

CITY OF ST. ALBERT

BYLAW 06/2017

Being a bylaw to provide for the direction and control of emergency operations under the
Emergency Management Act

Whereas:

- i. pursuant to the *Emergency Management Act*, R.S.A. 2000 c.E-6.8, St. Albert City Council is responsible for the direction and control of the City of St. Albert's response in the event of a major emergency;
- ii. the Act requires Council to appoint an Emergency Advisory Committee to advise on the development of emergency plans and programs;
- iii. the Act requires Council to maintain an Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act;
- iv. pursuant to the Municipal Government Act, R.S.A. 2000, c.M-26, Council may pass bylaws in relation to the establishment and functions of council committees; and
- v. pursuant to the Municipal Government Act, Council may by bylaw delegate any of its powers, duties or functions under the Municipal Government Act or any other enactment or bylaw to a council committee, the chief administrative officer or a designated officer, unless the Municipal Government Act or other enactment or bylaw provides otherwise;

NOW THEREFORE the Council of the City of St. Albert, duly assembled, hereby ENACTS AS
FOLLOWS:

Short Title

1. This bylaw shall be known as the Emergency Management Bylaw.

Definitions

2. For the purposes of this Bylaw:
 - (a) "Act" means the *Emergency Management Act*, R.S.A. 2000, c.E-6.8;
 - (b) "Agency" means the Emergency Management Agency established under this bylaw;
 - (c) "City" means the municipal corporation of the City of St. Albert;
 - (d) "City Manager" means the City's Chief Administrative Officer;
 - (e) "Council" means the municipal council of the City of St. Albert
 - (fe) "Committee" means the Emergency Advisory Committee established under this Bylaw;
 - (gf) "Council Member" means a member of the City's municipal council, including the Mayor;
 - (hg) "Director" means the person appointed as Director of the Agency;

- (i) "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 or the environment;
- (j) "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 or the environment;
- (k) "Emergency Management Plan" means the plan prepared by the Director to coordinate the response to an emergency or disaster;
- (l) "Emergency Operations Centre" means a designated site from which City officials monitor, coordinate and support the emergency response and recovery activities during an emergency or disaster;
- (m) "Mayor" means the City's chief elected official; and
- (n) "Minister" means the minister charged with the administration of the Act.

Discretion of Council

3. Council may:
 - (a) by Bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Agency; and
 - (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.

Duties of City Manager

4. City Manager shall:
 - (a) appoint the Director; and
 - (b) annually review the Emergency Management Plan.

Emergency Advisory Committee

5. The Committee is hereby established to review and advise the Director regarding the Emergency Management Plan and related plans and programs.
6. The Committee shall consist of:
 - (a) the Mayor;
 - (b) at least two other Council Members appointed by Council; and
 - (c) the City Manager.
7. The Committee shall appoint one committee member as Chair Person. From time to time, the Chair may invite individuals, including City employees and the Director, to discuss matters of relevance at Committee meetings.
8. The Committee shall meet annually, or more frequently as required.
9. The Committee shall advise Council annually on matters pertaining to the City's emergency management program and the Emergency Management Plan.

Emergency Management Agency

10. The Agency is hereby established to act as the agent of Council to carry out all statutory powers and obligations of Council under the Act, including the implementation of the Emergency Management Plan, subject to any such powers and duties delegated under this Bylaw to the Committee.
11. The Agency shall consist of the following members:
 - (a) the Director;
 - (b) City staff as appointed to the Agency by the City Manager;
 - (c) the City's designated Fire Chief or delegate;
 - (d) the City's designated RCMP Detachment Commander.
12. In addition to the members appointed to the Agency under Section 11, the Director may invite other organizations to nominate representatives to serve as members of the Agency, including:
 - (a) Alberta Emergency Management Agency (AEMA);
 - (b) utility companies;
 - (c) health agencies;
 - (d) service organizations; and
 - (e) any other agency or organization that, in the opinion of the Director, may assist in the implementation of the Emergency Management Plan.
13. (1) The Director will:
 - (a) schedule meetings of the Agency as necessary;
 - (b) prepare and co-ordinate the Emergency Management Plan and related plans and programs for the City;
 - (c) establish and act as Director of the Emergency Operations Centre, or ensure that someone is designated under the Emergency Management Plan to so act, on behalf of the Agency;
 - (d) co-ordinate all emergency services and other resources used in an emergency;
 - (e) ensure that the Emergency Management Plan is reviewed at least annually and anytime conditions arise or there is an opportunity for improvement of the plan;
 - (f) ensure that the Emergency Management Plan is implemented; and conduct an emergency training event no less than once annually.

