local emergency in accordance with the section 24 of the Act.
23. In accordance with Section 19.1 of the Act, if an Evacuation Order is made, every person within the area that is the subject of the Evacuation Order must leave:
- a) immediately; or
  - b) if a deadline for evacuation is specified in the Evacuation Order, by the deadline.
24. Section 23 of this Bylaw does not apply to a person acting under the direction of a person exercising powers under Section 22 of this Bylaw, as long as there is a plan for safely evacuating that person in a timely manner and the means are available to carry out the plan.
25. In accordance with Section 28 of the Act, no action lies against a Local Authority or person acting under the Local Authority's direction or authorization for anything done or omitted to be done in good faith while carry out a power or duty under this Act or in the regulations during a state of local emergency.
26. In accordance with Section 535(1) of the *Municipal Government Act*, Councillors, Council committee members, municipal officers and volunteer workers are not liable for loss or damage caused by anything said or done or omitted to be done in good faith in the

performance or intended performance of their functions, duties, or powers under the *Municipal Government Act* or any other enactment.

27. Should any provisions of this Bylaw become invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the bylaw and the remainder shall remain in force and be binding as though such provision had not been invalid.

28. Bylaw 674 is hereby repealed.

29. This Bylaw shall take effect on April 14, 2020

**READ** a first time this 14<sup>th</sup> day of April, 2020.

**READ** a second time this 14<sup>th</sup> day of April, 2020.

**READ** a third time and finally passed this 14th day of April, 2020.

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Mayor, Chris Turnmire

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CAO, Noreen Zhang