

CITY OF ST. ALBERT

BYLAW 04/2020

EMERGENCY MANAGEMENT BYLAW

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*, RSA 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~~ **establish and 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, RSA 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:

TITLE

1. This Bylaw may be referred to as the "Emergency Management Bylaw".

DEFINITIONS

2. In this Bylaw:

- a. “Act” means the *Emergency Management Act*, R.S.A. 2000, c. E-6.8 and regulations thereto, as amended or replaced from time to time;
- b. “Agency” means the St. Albert Emergency Management Agency established under this Bylaw;
- c. “Bylaw” means this Emergency Management Bylaw 04/2020;
- d. “Chief Administrative Officer” or “CAO” means the individual appointed by Council to the position of Chief Administrative Officer under section 205 of the *Municipal Government Act* and pursuant to the Chief Administrative Officer Bylaw;
- e. “City” means the municipal corporation of the City of St. Albert;
- f. “Committee” means the St. Albert Emergency Advisory Committee ~~established~~ **appointed** under this Bylaw;
- g. “Council” means the elected municipal council of the City of St. Albert;
- h. “Councillor” means a member of the City’s municipal council, including the Mayor;
- i. “Director” means the person appointed as Director of **Emergency Management** by this Bylaw;
- j. “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;
- k. “Emergency” means an 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;
- l. “Emergency Management Plan” means the City’s emergency plan prepared to coordinate the response to an Emergency or Disaster;
- m. “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;
- n. “Mayor” means the City’s chief elected official;

- o. “Minister” means the minister charged with the administration of the Act; and

“State of Local Emergency” or “SOLE” means a state of local emergency declared in accordance with the Act and this Bylaw.

~~e.p.~~

COUNCIL AUTHORITY

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~~

- (a) 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 Eemergency plans or programs, including mutual aid plans and programs; and
- (b) during or within 60 days after the SOLE, by bylaw that is not advertised but is approved by the Minister responsible for the *Municipal Government Act*, borrow any money necessary to pay expenses caused by the Eemergency. -

DUTIES OF THE CAO

4. The CAO shall ÷

- ~~(a) rreview the Emergency Management Plan annually. y; and~~
- ~~(b) appoint City staff to the Agency in accordance with this Bylaw.~~

ST. ALBERT EMERGENCY ADVISORY COMMITTEE

5. The Committee is hereby established.

6. The following are members of the Committee:

- a. the Mayor; and
- b. at least two other Councillors appointed by Council. ÷and

~~a. the CAO.~~

7. Those members of the Committee who attend any meeting of the Committee constitute a quorum for that meeting.

~~8. The power to declare a SOLE in the City in accordance with section 21 of the Act is hereby delegated to the Committee.~~

89. The Committee will:

a. advise Council annually regarding the development of the Emergency Management Plan and related programs;

~~b. promote general community awareness about Emergency preparedness during non-Emergency times;~~

b.

c. provide guidance and direction to the Agency;

d. during an Emergency or Disaster:

i. receive updates regarding the Emergency or Disaster from the Agency;

ii. in accordance with the Act ~~and this Bylaw~~, declare, ~~renew~~, and ~~terminate~~ the SOLE ~~at an end~~ when appropriate; and

iii. perform any additional powers or duties as described in the Act that have been assigned to it by Council; and

e. perform any other functions and duties as required by this Bylaw or the Act.

9. The Mayor is the chair of the Committee and will preside at all meetings, and when the Mayor is unable to perform the chair's duties, the first Councillor described in the following list who is present and able to act shall be the chair of the Committee:

a. the Councillor holding the position of Deputy Mayor at the time of the meeting;

b. the Councillor holding the position of Acting Mayor at the time of the meeting; or

c. the next available Councillor in priority according to the Deputy Mayor roster as established at the first organizational meeting after a regular election.

10. From time to time, the chair may invite individuals, including City employees and the Director, to discuss matters of relevance at Committee meetings.
11. The Committee shall meet at least annually, or more frequently as required. The Committee may meet from time to time at the request of the Mayor or the Director, whether or not an Emergency or Disaster exists.
12. All members of the Committee will be entitled to the payment of reasonable expenses in accordance with Council policy.

DECLARING, RENEWING, AND TERMINATING STATE OF LOCAL EMERGENCY

13. Council's power to declare, terminate, and renew a SOLE in the City in accordance with sections 21 and 22 of the Act, or to expand or reduce the part of the City to which a SOLE applies, is hereby delegated to the Committee subject to sections 14-256 of this Bylaw. ~~The power to declare a SOLE in the City in accordance with section 21 of the Act is hereby delegated to a subcommittee of the Committee to be known as the "Local Emergency Committee."~~
14. For the purposes of declaring or terminating a SOLE, the Committee may call a meeting without notice.
15. If the Mayor is available and not incapacitated by the Emergency, then the Mayor acting alone constitutes a quorum of the Committee for the purposes of declaring, terminating, or renewing a SOLE, or expanding or reducing the part of the City to which the SOLE applies. ~~The Local Emergency Committee will be comprised of the chair of the Committee, or the person acting in place of the chair of the Committee, in accordance with section 9 of the Bylaw.~~
- ~~14.~~ If the Mayor is unavailable or incapacitated, then for the purposes of declaring a SOLE, quorum of the Committee is established in accordance with section 9 of this Bylaw.
- ~~15-16.~~
- ~~16-17.~~ The ~~Local Emergency~~ Committee shall declare a SOLE relating to all or part of the City by resolution when it is satisfied that an Emergency exists or may exist in the City.
- ~~17-18.~~ The declaration of the SOLE shall:
 - a. identify the nature of the Emergency; and
 - b. identify the area of the City where the Emergency exists.

