

By-Law #1619

A By-Law of the Town of Cardston, in the Province of Alberta to establish a Municipal Emergency Management Agency.

Whereas the Council of the Town of Cardston, in the Province of Alberta is responsible for the direction and control of its emergency response and is required, under the *Emergency Management Act*, R.S.A. 2000, c.E-6.8, as amended, 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 *Emergency Management Act*;

Now therefore, the council of the Town of Cardston, in the Province of Alberta, duly assembled, enacts the following:

1. This by-law may be cited as the Municipal Emergency Management By-law.
2. In this By-law,
 - (a) "Act" means the *Emergency Management Act*, R.S.A. 2000, c.E-6.8 as amended;
 - (b) "Council" means the Council of the Town of Cardston, in the Province of Alberta;
 - (c) "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;
 - (d) "Emergency Advisory Committee" means the committee established under section 3 of this By-law;
 - (e) "emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of the people or to limit damage to the property;
 - (f) "Minister" means the Minister charged with administration of the Act;
 - (g) "Municipal Emergency Management Agency" means the agency established under this By-law;
 - (h) "Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster;
 - (i) "Town" shall mean the Town of Cardston in the Province of Alberta.
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 12 of this By-law.
5. Council shall:
 - (a) by resolution, appoint two (2) of its members to serve on the Emergency Advisory Committee;
 - (b) provide for the payment of expenses of the members of the Emergency Advisory Committee;
 - (c) by resolution, on the recommendation of the Emergency Advisory Committee, appoint a Director of Emergency Management and a Deputy Director of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence.
 - (d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town;
 - (e) approve the Town's emergency plans and programs; and
 - (f) review the status of the Municipal Emergency Plan and related plans and programs once a year.
6. Council may:

- (a) pass a By-law that is not advertised to borrow, levy, appropriate and expend 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 plans and programs.
7. The Emergency Advisory Committee shall:
 - (a) review the Municipal Emergency Plan and related plans and programs on an annual basis.
 - (b) advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year.
8. The Municipal Emergency Management Agency shall be comprised of the following:
 - (a) the Director of Emergency Management;
 - (b) the Deputy Director of Emergency Management;
 - (c) the Emergency Services Coordinator or designate;
 - (d) the Public Information Officer or designate;
 - (e) the Public Works Foreman or designate;
 - (f) the Water/Wastewater Foreman or designate;
 - (g) the Electrical Foreman or designate;
 - (h) the Parks & Recreation Foreman or designate;
 - (i) the Finance/Administration Manager or designate;
 - (j) the Director of Disaster Social Services.
9. The Director of Emergency Management shall:
 - (a) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Town of Cardston;
 - (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 designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).
10. The power to declare or renew a state of local emergency under the Act, the powers specified in Section 12 of this By-law, and the requirement specified in Section 14 of this By-law, are hereby delegated to a committee comprised of 3 members of council. This committee may, at any time make a declaration of a state of local emergency.
11. 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.
12. Subject to Section 14, 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 programs to be put into operation; and
 - (b) 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 Section 24 of the Act 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, is liable in respect of damage caused through any action taken under this By-law, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

14. 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.

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

(a) a resolution is passed under Section 14;

(b) a period of seven days has lapsed since the state of local emergency was declared, unless such state of local emergency is renewed by resolution under section 10 of this By-law;

(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.

16. When a declaration of a state of local emergency has been terminated, the the committee that 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. 1577 passed on June 9, 2009, dealing with the establishment of an Municipal Emergency Management Agency is hereby rescinded.

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

Received First Reading this 9 day of April, 2013.


Received Second Reading this 9 day of April, 2013.

Received Third and Final Reading this 23 day of April, 2013.

Signed by the Mayor and the Chief Administrative Officer this 30 day of April, 2013.



Mayor



Chief Administrative Officer