.

 - (2) From time to time, the Director may invite individuals, including City employees and Committee members, to discuss matters of relevance with the Agency. The Director may require such individuals to assist with the development and implementation of the Emergency Management Plan and related program.

Declaration of a State of Local Emergency

~~14. Council delegates its power under the Act to declare, renew, and terminate a state of local emergency to the Mayor.~~

~~15.14.~~ If ~~the Council~~Mayor is satisfied that an emergency exists or may exist, ~~the Council~~Mayor may

make, in writing or otherwise, a resolution declaring a state of local emergency relating to all or part of the City.

156. In declaring a state of local emergency, ~~the Council~~ Mayer must:

- (a) identify the nature of the emergency;
- (b) identify the area of the City of St. Albert where the emergency exists;
- (c) immediately cause the details of the declaration to be written and published by such means of communication as ~~the Council~~ Mayer considers is most likely to make it known to the population that is affected by the declaration, and;
- (d) immediately forward a copy of the written declaration to the Minister.

47.16. When a state of local emergency is declared, the Agency may at any time, in accordance with the ~~Emergency Management~~ Act and related plans or programs:

- (a) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
- (b) authorize or require any qualified person to render aid of a type he or she is qualified to provide;
- (c) control or prohibit travel to or from any area of the City;
- (d) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, social and other essential services in any part of the City;
- (e) cause the evacuation of person and the removal of animals and personal property from any area of the City of St. Albert that is or may be affected by a disaster;
- (f) 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;
- (g) 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;
- (h) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property within the City for the duration of the state of emergency; and
- (i) authorize the conscription of persons needed to meet an emergency.

178. Subject to the Act, the declaration of a state of local emergency must be renewed every seven (7) days until the emergency has passed.

Termination of Local Emergency

189. When, in the opinion of ~~the Council~~ Mayer, a major emergency no longer exists in relation to which the declaration was made, ~~the Council~~ Mayer shall by resolution, terminate the declaration.

1920. 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 189;

- (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.

204. When a declaration of a state of local emergency has been terminated, ~~the Council~~ Mayor 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.

Delegation of Mayor's Responsibility

~~212. If the Mayor is unavailable to act on his or her declaration responsibilities, the Deputy Mayor may act. If the Deputy Mayor is unavailable to act, the next scheduled Council Member on the Deputy Mayor roster may act and this line of delegation shall continue through the order of the Deputy Mayor roster.~~

Financial Accounting

2123. Where possible, the Emergency Management Agency shall forward copies of all resolutions passed under the State of Local Emergency and specifics of agreements or payments made during this period to the Director of Finance within fourteen days of the termination of the State of Local Emergency.

2234. The Director of Finance shall verify that each expenditure made under the State of Local Emergency was authorized by the Emergency Management Agency and shall report to Council on the findings.

Protection from Liability

2345. No action lies against the Committee, the Agency, and any member of the Committee or Agency or any person acting under the Committee's or Agency's direction or authorization for anything done or omitted to be done in good faith while carrying out a power or duty under this Bylaw during a state of local emergency.

Repeal of Bylaw

2456. Bylaw 28/99 is repealed.

READ a first time this day of , 2017.

READ a second time this day of , 2017.

READ a third and final time this day of , 2017.

MAYOR

LEGISLATIVE OFFICER