~~18-19.~~ The ~~Local Emergency~~ Committee shall forthwith on declaring of a SOLE forward a copy of the written declaration to the Minister.

~~19-20.~~ Immediately after the ~~Local Emergency~~ Committee makes the declaration of a SOLE, the Committee shall cause the details of the declaration to be published by any means of communication that it considers is most likely to make the contents of the declaration known to the population of the area of the City affected.

21. Subject to the Act, the declaration of a SOLE must be renewed **by the Committee by resolution** every seven days until the Emergency has passed.

~~20.~~ The ~~Local Emergency~~ Committee shall report to the next meeting of Council the nature of the SOLE, the reasons for so declaring and the area of the City in which it exists or existed.

~~21-22.~~

23. When, in the opinion of the Committee, a major Emergency no longer exists in relation to which a declaration of a SOLE was made, the Committee shall, by resolution, terminate the declaration.

24. A declaration of a SOLE is considered terminated and ceases to be of any force or effect when:

- a. a resolution is passed under section 23;
- 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 SOLE.

25. When a declaration of a State of Local Emergency has been terminated by lapse of time or resolution of the Committee, or cancelled by the Minister, the 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.

26. Upon declaration of a SOLE and for the duration of the SOLE, the Director may, in accordance with section 24 of the Act, exercise and perform all of the powers and duties given to a local authority by the Act.

~~27.~~ At all other times, and except as otherwise provided in this Bylaw, the Committee shall exercise and perform all of the powers and duties given to a local authority by the Act.

~~28.~~

29-27.

ST. ALBERT EMERGENCY MANAGEMENT AGENCY

28. The Agency is hereby established.

29. The Agency shall consist of:

- a. the Director or their ~~designated~~ delegate;
- b. City staff as appointed to the Agency by the CAO;
- c. the City's Director of Emergency Services or their delegate; and
- ~~a.d.~~ the City's designated RCMP Detachment Commander.

30. In addition to the members appointed to the Agency under section 29, the Director may invite other organizations to nominate representatives to serve as advisory members of the Agency, including:

- a. Alberta Emergency Management Agency;
- b. utility companies;
- c. health agencies;
- d. service organizations; and
- ~~a.e.~~ any other agency or organization that, in the opinion of the Director, may assist in the implementation of the Emergency Management Plan.

31. The Agency will:

- a. be responsible for the administration of the City's ~~E~~mergency management program;
- b. act as the agent of Council to carry out all statutory powers and obligations of Council under the Act, except such powers and duties delegated under this Bylaw to the Committee;
- c. provide advice to the Committee as required;
- d. review and update the Emergency Management Plan and programs at least once annually and anytime conditions arise or there is an opportunity for improvement of the Emergency Management Plan, in the Director's discretion;

- e. report to the Committee on all Agency activities and provide an update on the review of the Emergency Management Plan on an **at least once-** annual basis;
 - f. use a command, control, and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency;
 - g. cause the Emergency Management Plan and related plans and programs to be activated when required;
 - h. make the Emergency Management Plan available to the Alberta Emergency Management Agency for review and comment annually;
 - i. engage in mandatory exercises as required by the Act; and
 - j. perform any other functions and duties as required by this Bylaw, Council, or the Act.
32. The ~~CAO Fire Chief shall be~~ **hereby appointed** the Director of the Agency.
33. **The CAO is authorized to delegate and further authorize further delegations of any powers, duties, and functions delegated to the Director under this Bylaw.**
34. The Director shall:
- a. be the chair of the Agency;
 - 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 during activation, 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; and
 - e. perform any other functions and duties as prescribed by Council.
35. 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 programs.

FINANCIAL ACCOUNTING

36. Where possible, the Agency will forward copies of all resolutions passed under the SOLE and specifics of agreements or payments made during this period to the Director of Finance within fourteen days of the termination of the SOLE.
37. The Director of Finance shall verify that each expenditure made under the SOLE was authorized by the Agency and shall report to Council on the findings.

PROTECTION FROM LIABILITY

38. 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 SOLE.

REPEAL OF BYLAW GENERAL

39. Bylaw 06/2017 is hereby repealed.
40. This Bylaw comes into force on the day it is passed.

READ a First time this _____ day of _____, 2020.

READ a Second time this _____ day of _____, 2020.

READ a Third and final time this _____ day of _____, 2020.

SIGNED AND PASSED this _____ day of _____, 2020.

MAYOR

LEGISLATIVE OFFICER