

EMERGENCY MANAGEMENT BYLAW

BYLAW NO. 02-22

LEDUC COUNTY

A BYLAW FOR ESTABLISHING AN EMERGENCY MANAGEMENT PROGRAM AND THAT BYLAW NO. 37-19 BE REPEALED.

WHEREAS

pursuant to the Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta, 2000, and amendments thereto, the Council of Leduc County may pass a bylaw respecting the safety, health and welfare of people and the protection of people and property and for services provided by or on behalf of the municipality;

pursuant to the Emergency Management Act, R.S.A c E-6.8 (Act) Leduc County Council is responsible for the direction and control of all of Leduc County's emergency responses and is required under the Act to appoint an Emergency Advisory Committee to advise on the development of emergency plans and programs;

the Emergency Management Act requires Council to establish and maintain an Emergency Management Agency to act in carrying out statutory power and obligations of council under the Act; and

the Emergency Management Act requires Council to appoint a Director of the Emergency Management Agency.

NOW THEREFORE

be it resolved that the Council of Leduc County, duly assembled, enacts as follows:

1. Title
 - 1.1 This bylaw may be cited as the "Emergency Management Bylaw".
2. Membership and organization
 - 2.1 Emergency Advisory Committee
 - a) Council is hereby established as the Emergency Advisory Committee to advise on the development of emergency plans and programs.
 - b) All Council members are members of the Emergency Advisory Committee. A quorum for any meeting shall be the majority of the members, except when the committee is exercising its powers with respect to declaring a state of local emergency in which case a quorum is prescribed in Section 3.3 of this Bylaw.
 - c) The Mayor is the chair of the Committee. If the Mayor is absent, the Deputy Mayor will chair the Committee and in the absence of the Deputy Mayor, the Council member present who is next scheduled as Deputy Mayor shall chair. In the event that there are no Council members present who are scheduled to be Deputy Mayor, then the last Council member to fulfil the role of the Deputy Mayor shall chair.

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2.2 Emergency Management Agency

- a) The Emergency Management Agency is hereby established to act as the agent for Council to carry out the statutory powers and obligations under the Act. This does not include the power to declare, renew or terminate a state of local emergency, or the powers contained in paragraph of this Bylaw.
- b) The County Manager is hereby appointed as the Director of the Agency.
- c) In the absence of the County Manager, the acting County Manager will act as the Director of the Agency.

3. Duties and powers

3.1 Emergency Advisory Committee

- a) The power to declare or renew a state of local emergency under the Act, the power to terminate a state of local emergency, and the power to put emergency plans into operations are designated to this Committee.
- b) The Committee shall by resolution on the recommendations on the Emergency Advisory Committee, appoint a Director of Emergency Management who shall perform duties as outlined in Section 3.2 c) of this bylaw.
- c) The Committee shall by resolution on the recommendations on the Emergency Advisory Committee, appoint a Deputy Director of Emergency Management who shall perform duties as outlined in Section 3.2 d) of this bylaw.
- d) The Committee shall meet annually, or more frequently, as required, and may meet on less than twenty-four (24) hours' notice, where necessary. Where meetings are not feasible, the committee may convene by electronic means of communication.
- e) The Committee will review the Municipal Emergency Plan and related plans and programs annually and shall be responsible to advise the County on the development of those emergency plans and programs.
- f) The County Manager or the Director of Emergency Management (DEM) may call an emergency meeting of the Committee if satisfied that an emergency exists or may exist that affects Leduc County.
- g) The County Manager must give a minimum of one (1) hours' notice of the time and place of an emergency meeting to as many Committee members as possible in the circumstances.
- h) The notice required in 3.1 g) will be by such means of communication considered by the County Manager to be the most effective to notify the Committee members and the public.
- i) Those Committee members attending an emergency meeting of the Emergency Advisory Committee will constitute a quorum

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3.2 Emergency Management Agency

- a) The Agency will use the command, control and coordination system prescribed by the managing director of the Alberta Emergency Management Agency.
- b) The Agency will track training and exercises to support preparedness, response and recovery activities.
- c) The Director of Emergency Management Agency shall:
 - i) Ensure that all of Leduc County emergency plans are prepared and coordinated as required by the Act.
 - ii) Act as the Director of the Emergency Coordination Centre (ECC) and emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act. In the absence of the Director of Emergency Management, the Deputy Director of Emergency Management shall act as the Director of the ECC and emergency operations.
 - iii) Coordinate all emergency operations within the County.
 - iv) Perform other duties as required by the County during an emergency.
 - v) Recommend the appointment of a Deputy Director of Emergency Management (DDEM) as required.
 - vi) Ensure that the Municipal Emergency Plan is reviewed at least annually.
 - vii) Ensure that the Emergency Advisory Committee is briefed at least annually on the County Emergency Management Program and the Municipal Emergency Response Plan.
 - viii) Ensure that the Agency is briefed bi-annually on the County's Emergency Management Program and the Municipal Emergency Plan.
 - ix) In a State Of Local Emergency, the DEM shall report directly to the Committee
- d) The Deputy Director of Emergency Management shall:
 - i) Assist the Director of Emergency Management ensuring that all of Leduc County emergency plans are prepared and coordinated as required by the Act.
 - ii) Act as the Deputy Director of the ECC and emergency operations, in the absence of the Director of Emergency Management act on behalf of the Agency in the Director of Emergency Management position.
 - iii) Assist in coordinating all emergency operations within the County.
 - iv) Perform other duties as required by the County during an emergency.

