



BYLAW

Bylaw Number: 1332/19

A BYLAW FOR MUNICIPAL EMERGENCY MANAGEMENT IN THE TOWN OF NANTON

WHEREAS pursuant to the *Emergency Management Act, as amended*, the Council of the Town of Nanton is responsible for the direction and control of its emergency response, for approving emergency plans and programs, and is required to appoint an Emergency Advisory Committee, and to establish and maintain an Emergency Management Agency, and appoint a Director of Emergency Management;

AND WHEREAS the Town has prepared a Municipal Emergency Management Plan which will be regularly reviewed, revised and approved when necessary;

NOW THEREFORE the Council of the Town of Nanton, duly assembled, enacts as follows:

1. CITATION

- 1.1 Bylaw No. 1332/19 may be cited as the 'Emergency Management Bylaw'.

2. PURPOSE

- 2.1.1 The purposes of the Bylaw are:

- 2.1.1 to provide for the direction and control of the Town's emergency responses, and the preparation and approval of the Municipal Emergency Management Plan and related programs;
- 2.1.2 to establish and appoint an emergency advisory committee and provide for the payment and expenses of the emergency advisory committee, and
- 2.1.3 to establish an emergency management agency to act as Council's agent in exercising Council's powers and duties under *the Emergency Management Act, as amended* and associated regulations.

3. INTERPRETATION

- 3.1 In this Bylaw,

- 3.1.1 "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
- 3.1.2 "Agency" means the Nanton Emergency Management Agency appointed under this Bylaw;
- 3.1.3 "Council" means the Council of the Town of Nanton;

- 3.1.4 "Director" means the appointed Director of Agency by this Bylaw;
- 3.1.5 "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;
- 3.1.6 "Emergency Advisory Committee" means the committee established under this Bylaw;
- 3.1.7 "Emergency" means an event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
- 3.1.8 "Minister" means the Minister charged with administration of the Act;
- 3.1.9 "Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.
- 3.1.10 "State of Local Emergency" or "SOLE" means a state of local emergency declared in accordance with the Act and this Bylaw.

4. ESTABLISHMENT

- 4.1 There is hereby established an Emergency Advisory Committee.

5. MEMBERSHIP AND QUORUM

- 5.1 Members of this committee include three appointed members of Council.
- 5.2 The Mayor shall be one of the appointed members of Council to the Committee.
- 5.3 Two members of the Committee in attendance constitute a quorum for a meeting.

6.0 FUNCTIONS AND DUTIES

- 6.1 The Committee shall:
- 6.1.1 provide guidance and direction to the Agency;
- 6.1.2 advise Council on the development and status of emergency programs and plans on an annual basis.
- 6.1.3 during an Emergency or Disaster:
- 6.1.3.1 receive updates regarding the Emergency or Disaster from the Agency;
- 6.1.3.2 in accordance with the Act, declare the SOLE at an end when appropriate;
- 6.1.3.3 recommend to Council the allocation of additional expenditure authorization to the Director when a SOLE declaration is active.
- 6.1.3.4 perform any additional powers or duties as described in the Act that have been assigned to it by Council.

- 6.1.4 perform any other functions and duties as required by this bylaw.
- 6.2 The Chair of the Committee is the appointed member of Council or the alternate designated member of Council.
- 6.3 The Committee shall meet at least twice annually.
- 6.4 The Committee may meet from time to time at the request of the Mayor or Director, whether or not an emergency or Disaster exists.
- 6.5 All members of the Committee will be entitled to the payment of reasonable expenses in accordance with applicable municipal policies.

7.0 DECLARATION OF A STATE OF LOCAL EMERGENCY

- 7.1 The power to declare, renew or terminate a SOLE is delegated to a sub-committee of the Emergency Advisory Committee to be known as the "Local Emergency Committee, comprised of the Mayor and one other appointed member of Council.
- 7.1.1 If the Mayor is unavailable, the Deputy Mayor shall take their place on the Local Emergency Committee.
- 7.1.2 If the Mayor and Deputy Mayor are unavailable, any other member of Council may take their place on the Local Emergency Committee.
- 7.1.3 If two elected officials are unavailable, one Councillor and the Chief Administrative Officer or individual delegated the authority to act as the Chief Administrative Officer may take their place on the Local Emergency Committee.
- 7.1.4 A SOLE shall be declared by resolution, and the motion for such resolution is not required to be seconded or to be declared at a public meeting.
- 7.2 When a SOLE is declared, the Committee shall;
- 7.2.1 ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists;
- 7.2.2 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
- 7.2.3 forward a copy of the declaration to the Minister forthwith.
- 7.2.4 cause the details of the declaration to be published by such means of communication as considered most likely to make known to the population affected the contents of declaration of SOLE.
- 7.2.5 report to the next meeting of Council the nature of its SOLE, the reasons for so declaring and the area of Town in which it exists or existed.

- 7.3 Subject to Section 7.1, when a SOLE is declared, the person or persons making the declaration may;
- 7.3.1 cause the Municipal Emergency Plan or any related plans or programs to be put into operation;
 - 7.3.2 acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - 7.3.3 authorize or require any qualified person to render aid of a type he or she is qualified to provide;
 - 7.3.4 control or prohibit travel to or from any area of the Town;
 - 7.3.5 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;
 - 7.3.6 cause the evacuation of persons and the removal of livestock and personal property from any area of the Town 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;
 - 7.3.7 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;
 - 7.3.8 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;
 - 7.3.9 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 for the duration of the state of emergency;
 - 7.3.10 authorize the conscription of persons needed to meet an emergency; and
 - 7.3.11 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 7.3 in relation to any part of the municipality affected by a declaration of a SOLE.
- 7.4 When a SOLE is declared;
- 7.4.1 neither Council nor any member of Council, and
 - 7.4.2 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 Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
- 7.5 Notwithstanding Section 7.4;
- 7.5.1 Council and any member of Council, and

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- 7.5.2 Any person acting under the direction or authorization of Council, is liable for gross negligence in carrying out their duties under this Bylaw.

