

BYLAW NO. 1039-16

**BEING A BYLAW OF MACKENZIE COUNTY,
IN THE PROVINCE OF ALBERTA,
TO ESTABLISH A MUNICIPAL EMERGENCY ADVISORY COMMITTEE,
A REGIONAL EMERGENCY ADVISORY COMMITTEE AND
REGIONAL EMERGENCY AGENCY**

WHEREAS the *Municipal Government Act, RSA 2000, Chapter M-26*, provides that a Council of a municipality may pass bylaws for municipal purposes 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; and

WHEREAS, the Council of Mackenzie County is responsible for the direction and control of emergency response and is required under the *Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000* (hereinafter referred to as the "Act"), to appoint and establish and a Municipal Emergency Advisory Committee, a Regional Emergency Advisory Committee and maintain a Regional Emergency Agency; and

WHEREAS it is desirable in the public interest, and in the interest of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Councils' statutory powers and obligations under the said *Emergency Management Act*; and

WHEREAS it is recognized that an emergency or disaster of jurisdictional or multi-jurisdictional nature could affect any or all of the municipalities of Mackenzie County, the Town of High Level or the Town of Rainbow Lake to such a degree that local resources would be inadequate to cope; and

WHEREAS it is desirable in the public interest and in the interest of public safety that a regional group be formed for a regional approach for such disasters and programs;

NOW THEREFORE, the Council of Mackenzie County, in the province of Alberta, duly assembled, hereby enacts as follows:

**SECTION 1
NAME OF BYLAW**

1.1. This Bylaw may be cited as the "Regional Emergency Management Bylaw".

SECTION 2 INTERPRETATION

- 2.1** Where there is a conflict between this bylaw and any other bylaw pertaining to the municipal emergency management agency in the Municipality, the provisions of this bylaw shall prevail.

SECTION 3 DEFINITIONS

3.1 In this bylaw

- a. "Act" means the *Emergency Management Act, Chapter E -6.8, RSA 2000* and all amendments hereto;
- b. "CAO" means the Chief Administrative Officer of Mackenzie County;
- c. "Council" means the Council of Mackenzie County;
- d. Community Emergency Management Programs ("CEMP") means the Emergency Plan for Mackenzie County.
- e. "Deputy Director of Emergency Management" ("DDEM") means the person responsible for the duties of the Director of Emergency Management in their absence;
- f. "Director of Emergency Management" ("DEM") means the person appointed by resolution of Council as the person who shall be responsible for the municipality's emergency program;
- g. "Disaster" means an event that can result in serious harm to the safety, health or welfare of people, or in widespread damage to property;
- h. "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 the damage of property;
- i. "Emergency Coordination Centre" ("ECC") means the physical location at which the coordination of information and resources to support incident management (on scene operations) activities normally take place. An ECC may be a temporary facility, perhaps a higher level of organization within a jurisdiction. ECC's may be organized by major functional disciplines (e.g., fire, law enforcement and medical services), by jurisdiction or some combination thereof;
- j. "Minister" means the Minister charged with the administration of the Act;
- k. "Mackenzie County Emergency Advisory Committee" ("MCEAC") is the local authorities advisory committee created under the *Emergency Management Act, Chapter E-6.8, RSA 2000*.

- l. “Northwest Alberta Regional Emergency Advisory Committee” (“NAREAC”) means the regional emergency advisory committee established by agreement between and the by-laws of the respective municipal council of the Parties.
- m. “Northwest Alberta Regional Emergency Agency” (“NAREA”) (the “Agency”) means the regional emergency agency as established to act as the agent of Council to carry out its statutory powers and obligations under the *Emergency Management Act, Chapter E-6.8, RSA 2000*.
- n. “Parties” means the Municipality of Mackenzie County, the Town of High Level and the Town of Rainbow Lake;
- o. “Northwest Alberta Regional Emergency Plan” means the Northwest Alberta Regional Emergency Plan prepared by the Directors of Emergency (DEM’s) Management to coordinate the response to an emergency or disaster.

