

BYLAW NO. 864

OF THE TOWN OF KILLAM
IN THE PROVINCE OF ALBERTA

FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL EMERGENCY *ADVISORY COMMITTEE AND AGENCY.*

WHEREAS the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000, Municipal Council is responsible for the direction and control of its emergency response and is required 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 the interest of public safety, that such a committee be appointed and such an Agency 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 Killam, duly assembled, enacts as follows:

SHORT TITLE

1. The short title of this Bylaw shall be the "Emergency Management Bylaw".

DEFINITIONS

2. In this Bylaw the following words shall be defined as:
 - (a) "**Act**" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta, 2000;
 - (b) "**Agency**" means the Town of Killam Emergency Management Agency, as established under this Bylaw; acting as a manager on behalf of Council as a whole, that includes pertinent stakeholders of the community.
 - (c) "**Committee**" means the Town of Killam Emergency Advisory Committee established under this Bylaw; *consisting of two (2) members of Council and the Director of Emergency Management.*
 - (d) "**Council**" means the Council of the Town of Killam;
 - (e) "**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;
 - (f) "**Emergency**" means a present or imminent event that requires prompt coordination of action to protect the safety, health or welfare of people or to limit damage to property or the environment;

- (g) **“MEP”** means the Municipal Emergency Plan *approved by the Municipal Council to co-ordinate response to an emergency or disaster affecting the municipality.*
- (h) **“Minister”** means the Minister charged with administration of the Act;
- (i) **“Training”** means the training requirements prescribed by the Local Authority *Emergency Management Regulations at the current time.*

DUTY OF COUNCIL

- 3. a) Town of Killam is responsible for the direction and control of the Town of Killam emergency management response, unless the Province of Alberta assumes direction and control under provisions of the Act.
- b) By resolution, Council will appoint two (2) members of Council to serve on the Advisory **Committee**;
- c) By resolution, Council will appoint a Director of Emergency Management and Deputy Director of Emergency Management;
- d) Council is to oversee that emergency plans and programs are prepared in order to address potential emergencies or disasters in the Town;
- e) Approve the Town’s emergency plans and review annually;
- f) Provide for the payment or reimbursement of expenses of the members of the Committee related to required emergency management training;
- g) Council has the authority to remove any member of the Committee at any time for just reason;
- h) Finances required for the operation of the Agency, by means of Bylaw, borrow, levy, appropriate and expend, Council approved and without consent of the electors;
- i) 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 or emergency plans or programs, including mutual aid plans and programs;
- j) At any time Council is satisfied that an emergency exists, or may exist in the Town, by resolution declare a State of Local Emergency relating to all or any part of the Town.

EMERGENCY MANAGEMENT ADVISORY COMMITTEE

- 4. Hereby establishing a Committee, consisting of at least 2 members of Council, Director of Emergency Management, Deputy Director of Emergency Management and any other members appointed by Council resolution, the Committee will advise Council on the development of emergency plans and programs.

5. DUTY OF THE ADVISORY COMMITTEE:

- (a) Prepare, draft and present for consideration of Council, the municipal emergency plan (MEP);
- (b) Review and update the MEP and related plans and programs as needed;
- (c) Advise Council, duly assembled, on the status of the Plan and related plans and programs annually;
- (d) To coordinate emergency management training and plan exercises to be practiced within the Agency;
- (e) Foster the development of relationships with business, industry, other local authorities, special interest groups, citizens and the Provincial Government to enable the ability of the Town to respond to emergency situations;
- (f) Provide information for public education to prepare Residents for a response during an emergency situation;
- (g) The committee shall have the power to authorize expenditures charged against the Town in response to an emergency as defined under this Bylaw

EMERGENCY MANAGEMENT AGENCY

- 6.** Hereby establishing an 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.

7. DUTY OF THE DIRECTOR OF EMERGENCY MANAGEMENT (DEM):

- (a) Prepare, co-ordinate and distribute the MEP and related plans and programs of the Town;
- (b) Cause the MEP, or any related plans or programs, to be put into operations should the need arise;
- (c) In the absence of the DEM, the Deputy DEM, or designate thereof, is responsible to undertake the duties of the DEM.