8.0 NANTON EMERGENCY MANAGEMENT AGENCY

- 8.1 There is hereby established a Nanton Emergency Management Agency.
- 8.2 The Agency shall consist of:
- 8.2.1 the Director or designate;
 - 8.2.2 the Chief Administrative Officer or designate;
 - 8.2.3 the Manager, Administrator, Clerk or other administrative staff member(s) of the municipality;
 - 8.2.4 Family and Community Support Services (FCSS) Nanton;
 - 8.2.4 the Police Chief or designate or the N.C.O. in Charge, R.C.M.P. or designate;
 - 8.2.5 the Town's senior management team or their designates;
 - 8.2.6 the Emergency Services Manager of the Municipal District of Willow Creek No. 26;
 - 8.2.7 the Superintendent or designate of Livingstone Range School Division;
 - 8.2.8 the Fire Chief or designate.
- 8.3 In addition to the members appointed to the Agency under Section 8.2, the Director may from time to time appoint advisory members of the Agency drawn from:
- 8.3.1 other municipal staff;
 - 8.3.2 other public or private organizations operating within or outside the Town.
- 8.4 The command, control and coordination system (incident command) prescribed by the Managing Director of the Alberta Emergency Management Agency (AEMA) shall be used by the Agency.
- 8.5 The Agency shall:
- 8.5.1 be responsible for administration of the Town's emergency management program;
 - 8.5.2 act as the agent of Council to carry out all of the powers and duties of Council under the Act, except for powers and duties delegated by this Bylaw to the Committee;
 - 8.5.3 provide advice to the Committee as required;
 - 8.5.4 review all emergency management plans and programs for the Town on an annual basis;
 - 8.5.5 cause the Municipal Emergency Plan and associated plans or programs to be activated when required;
 - 8.5.6 perform any other functions and duties as required by this Bylaw or by Council.

9.0 DIRECTOR OF EMERGENCY MANAGEMENT

- 9.1 The Director of Emergency Management shall;
- 9.1.1 be the Chair of the Agency;
 - 9.1.2 prepare and coordinate emergency management related plans and programs for the Town;
 - 9.1.3 act as the Director of any Emergency Coordination Centre during activation;
 - 9.1.4 co-ordinate all emergency services and other resources used in an emergency, and
 - 9.1.5 perform any other functions and duties as prescribed by Council.
- 9.2 The Director is authorized to delegate and authorize further delegations of any powers, duties and functions delegated to the Director under this bylaw.
- 9.3 For the duration that a SOLE declaration is in place, the Director is authorized to expend up to \$100,000 of unbudgeted municipal resources on emergency measures without the consent of Council.

10.0 POWERS OF COUNCIL

- 10.1 Council shall;
- 10.1.1 by resolution, on the recommendation of 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;
 - 10.1.2 ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Nanton;
 - 10.1.3 approve the Municipal Emergency Plan; and
 - 10.1.2 undertake the necessary Emergency Management training for elected officials at least once per term, approving the necessary expenditures.
- 10.2. Council may;
- 10.2.1 by Bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Agency; and
 - 10.2.2 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.

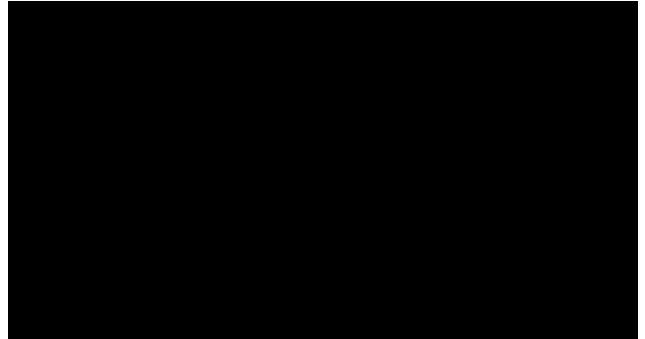
11. EFFECTIVE DATE AND READINGS

11.1 Bylaw #1288/17 is hereby repealed.

11.2 This bylaw comes into effect upon the date of final reading and signing thereof.

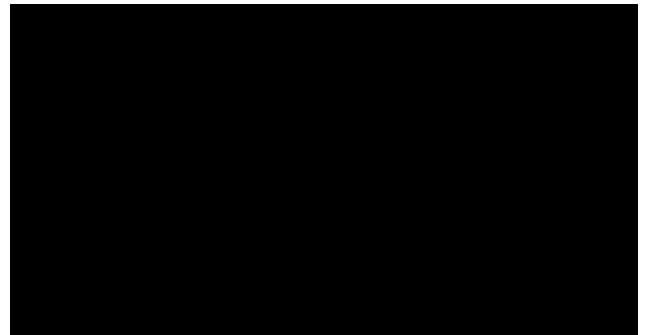
11.3 Read a **first** time this 18th day of November, 2019.

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11.4 Read a **second** time this 2nd day of December, 2019.

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11.5 Read a **third** time 2nd day of December, 2019.

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