SECTION 4 MUNICIPAL EMERGENCY ADVISORY COMMITTEE (MEAC)

4.1 There is hereby established a committee of Council to be known as the “Mackenzie County Municipal Emergency Advisory Committee”.

4.2 MEMBERSHIP:

Council shall:

- a. by resolution, appoint the Reeve and two members of Council to serve on the Committee; and
- b. the CAO of Mackenzie County;
- c. the DEM as appointed by Council Bylaw;
- d. the DDEM as appointed by the CAO.
- e. Quorum for this committee shall be two (2) members of Council.

4.3 ROLES AND RESPONSIBILITIES

The MEAC shall:

- a. have the authority to declare a State of Local Emergency pursuant to the *Emergency Management Act*;
- b. provide for the payment and expenses of its member(s) of the Committee;
- c. participate in Mackenzie County’s Risk Assessment;
- d. ensure that emergency plans and programs are prepared to address emergencies or disasters in Mackenzie County;
- e. review and advise Council on the development and status of CEMP and related programs at least once annually.

- f. recommend local mitigations plans/initiatives to Council;
- g. participate in the Northwest Alberta Regional Emergency Advisory Committee.
- h. quorum for this committee shall be 2 members of Council.

4.4 DECLARATION, CANCELLATION OR TERMINATION OF STATE OF LOCAL EMERGENCY

4.4.1 The power to declare or renew a State of Local Emergency under the *Emergency Management Act* and the powers and requirements specified in section 4 of this bylaw are hereby delegated to the MEAC.

4.4.2 When a state of local emergency is declared, the Local Authority or the Committee 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.

4.4.3 When a state of local emergency is declared the person or person (s) making the declaration may:

- a. cause the Northwest Alberta Regional Emergency Plan 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 in the County;
- e. provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the County;
- f. cause the evacuation of persons and the removal of livestock and personal property from any area of the 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;
- g. authorize the entry into any building or on any land, without warrant, by any persons 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 Mackenzie County for the duration of the local state of emergency;
 - j. authorize the conscription of persons needed to meet an emergency.
- 4.4.4 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.
- 4.4.5 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 4.4.4;
 - b. a period of seven (7) days has lapsed since it was declared, unless it was renewed by resolution;
 - 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.
- 4.4.6 When 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.
- 4.4.7 No action lies against the County or a person acting under the County's direction or authorization for anything done or omitted to be done in good faith while carrying out a power under the Emergency Management Act or the regulations during a state of local emergency.

SECTION 5

NORTHWEST ALBERTA REGIONAL EMERGENCY ADVISORY COMMITTEE (NAREAC)

5.1 There is hereby established a Northwest Alberta Regional Emergency Advisory Committee; to guide the creation, implementation and evaluation of the Northwest Alberta Regional Emergency Plan and Programs and to set the direction of the Northwest Regional Emergency Agency. This does not include the powers to declare, renew or terminate a state of local emergency.

5.2 MEMBERSHIP:

The NAREAC shall:

- a. consist of Voting members:
 - I. municipal councillors appointed by each of the Parties, with each municipality appointing two (2) members, each of whom shall have one (1) vote regarding any matter coming before the committee; and
- b. consist of Non-voting members:
 - I. CAO's from all Parties;
 - II. DEM/DDEM from all Parties;
- c. quorum for this committee is a minimum of four (4) with representation from each Council.
- d. A Chair shall be selected annually after municipal organizational meetings and be on a rotational basis from each Party;
- e. Each municipality shall be responsible for honorariums and expenses for respective members.
- f. The Parties shall host the meetings on a rotational basis.

5.3 ROLES AND RESPONSIBILITIES

The NAREAC shall:

- a. guide in the creation, implementation and evaluation of the Northwest Alberta Regional Emergency Plan;
- b. review the Northwest Regional Emergency Plan and related plans and programs on a regular basis; and
- c. advise Tri-Council committee, duly assembled, on the status of the Northwest Alberta Regional Emergency Plan and related plans and programs at least once each year.
- d. make recommendations to each respective Council for any regional agreements;

- e. committee members will attend the Northwest Alberta Regional Emergency Agency meetings.