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- e) The Director of Emergency Management Agency is authorized to delegate and authorize further delegations of any powers, duties and functions delegated to the Director of Emergency Management Agency under this bylaw.
- f) The Emergency Management Agency shall be comprised of one or more representatives and/or delegates representing any or all of the following:
 - i) the Agency Director
 - ii) the Deputy Director of Emergency management
 - iii) senior members of Leduc County corporate leadership team
 - iv) Fire Chief or designate
 - v) Director of Protective Services or designate
 - vi) in addition to the members appointed under Section 3.2 f) other organizations may be invited by the director to nominate representatives to serve as members of the Agency, including:
 - vii) Senior officer of the RCMP
 - viii) Manager of Emergency Medical Services
 - ix) Utility companies
 - x) Service organizations
 - xi) Any other agency or organization that, in the opinion of the director, may assist in the preparation or implementation of the Municipal Emergency Plan.

3.3 State of Local Emergency Declaration Powers

- a) If the Mayor is available, then the Mayor acting alone constitutes a quorum of the Emergency Advisory Committee for the purpose of making a decision to declare, renew or cancel a State of Local Emergency or expand or reduce the part of the municipality to which a State of Local Emergency applies. If the Mayor is unavailable then the Deputy Mayor acting alone may exercise this authority and if the Deputy Mayor is unavailable then any two (2) members of the Emergency Advisory Committee may exercise this authority.
- b) When a State of Local Emergency is declared, the Committee shall ensure that:
 - the declaration, renewal or termination must be made by resolution at a meeting for which notice under the Municipal Government Act is not required;
 - i) the declaration identifies the nature of the emergency and the area of Leduc County in which it exists;

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- ii) all members of Council shall be notified of the declaration, renewal or termination as soon as practicable.
- c) When a State of Local Emergency is declared, the Director of Emergency Management, or delegate shall:
 - i) 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
 - ii) the Alberta Emergency Management Agency will be notified and the declaration shall be forwarded to the minister forthwith.
- d) When a State of Local Emergency is declared, the agency may at any time, in accordance with the Municipal Emergency Plan and related plans or program:
 - i) Cause the Municipal Emergency Plan or any related plans or programs to be put into operation.
 - ii) Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster.
 - iii) Authorize or require any qualified person to render aid of a type he or she is qualified to provide.
 - iv) Control or prohibit travel to or from any area of Leduc County.
 - v) Cause the evacuation of persons and the removal of livestock and personal property from any area of Leduc County 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.
 - vi) Provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate essential services and other services in any part of Leduc County.
 - vii) Authorize the entry into buildings or on any land, without warrant, by any person in the course of implementing an emergency plan or program.
 - viii) 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, to attempt to forestall its occurrence or to combat its progress.
 - ix) Procure or fix prices for food, clothing, fuel, equipment, medical supplies or other essential supplies, and the use of property, services, resources or equipment within the county for the duration of the state of local emergency.
 - x) Authorize the conscription of persons needed to meet an emergency.

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- xi) Authorize any persons at any time to exercise, in operation of the Municipal Emergency Plan and related plans and programs, any power specified in this bylaw in relation to any part of the municipality affected by a declaration of a state of local emergency.
 - e) No action lies against the Agency or the Committee, and any member of the Agency or the Committee, or any person acting under the direction or authorization of the Agency or the Committee's direction for anything done or omitted to be done in good faith while carrying out a power or duty under the Act or this Bylaw nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
- 3.4 Termination of State of Local Emergency
- a) When, in the opinion of the Committee an emergency no longer exists in relation to which the declaration was made, the Committee shall, by resolution, terminate the declaration.
 - b) A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when:
 - i) a resolution is passed under the provision of this Bylaw;
 - ii) a period of seven (7) days has lapsed since a State of Local Emergency was declared, unless it is renewed by resolution;
 - iii) the Lieutenant Governor in Council makes an order for a State of Local Emergency under the act, relating to the same area; or
 - iv) the Minister cancels the State of Local Emergency;
 - v) a copy of the resolution is forwarded to the Minister;
 - vi) when a declaration of a State of Local Emergency has been terminated, the Director of Emergency Management shall cause the details of the termination to be published immediately by such means of communication considered most likely to made known to notify the population of the area affected.
4. Bylaw No. 37-19 is repealed upon this bylaw coming into force.
5. This Bylaw shall take effect on the date of third reading.

Read a first time this 8th day of February, A.D. 2022.

Read a second time this 8th day of February, A.D. 2022.

Read a third time with the unanimous consent of the Council Members present and finally passed this 8th day of February, A.D. 2022.

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MAYOR



COUNTY MANAGER