

BYLAW NO. 1352-24

**BEING A BYLAW OF MACKENZIE COUNTY,
IN THE PROVINCE OF ALBERTA,
TO ESTABLISH A MUNICIPAL EMERGENCY ADVISORY COMMITTEE
AND EMERGENCY MANAGEMENT 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 a Director of Emergency Management, a Municipal Emergency Advisory Committee and to establish and maintain an Emergency Management 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

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 "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.

2.2 Headings in this Bylaw are for reference purposes only.

2.3 Words in the singular shall include the plural or vice versa whenever the context so requires.

SECTION 3

DEFINITIONS

3.1 In this Bylaw the following words and terms shall have the following meanings:

- 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) **“Emergency Management Plans”** means the Emergency Plan for Mackenzie County. Prepared under the direction of the Director of Emergency Management to co-ordinate the response to an emergency or disaster;
- 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 Management 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 or the environment;
- 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 or the environment;
- 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) **“Emergency Management Agency (the Agency)”** means the Emergency Management Agency as established by this bylaw;
- k) **“Evacuation Order”** means the order to evacuate persons, the removal of livestock and personal property from an identified area during a state of local emergency or state of emergency;

- l) **"Incident Commander"** means the person appointed by the DEM to manage the response to an emergency or disaster;
- m) **"Local Authority"** means Council, where a municipality has a council within the meaning of the *Municipal Government Act*, Chapter M-26, RSA 2000;
- n) **"Minister"** means the Minister charged with the administration of the Act;
- o) **"Municipality"** means Mackenzie County;
- p) **"Emergency Advisory Committee (EAC)"** means the committee appointed by Council through this bylaw to advise the Emergency Management Agency and to report to Council on the state of Mackenzie County's Emergency Program.

SECTION 4 EMERGENCY ADVISORY COMMITTEE (EAC)

4.1 Council establishes the Emergency Advisory Committee to advise Council on the development of emergency plans and programs and to provide guidance and direction to the Emergency Management Agency

4.2 MEMBERSHIP:

The EAC shall:

- a) consist of all Members of Council;
- b) consist of non-voting members of which three must be present to hold a meeting;
 - i. the CAO/DEM as appointed by Council Bylaw;
 - ii. the DDEM as appointed by Council Bylaw;
 - iii. All Municipal Directors.
- c) Quorum for this committee shall be three Members of Council;
- d) The Reeve/Deputy Reeve shall chair the committee.

4.3 ROLES AND RESPONSIBILITIES

4.3.1 The EAC 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) review and advise Council on the development and status of Emergency Management Plans and related programs at least once annually.
- e) recommend local mitigations plans/initiatives to Council;
- f) meet once a year and shall have the option of calling special meetings on an as needed basis. The DEM or his alternate, as requested, shall attend all meetings. In the event of a pending or imminent emergency, no notice shall be required to call a special meeting of the EAC. All members shall use their best efforts to be present at all meetings despite no notice having been provided;
- g) the agenda for all upcoming regular meetings of the EAC shall be distributed to all members a minimum of one (1) week prior to the scheduled date of the meeting. Minutes shall be kept at each of the EAC meeting and shall be circulated to all EAC members and the DEM within fourteen (14) days of the meeting;
- h) meetings may be held through the use of a conference telephone or similar communications equipment such as email, instant messaging so long as all members participating in such meeting can communicate with one another at the time of such meeting. Participation in such a meeting constitutes presence in person at such meeting. Each person participating in the meeting shall sign the minutes thereof, which may be in counterparts. Approval of said meeting may be accomplished via email.

4.3.2 Outside of Emergency or Disaster events the purpose of the EAC is to:

- a) advise on the development of emergency plans and programs;
- b) review Emergency Program progress annually and set priorities for the following year;
- c) complete training as required;
- d) recommend entering into agreements as appropriate to increase local capacity to respond to emergencies and disasters; and
- e) provide guidance and direction to the Agency.

