

Village of Hines Creek Council Request for Decision (RFD)

Meeting:	Regular Council Meeting
Meeting Date:	January 23, 2019
Originated By:	Kimberley Kuntz
Title:	New Business - Municipal Emergency Management Bylaw 591-20
File:	0110

BACKGROUND

Local Authority Emergency Management Regulations require that as of January 1, 2020 each municipality must have a Municipal Emergency Management Bylaw. Emergency Advisory Committees and Emergency Management Agencies must be established by Bylaw, see attached LAEMR Summary for minimum criteria.

ATTACHMENTS

Bylaw 591-20
Local Authority Emergency Management Regulation

RECOMMENDED ACTION:

For Council to review and bylaw and provide feedback.

Initials show support- Reviewed by:	Manager:	C.A.O	<i>LW</i>
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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 of 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.

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- 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;
- 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.

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- 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;
- 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,

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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

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- 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.

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 in its entirety is hereby rescinded. This Bylaw comes into force on the day it is finally passed.

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

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

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

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

Hazel Reintjes, Mayor

Leanne Walmsley, Chief Administrative Officer

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Local Authority Emergency Management Regulation

Summary

When will the Local Authority Emergency Management Regulation come into force?

The regulation will come into force on January 1, 2020. Local authorities must meet the requirements for emergency advisory committees, emergency management agencies, regional collaboration, and emergency management plans by January 1, 2020.

Specific timelines for training and exercise requirements are outlined below.

Emergency Advisory Committees

The emergency advisory committee must be appointed by bylaw, and that bylaw must at a minimum:

- Set out the purpose of the committee both during and outside emergencies.
- Establish that the committee provides guidance and direction to the emergency management agency.
- Establish procedures that must be followed when declaring a state of local emergency.
- Identify the committee membership and chair by title or position.
- Set out a minimum meeting frequency, which must be at least once per year.
- Outline quorum and procedural requirements for decision making, unless they are set out in another bylaw.

Emergency Management Agencies

The emergency management agency must be established by bylaw, and that bylaw must at a minimum:

- Set out the responsibilities of the agency.
- Appoint a person as the director of emergency management, or state that a person who holds a specified position or title is appointed as the director of emergency management by virtue of holding that title or position.
- State that the agency is responsible for the administration of the local authority's emergency management program.
- Identify how often the agency must report to the emergency advisory committee on agency activities, which must be at least once per year and include an update on the agency's review of the emergency plan.
- State that the command, control, and coordination system prescribed by the Managing Director will be used by the agency.
- Indicate if the agency is acting on behalf of more than one local authority, and identify these local authorities.

The Managing Director of Alberta Emergency Management Agency will prescribe a command, control, and coordination system that must be used by emergency management agencies. This system will be identified through a notice posted at aema.alberta.ca.

Regional Collaboration

- If a local authority has delegated some or all of their powers under the *Emergency Management Act* to a regional services commission or joint committee, the local authority must establish a bylaw setting out the powers and duties which have been delegated.
- If the local authority has delegated powers to a regional services commission, their bylaw must indicate whether the local authority will maintain an independent emergency management agency.
- When summer villages delegate powers and duties under the *Emergency Management Act* to another local authority, the local authority accepting the delegation of the summer village may delegate the powers to a council committee.
- When a summer village delegates powers and duties under the *Emergency Management Act* to another local authority, the summer village and the local authority must establish in bylaw which powers and duties have been delegated and accepted.

Training Requirements

Training requirements will be prescribed by the Managing Director by posting a notice at aema.alberta.ca. The requirements are as follows:

Elected Officials

Must complete the following course within 90 days of taking their official oath, or by January 1, 2021:

- The Municipal Elected Officials Course

Directors of Emergency Management

Must complete the following courses within 18 months of being appointed, or by July 1, 2020:

- Basic Emergency Management,
- Incident Command System (ICS) 100, 200, and 300
- The Director of Emergency Management Course

Municipal Staff

Staff who have been assigned responsibilities respecting the implementation of the emergency plan must complete the following courses within six months of being identified for this role, or by January 1, 2020:

- Basic Emergency Management
- ICS 100

The Managing Director of Alberta Emergency Management Agency may grant exemptions or extensions in some exceptional cases, and may approve alternative courses. For more information, please visit aema.alberta.ca or speak to your field officer.

Emergency Management Plans

The emergency management agency must review the emergency plan at least once per year, and make that plan available to the Alberta Emergency Management Agency for review and comment annually.

A local authority's emergency management plan must include the following:

- A description of the local authority's emergency management program.
- The procedures for implementing the plan during an emergency or exercise response.
- The local authority's plan for preparedness, response, and recovery activities.

- A hazard and risk assessment.
- Emergency management program exercises the local authority will engage in.
- The plan for regular review and maintenance of the emergency plan, and the plan for the review and maintenance of the plan after an exercise, emergency or disaster.
- How the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency will be used by the emergency management agency.
- Assignment of responsibilities respecting the implementation of the emergency plan to employees and elected officials by position.
- A training plan for staff assigned responsibilities in the emergency plan.
- The mechanisms used to prepare and maintain contact lists for those assigned responsibilities respecting implementation of the emergency plan.
- The plan for communications, public alerts, and notifications during exercises, emergencies and disasters.
- The plan for providing emergency social services during an emergency or disaster.

Emergency Management Exercises

Local Authorities must complete the following:

- A table top exercise within one year from January 1, 2020, and annually after the regulation is in force.
- A functional exercise within four years from January 1, 2020, and at least once every four years after the regulation is in force.
- Participation in a regional exercise that utilizes the local authority's emergency plan meets this requirement.
- If a community experienced an emergency or disaster in the previous four years that utilized the emergency plan and resulted in a written post-incident assessment that includes observations and recommendations for improvement and corrective action, the requirement for the conduct of a functional exercise will be met.
- Local authorities must submit an exercise notification to Alberta Emergency Management Agency 90 days before the functional exercise, which includes the exercise date, scenario, objectives and participant list.