SECTION 6

NORTHWEST ALBERTA REGIONAL EMERGENCY AGENCY (NAREA)

6.1 There is hereby established a Northwest Alberta Regional Emergency Agency to act in an advisory capacity and support local and regional emergency plans.

6.2 MEMBERSHIP:

The NAREA Agency shall:

- a. be comprised of the CAO, DEM or DDEM of all of the Parties, which is a member of the Northwest Alberta Regional Emergency Committee.

6.2 ROLES AND RESPONSIBILITIES:

The NAREA shall:

- a. be familiar with the Northwest Alberta Regional Emergency Plan;
- b. provide input and make recommendation for the CEMP Emergency Plan and the Northwest Alberta Regional Emergency Plan;
- c. participate in local and regional training;
- d. provide updated contact information to the Agency;
- e. participate in regional Agency meetings;
- f. share information to the Agency;
- g. participate in providing public education within their organization;
- h. provide an up-to-date resource and inventory list to the Agency.

The Agency may request that the following persons join or advise the Committee for each period of time that the Agency deems appropriate:

- a. N.C.O. in Charge of RCMP, or designate;
- b. Fire Chiefs or designates;
- c. Enforcement Services Manager or designates;
- d. Emergency Public Information Officer or designates;
- e. Community Operations Director, or designates;
- f. Alberta Health Services representatives or designates;
- g. School Superintendent or designates;
- h. Disaster Social Services Managers or designates;

- i. Representative(s) from adjacent municipalities which have entered in the Agency;
- j. Representatives from local business;
- k. Representatives from local industry or industrial associations;
- l. Representatives from Alberta Municipal Affairs;
- m. Representatives from local utility companies; and
- n. Anybody else who might serve as a useful purpose in the preparation or implementation of the Regional Emergency Plan.

SECTION 7

DIRECTOR OF EMERGENCY MANAGEMENT (DEM)

The DEM for all the Parties shall:

- a. assist in the preparation and coordination of the Northwest Alberta Regional Emergency Plan and prepare and coordinate related plans and programs for Mackenzie County;
- b. act as a director of emergency operations for his/her municipality, or ensure that someone is designated under the Northwest Alberta Regional Emergency Plan to act on behalf of the Municipal Emergency Advisory Committee;
- c. coordinate all emergency services or resources used in an emergency;
- d. coordinate and facilitate all necessary training exercises;
- e. responsible for the organization of any and all stakeholder meetings;
- f. responsible for all record keeping;
- g. responsible for all funding applications and for regional initiatives;
- h. responsible for public education and communication of the Emergency Plans;
- i. making recommendations to the Northwest Alberta Regional Emergency Advisory Committee;
- j. review the impacts of the incidents and be responsible for post-event debriefing;
- k. responsible for public education and communication of the Regional Emergency Plan; and the CEMP Emergency Plan;
- l. liaising with external agencies and surrounding municipalities;
- m. maintaining of all local and regional emergency agreements, which include HAZMAT, Emergency Social Services, etc.
- n. attend all of the Municipal Emergency Advisory Committee (MEAC) meetings, the Northwest Alberta Regional Emergency Advisory Committee (NAREAC) meetings; and the Northwest Alberta Regional Emergency Agency Meeting (NAREA).

**SECTION 8
RESOURCING**

8.1 The DEM of the affected municipality is to maintain executive control over its emergency operations. Once an Emergency Coordination Centre (“ECC”) has been activated by any Party, the DEM for the impacted municipality may request assistance of the DEMs of other Parties. The intent is to ensure there is qualified leadership in the ECC is the DEM of the impacted municipality is not available for whatever reason.

**SECTION 9
SEVERANCE**

9.1 If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then the provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

**SECTION 10
COMING INTO EFFECT**

10.1 This Bylaw shall come into force and effect on the final day of passing thereof.

10.2 This Bylaw will repeal Bylaw 1000-15.

First Reading given on the 25th day of May, 2016.

Second Reading given on the 25th day of May, 2016.

Third Reading and Assent given the 30th of June, 2016.

(original signed)

Bill Neufeld
Reeve

(original signed)

Ron Pelensky
Acting Chief Administrative Officer