

BYLAW NO. 591-20

**BEING A BYLAW OF THE VILLAGE OF HINES CREEK, IN THE PROVINCE OF ALBERTA,
BEING THE MUNICIPAL EMERGENCY MANAGEMENT BYLAW.**

A BYLAW of the Village of Hines Creek in the Province of Alberta to establish a MUNICIPAL EMERGENCY MANAGEMENT BYLAW"

WHEREAS, the Council of the Village of Hines Creek is responsible for the direction and control its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of November 19, 2018), to appoint an 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 interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said Emergency Management Act;

NOW, THEREFORE, The Council of the Village of Hines Creek, duly assembled, enacts as follows:

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw
2. In this Bylaw
 - a) "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
 - b) "Chief Administrative Officer" or "CAO" means the person appointed by Council under section 205 of the Municipal Government Act to be chief administrative officer for the Village.
 - c) "Council" means the Council of the Village of Hines Creek;
 - d) "Deputy Director of Emergency Management" means the person appointed to the position of Deputy Director of Emergency Management by Council.
 - e) "Director of Emergency Management" means the person appointed to the position of Director of Emergency Management by Council.
 - f) "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;
 - g) "Emergency" means a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
 - h) "Emergency Advisory Committee" means the committee established under this Bylaw;
 - i) "Emergency Management" means the development, coordination and execution of plans, measures and programs pertaining to mitigation, preparedness, response and recovery before, during and after an emergency event.
 - j) "Minister" means the Minister charged with administration of the Act;
 - k) "Municipal Emergency Management Agency" means the agency established under this Bylaw; and
 - l) "Municipal Emergency Management Plan (MEP)" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.
 - m) "Person" means an individual and includes a firm, partnership, joint venture, proprietorship, corporation, department, board, agency, association, society or any other legal entity.
 - n) "Village" means the Village of Hines Creek.
3. There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
4. 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 11 of this Bylaw.
5. Council shall
 - a) by resolution, appoint members to serve on the Emergency Management Advisory Committee;

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- b) provide for the payment of expenses of the members of the Emergency Management Advisory Committee;
- c) appoint a Director of Emergency Management
- d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Village of Hines Creek;
- e) approve the Village of Hines Creek's emergency plans and programs; and
- f) review the status of the Municipal Emergency Management Plan and related plans and programs at least once each year.

- 6. 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 services in the development or implementation of emergency plans or programs, including mutual aid agreements and/or regional plans and programs.
 - c) on the recommendation of the Emergency Advisory Committee, appoint one or more Deputy Director(s) of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence;

- 7. The Emergency Advisory Committee shall
 - a) consist of the Mayor or Deputy Mayor and one other Member of Council, who are appointed by Council, at the annual organizational meeting. In the absence of the Mayor or Deputy Mayor the remaining Committee members shall appoint a chair;
 - b) review the Municipal Emergency Management Plan and related plans at least once a year;
 - c) advise Council, duly assembled, on the status of the Municipal Emergency Management Plan and related plans and at least once each year;
 - d) evaluate the Municipal Emergency Management plan when activated, and make suggestions that will enhance the Municipal Emergency Management Plan and overall program.

- 8. The Municipal Emergency Management Agency shall
 - a) be comprised of one or more of the following:
 - (i) the Director of Emergency Management
 - (ii) the C.A.O. of the Village of Hines Creek
 - (iii) the Deputy Director of Emergency Management
 - (iv) Administrative Assistant, Clerk and Finance Officer of the Village of Hines Creek
 - (v) the R.C.M.P. Chief or designate or the N.C.O. in Charge from the local detachment
 - (vi) the Fire Chief from the Hines Creek Volunteer Fire Department or designate
 - (vii) the Public Works Foreman of the Village of Hines Creek or designate
 - (viii) The Bylaw Enforcement Officer of the Village of Hines Creek
 - (ix) anybody else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan
 - b) be responsible for carrying out the Emergency Management Plan during a state of local emergency
 - c) use the Incident Command System for emergency response and recovery activities
 - d) review the plan and participate in exercises and make recommendations to the Emergency Advisory Committee that would enhance the plan
 - e) meet at least once per year to review the Emergency Management Plan
- 9. The Director of the Emergency Management Agency shall
 - a) prepare and co-ordinate the Municipal Emergency Management Plan and related plans for the Village of Hines Creek;

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- 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) authorize and co-ordinate all emergency services and other resources required during an emergency; or
- d) delegate duties and tasks as necessary to ensure conformance with paragraphs (a), (b), and (c).

10. The power to declare or renew a state of local emergency, the powers specified in Section 11 of this Bylaw, and the requirement specified in Section 14 of this Bylaw, are hereby delegated to the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council. He, she or they may, at any time, when he, she or they are satisfied that an emergency exists or may exist, make a declaration of a state of local emergency.

11. When a state of local emergency is declared, the person[s] making the declaration shall

- a) ensure that the declaration identifies the nature of the emergency and the area of the Village 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.

12. Subject to Section 14, when a state of local emergency is declared, the local authority making the declaration may do all acts and take all necessary proceedings including the following;

- a) cause the Municipal Emergency 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 he or she is qualified to provide;
- d) control or prohibit travel to or from any area of the Village;
- e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Village;
- f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Village that is or may be affected by a 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 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 Village for the duration of the state of 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 (b) through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.

13. 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, are liable for anything done or omitted to be done in good faith while carrying out a power or duty under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

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14. When, in the opinion of the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council shall terminate the declaration.

15. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when

- a) it is cancelled under Section 14;
- b) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
- c) the Minister cancels the state of local emergency.

16. When a declaration of a state of local emergency has been terminated, the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council 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.

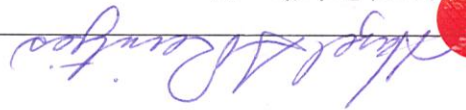
17. Bylaw No. 501 is its entirety is hereby rescinded. This Bylaw comes into force on the day it is finally passed.

READ, a first time this 23 day of January, 2020.

Given UNANIMOUS consent to go to third reading on this 23 day of January, 2020.

READ, a third time and finally passed this 23 day of January, 2020.

Hazel Reintjes, Mayor



Leanne Walmsley, Chief Administrative Officer

