

**REGIONAL EMERGENCY MANAGEMENT BY-LAW
No. 925**

**A BY-LAW OF the TOWN of SPIRIT RIVER
IN THE PROVINCE OF ALBERTA
TO ESTABLISH A REGIONAL MUNICIPAL EMERGENCY MANAGEMENT
COMMITTEE and AGENCY**

WHEREAS the Council of the Town of Spirit River 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 carry out Council's statutory powers and obligations under the said *Emergency Management Act*;

WHEREAS the municipalities of the Central Peace Region wish to establish a Regional Emergency Management Committee and a Regional Emergency Management Agency;

NOW THEREFORE, THE COUNCIL OF the TOWN of SPIRIT RIVER DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This By-Law may be cited as the Regional Emergency Management By-Law.
2. In this By-Law,
 - a. "Act" means the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000;
 - b. "Council" means the Council of the Town of Spirit River;
 - c. "Director of Emergency Management or "DEM" means the person appointed by resolution of council as "Chief Administrative Officer" (CAO) who shall be responsible for the municipalities Emergency Management Program as contained in Section 9;
 - d. "Disaster" means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property;
 - e. "Deputy Director of Emergency Management" means the person responsible for the duties of the Director of Emergency Management in their absence;
 - f. "Emergency" means an 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.

- g. "Emergency Management Committee" means the Central Peace Regional Emergency Management Committee as established by Agreement between and the by-laws of the Parties hereto. The Emergency Management Committee should consist of Councilors appointed by the Parties hereto;
 - h. "Local Authority" means where a municipality has a council within the meaning of the *Municipal Government Act, that Council*.
 - i. "Minister" means the Minister charged with administration of the Act;
 - j. "Regional Emergency Management Agency" means the Central Peace Regional Emergency Management Agency as established by Agreement between and the by-laws of the Parties hereto;
 - k. "Regional Emergency Manager" means the person appointed by the Emergency Management Committee to act as the Regional Emergency Manager. The Regional Emergency Manager is delegated with the responsibility for program administration, planning, preparedness and mitigation on behalf of the Committee and Director(s) of Emergency Management and who shall facilitate coordination of planning for and response to regional or inter-municipal disasters or emergencies; and
 - l. "Regional Emergency Plan" means the Central Peace Regional Emergency Management Plan prepared by the Directors of Emergency Management to co-ordinate responses to an emergency or disaster.
3. There is hereby established a Regional Emergency Management Committee to advise Council on the development of emergency plans and programs.
 4. There is hereby established a Regional 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 one of its members to serve on the Regional Emergency Management Committee and at least one member as an alternate;
 - b. provide for the payment of expenses of its member(s) of the Regional Emergency Management Committee;
 - c. by resolution, on the recommendation of the Regional Emergency Management Committee, appoint a Deputy Director of Emergency Management;
 - d. ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Spirit River;
 - e. approve the Regional Emergency Plans and Programs as they relate to the Town of Spirit River; and

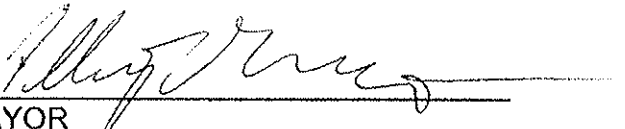
- f. review the status of the Regional Emergency Plan and related plans and programs at least once a year.
6. Council may:
 - a. by By-law borrow, levy, appropriate and expend, without that is not advertised, all sums required for the operation of the Regional Emergency Management Agency; and
 - b. enter 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 Regional Emergency Management Committee shall:
 - a. review the Regional Emergency Plan and related plans and programs on a regular basis; and
 - b. advise Council, duly assembled, on the status of the Regional Emergency Plan and related plans and programs at least once each year.
8. The Regional Emergency Management Agency shall be comprised of the following persons:
 - a. The Regional Emergency Manager;
 - b. The Chief Administrative Officers of each municipality which is a member of the Central Peace Emergency Management Partnership ("CPEMP");
 - c. The Directors of Emergency Management of each municipalities which is a member of CPEMP;
 - d. The Deputy Directors of Emergency Management of each municipality which is a member of CPEMP
9. In addition, the Agency may request that the following persons may join or advise the Committee, for each period of time that the Agency deems appropriate.
 - a. N.C.O. in Charge or designate;
 - b. District Fire Chiefs or designates;
 - c. Public Information Officers or designates;
 - d. Public Works Directors/Foremen or designates;
 - e. Ambulance District Supervisor or designate;
 - f. Health Unit Manager or designate;
 - g. Hospital Director or designate;
 - h. School Board Chairman or designate;
 - i. Emergency Social Services Manager or designate;
 - j. representative(s) from adjacent municipalities which have entered into the Regional Emergency Management Agency;
 - k. representative(s) from local business;
 - l. representative(s) from local industry or industrial associations;
 - m. representative(s) from Alberta Agriculture, Food and Rural Development;
 - n. representative(s) from Alberta Environment and Sustainable Resource Development;

