



BYLAW NO. 03-2009 TOWN OF VEGREVILLE

THIS BY-LAW BEING BY-LAW NO. 03-2009 OF THE TOWN OF VEGREVILLE, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL EMERGENCY MANAGEMENT BYLAW

WHEREAS, the Council of the Town of Vegreville is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter e-6.8, Revised Statutes of Alberta - 2000, to appoint an Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency; and

WHEREAS, it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to act as the agent of Council and carry out Council's statutory powers and obligations under the said Emergency Management Act;

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

1. NAME

This Bylaw may be cited as the "Municipal Emergency Management Bylaw."

2. DEFINITIONS

- 2.1 "Act" means the Emergency Management Act, Chapter e-6.8, Revised Statutes of Alberta - 2000;
- 2.2 "Council" means the Council of the Town of Vegreville;
- 2.3 "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;
- 2.4 "Emergency Management Committee" means the committee established under this bylaw;
- 2.5 "Emergency" means a present or imminent 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;
- 2.6 "Minister" means the Minister charged with administration of the Act.
- 2.7 "Municipal Emergency Management Agency" means the agency established under this bylaw; and
- 2.8 "Municipal Emergency Plan" means the plan prepared by the Director of Emergency Management along with the Emergency Management Committee to coordinate response to an emergency or disaster.

3. EMERGENCY MANAGEMENT COMMITTEE

- 3.1 There is hereby established an Emergency Management Committee to advise Council on the development of emergency plans and programs.
- 3.2 Council shall
 - a) As a whole, make up the Emergency Management Committee;

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- b) Provide for the payment of expenses of the members of the Emergency Management Committee;
- c) By resolution, on the recommendation of the Emergency Management Committee, appoint a Director of Emergency Management;
- d) Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Vegreville;
- e) Approve the Town of Vegreville's emergency plans and programs; and
- f) Review the status of the Municipal Emergency Plan and related plans and programs at least once each year.

3.3 Council may

- a) By Bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency; and
- b) Enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of service in the development or implementation of emergency plans or programs, including mutual aid plans and programs.

3.4 The Emergency Management Committee shall:

- a) Review the Municipal Emergency Plan and related plans and programs on an annual basis.

4. MUNICIPAL EMERGENCY MANAGEMENT AGENCY

There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, nor the powers contained in Section 7.2 of this Bylaw.

4.1 The Municipal Emergency Management Agency shall be comprised of one or more of the following:

- a) The Director of Emergency Management;
- b) The Deputy Directors of Emergency Management;
- c) The Town Manager or designate;
- d) The Police Chief or designate or the N.C.O in Charge, R.C.M. Police or designate;
- e) The Emergency Services Manager or designate;
- f) The Infrastructure, Planning & Development Director or designate
- g) The Corporate Services Director or designate
- h) The Community Services Director or designate
- i) The Public Information Officer or designate;
- j) The Public Works Manager or designate;
- k) The Parks & Fleet Manager or designate;
- l) The Recreation & Facilities Manager or designate;
- m) The Community Development Manager or designate;
- n) The Hospital Director or designate;
- o) The Disaster Social Services Manager or designate;
- p) Representative(s) from Alberta Health Services – Public Health;
- q) Representative(s) from local School Systems;
- r) Representative(s) from adjacent communities which have entered into mutual aid agreements;

- s) Representative(s) from local business or business associations (i.e.; Chamber of Commerce, Board of Trade);
- t) Representative(s) from local industry or industrial associations;
- u) Representative(s) from Utility Companies;
- v) Anybody else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan.

5. **DIRECTOR OF EMERGENCY MANAGEMENT**

5.1 The Director of Emergency Management shall:

- a) Prepare and coordinate the Municipal Emergency Plan and related plans and programs for the Town of Vegreville;
- b) Act as Director of Emergency Operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
- c) Coordinate all emergency services and other resources used in an emergency; or
- d) Ensure that someone is designate to discharge the responsibilities specified in paragraphs (a), (b) and (c).

6. **DECLARATION OF STATE OF LOCAL EMERGENCY**

6.1 The power to declare or renew a state of local emergency under the Act, the powers specified in Section 7.2 of this Bylaw, and the requirement specified in Section 7.5 of this Bylaw, are hereby delegated to a committee comprised of the Mayor, Deputy Mayor, or in that person's absence, two (2) members of Council. This 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.

7. **EMERGENCY PROCEDURES**

7.1 When a state of local emergency is declared, the person or persons making the declaration shall:

- a) Ensure that the declaration identifies the nature of the emergency and the area of the Town 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.

7.2 Subject to Section 7.5, when a state of local emergency is declared, the person or persons making the declaration may:

- a) Cause the Municipal Emergency Plan or any related plans or program 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 he or she is qualified to provide;
- d) Control or prohibit travel to or from any area of the Town;
- e) Provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the Town;



- f) Cause the evacuation of persons and the removal of livestock and personal property from any area of the Town that is or may be affected by an emergency or disaster and make arrangements for the adequate care and protection of those persons or livestock 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 crops if the demolition or removal is necessary or appropriate in order to reach the scene of an emergency or 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 Vegreville for the duration of the state of local emergency;
- j) Authorize the conscription of persons needed to meet an emergency; and
- k) Authorize any persons at any time to exercise, in the operation of the Municipal Emergency Plan and related plans or programs, any power specified in Paragraphs 7.2 (b) through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.

7.3 When a state of local emergency is declared:

- a) Neither Council nor any member of Council, and
- b) No person appointed by Council to carry out measures relating to emergencies or disasters is liable in respect of damage caused through any action taken under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

7.4 Notwithstanding Section 7.3:

- a) Council and any member of Council, and
- b) Any person acting under the direction or authorization of Council is liable for gross negligence in carrying out their duties under this Bylaw.

7.5 When, in the opinion of the person or persons declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, they shall by resolution terminate the declaration.

7.6 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 7.5;
- 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 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.

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7.7 When a declaration of a 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 considered most likely to notify the population of the area affected.

8. RESCIND OLD BYLAW

8.1 Bylaw No. 2-98 passed on July 27, 1998, dealing with the establishing a Municipal Disaster Services Bylaw is hereby rescinded.

9. EFFECTIVE DATE OF BYLAW

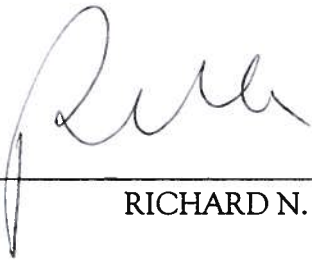
9.1 This Bylaw comes into force on the day it is finally passed.

READ for a first time this 23rd Day of November , 2009 A.D.


READ for a second time this 23rd Day of November , 2009 A.D.

UNANIMOUS CONSENT RECEIVED FOR THIRD AND FINAL READING

READ for a third time this 23rd Day of November , 2009 A.D.



RICHARD N. COLEMAN
MAYOR



JODY QUICKSTAD
TOWN MANAGER