8. DUTY OF THE AGENCY:

- (a) Responsible to contribute to the development of the Town's emergency management program and in exercising the duties under the Act;
- (b) To execute the Municipal Emergency Plan to address potential emergencies or disasters within the Town;
- (c) To review the status of the MEP and related plans and programs on a regular basis.

9. MEMBERS OF THE AGENCY MAY INCLUDE:

- (a) Director of Emergency Management
- (b) Deputy Director of Emergency Management
- (c) Chief Administrative Officer of the municipality;
- (d) Fire Chief or designate;
- (e) Public Works Foreman;

- (f) Members of Staff of the Town of Killam
- (g) Family & Community Support Services designate;
- (h) Killam/Forestburg RCMP representative
- (i) Killam Health Care Centre representative
- (j) Killam Public School representative
- (k) Sedgewick Killam Natural Gas representative
- (l) Director of Community Services (recreation)
- (m) Flagstaff Regional Foodbank
- (n) Killam Chamber of Commerce representative
- (o) Grain Elevator(s) representative
- (p) Canadian Pacific Railway
- (q) Utilities representatives (ie: Fortis, Telus, pipeline, etc.)
- (r) Alberta Emergency Management Agency (AEMA) Field Officer (as advisor)
- (s) Regional Mutual Aid partners
- (t) Any other representative(s) who might serve a useful purpose in the preparation or implementation of the Plan.

TRAINING AND QUALIFICATIONS

- 10.** (a) Elected Officials shall comply with the training requirements of the Local Authority Emergency Management Regulation, Section 8,

- (b) The Director of Emergency Management shall comply with the training requirement of the Local Authority Emergency Management Regulation, Section 10,

- (c) Members of the TOK Emergency Management Agency shall comply with training requirements of the Local Authority Emergency Management Regulation, Section 11

COMMAND, CONTROL AND COORDINATION SYSTEM

- 11.** The Town of Killam will implement the Incident Command System (ICS), prescribed by the Alberta Emergency Management Agency, as the command, control and coordination system during an execution of the MEP.

STATE OF LOCAL EMERGENCY (SOLE)

12. DECLARING A "STATE OF LOCAL EMERGENCY"

- (a) A State of Local Emergency may be declared by the Mayor (or Deputy Mayor, in the absence of the Mayor) and the Chief Administrative Officer (or the ACAO, in the absence of the CAO) when they agree an emergency exists.
- (b) Should neither the Mayor or Deputy Mayor be available, any other one (1) member of Council 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.

13. The Declaration shall;

- (a) Clearly identify the nature of the emergency and the area of the Town in which it exists;
- (b) Be published immediately by such means of communication considered most likely to notify the population of the area affected; and
- (c) Be forwarded to the Minister immediately.

14. UPON declaration of a State of Local Emergency, the Emergency Management Agency (and agents thereof) may:

- (a) Cause the 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 Town;
- (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;
- (f) 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;

- (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 Town 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 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.

TERMINATION OF SOLE

- 15.** When, in the opinion of the persons or Committee declaring the State of Local Emergency, an emergency no longer exists, they shall, by resolution, terminate the declaration.
- 16.** A declaration of a State of Local Emergency is also considered terminated and ceases to be of any force or effect:
 - (a) After a period of seven days has lapsed since a SOLE is declared, unless it is renewed by resolution;
 - (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.
- 17.** 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.

ACTIONS OF GOOD FAITH

- 18. Once a SOLE has been DECLARED, neither Mayor nor Council Members, nor any other person appointed under the Emergency Management Agency, to carry out measures in response to the local emergency;**

- (a) Is liable in respect of property damages caused through any action taken under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction, or;
- (b) Is liable for gross negligence in carrying out their duties under this Bylaw.

REPEALS

- 19.** This Bylaw rescinds Bylaw #806 and supersedes any pre-existing bylaw in regard to the Municipal Emergency Management.

EFFECTIVE DATE

Bylaw #864 shall take effect on the date of passing thereof.

READ a first time this 20th day of May, 2021.

READ a second time this 20th day of May, 2021

READ a third time, by unanimous consent by the Councillors present, and finally passed this 20th day of May, 2021.

Mayor

Chief Administrative Office