- o. representative(s) from Alberta Health Services;
 - p. representative(s) from Alberta Municipal Affairs;
 - q. representative(s) from Energy Resources Conservation Board
 - r. representative(s) from Local Utility Companies
 - s. anybody else who might serve a useful purpose in the preparation or implementation of the Regional Emergency Plan.
10. The Director of Emergency Management shall
- a. prepare and co-ordinate the Regional Emergency Plan and related plans and programs for the Town of Spirit River;
 - b. act as director of emergency operations, or ensure that someone is designated under the Regional Emergency Plan to so act, on behalf of the Regional Emergency Management Agency; and
 - c. co-ordinate 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.
11. In the event of an Emergency entirely within the boundaries of, or only affecting, the Town of Spirit River the authority and powers to declare or renew a state of local emergency under the Act, the authority and powers specified in Section 13 of this By-law, and the requirement specified in Section 16 of this By-law, are hereby delegated to a committee comprised of the Director or Deputy Director of Emergency Management and the Mayor or Deputy Mayor, or any two councillors. 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.
12. In the event of an Emergency within or affecting more than one municipality within the Central Peace Emergency Management Region, the authority and power to declare or renew a state of local emergency under the Act; the authority and powers specified in Section 13 of this By-law; and the requirement specified in Section 16 of this By-law are hereby delegated to any 2 or more members of the Emergency Management Committee. 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 for the entire area effected. Whenever possible this resolution should be made by at least one member or alternate from each municipality affected.
13. 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 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.
14. Subject to section 16, when a state of local emergency is declared, the person or persons making the declaration may

- a. cause the Regional 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 the person is qualified to provide;
 - d. control or prohibit travel to or from any area of the Town of Spirit River ;
 - 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 Town of Spirit River
 - f. cause the evacuation of persons and the removal of livestock and personal property from any area of the Town of Spirit River 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 and 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 Town of Spirit River 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 Regional Emergency Plan and related plans or programs, any power specified in sub-paragraphs (b) through (j) of this section in relation to any part of the municipality affected by a declaration of a state of local emergency, including as part of a Regional Emergency affecting more than one municipality for which a declaration of State of Local Emergency was made under section 10 or 11 hereof.
15. In accordance with Section 28 of the Act no action lies against a local authority or a person acting under the local authority's direction or authorization for anything done or omitted to be done in good faith while carrying out a power or duty under this Act or the regulations during a state of local emergency.
16. In accordance with section 535(2) of the *Municipal Government Act* - RSA 2000, c.M-26, Councillors, council committee members, municipal

- officers and volunteer workers are not liable for loss or damage caused by anything said or done or omitted to be done in good faith in the performance or intended performance of their functions, duties or powers under the Municipal Government Act or any other enactment.”
17. When, in the opinion of the person or persons who made a declaration of a state of local emergency, an emergency no longer exists in relation to which the declaration was made, the person or persons who made the declaration shall, by resolution, terminate the declaration.
 18. 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 15;
 - b. a period of seven 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 local emergency under the Act, relating to the same area; or
 - d. the Minister cancels the state of local emergency.
 19. 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.
 20. The Emergency Management committee is delegated the authority to enter into an Emergency Management Mutual Aid Agreement with another regional group or single municipality.
 21. The Emergency Management committee is delegated the authority to create policies relating to the emergency preparedness, mitigation response, recovery and the operation of the Regional Emergency Management Agency.
 22. Should any provision of this By-law become invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the By-law and the remainder shall remain in force and be binding as though such provision had not been invalid.
 23. By-law 896 of the Town of Spirit River is hereby repealed.

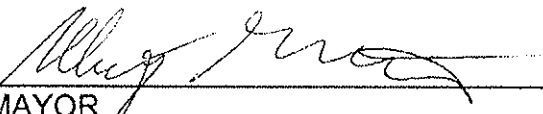
Read a first time this 20th day of August, 2012


MAYOR


CHIEF ADMINISTRATIVE OFFICER

Read a second time this 17th day of SEPTEMBER, 2012.

Read a third and final time this 17th day of SEPTEMBER, 2012.


MAYOR


CHIEF ADMINISTRATIVE OFFICER