4.3.3 During an Emergency or Disaster, the purpose of the EAC is to:

- a) support the DEM, DDEM or alternate in the management of the emergency response and provide strategic advice as required;
- b) in accordance with section 5.1 of this bylaw, declare, renew or terminate a state of local emergency;
- c) in consultation and coordination with the Incident Commander, through the DEM, DDEM or alternate, EAC members may be requested to:
 - i. assist with keeping the community informed using established key messages;
 - ii. serve as a spokesperson if required;
 - iii. engage with other levels of government for financial and resource support;
 - iv. provide briefings to other levels of government; and
 - v. authorize expenditures as per Policy No:FIN025 Purchasing Authority Directive and Tendering Process.

SECTION 5 DECLARATION, CANCELLATION OR TERMINATION OF STATE OF LOCAL EMERGENCY

- 5.1** In the event of an Emergency within the boundaries of Mackenzie County the authority and powers to declare, renew or terminate a state of local emergency under the Act, the authority and powers specified in Section 5.7 of this Bylaw, and the requirement specified in Section 5.4 of this Bylaw are hereby delegated to the EAC. The EAC 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 clarity, the declaration of a State of Local Emergency would be during an emergency and therefore the quorum for the committee would be as per Section 4.2(c) of this bylaw.
- 5.2** 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;

- c) as needed and subject to the Act, ensure the declaration of a state of local emergency is renewed every seven (7) days until the Emergency has passed; and
- d) forward a copy of the declaration to the Minister forthwith.

This section also applies to any renewal of a state of local emergency.

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

- a) cause the 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.

- 5.4** When, in the opinion of the EAC, an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.
- 5.5** 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 5.4;
 - b) a period of seven (7) days has lapsed since it was declared, unless it was renewed by resolution;
 - c) the Minister cancels the state of local emergency.
- 5.6** When a state of local emergency has been terminated by resolution or lapse of time or cancelled by the Minister, the EAC 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.
- 5.7** Subject to Section 5.1 of this Bylaw, the EAC has declared a state of local emergency, the Agency may at any time, in accordance with the Act and related plans or programs may, for the duration of that state of local emergency, do all acts and take all necessary proceedings in the area under a state of local emergency in accordance with the Section 24 of the Act.
- 5.8** In accordance with Section 19.1 of the Act, if an Evacuation Order is made, every person within the area that is the subject of the Evacuation Order must leave:
- a) immediately; or
 - b) if a deadline for evacuation is specified in the Evacuation Order, by the deadline.
- 5.9** Section 5.8 of this Bylaw does not apply to a person acting under the direction of a person exercising powers under Section 5.7 of this Bylaw, as long as there is a plan for safely evacuating that person in a timely manner and the means are available to carry out the plan.
- 5.10** In accordance with Section 28 of the Act, no action lies against Mackenzie County or person acting under Mackenzie County's direction or authorization for anything done or omitted to be done in good faith while carry out a power or duty under this Act or in the regulations during a state of local emergency.
- 5.11** In accordance with Section 535(1) of the *Municipal Government Act* 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.

- 5.12** Should any provisions of this Bylaw become invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the bylaw and the remainder shall remain in force and be binding as though such provision had not been invalid.

SECTION 6 EMERGENCY MANAGEMENT AGENCY

6.1 MEMBERSHIP

The Agency shall be comprised of the following persons:

- a) the DEM and any DDEMs appointed;
- b) All Municipal Directors and Managers;
- c) the RCMP Detachment Commander;
- d) the Fire Chiefs;
- e) the Northwest Alberta Field Officer(s) of the Alberta Emergency Management Agency;
- f) the District Manager of EMS from Alberta Health Services;
- g) the Superintendent of the School Division;
- h) representatives from local utility companies;
- i) the DEM or DDEMs may request any persons to join or advise the Agency at meetings, activities or in the preparing or implementation of the Emergency Plan for each period of time that the Agency deems appropriate;

6.2 ROLES AND RESPONSIBILITIES

The Agency will:

- a) review the plans and program on a regular basis;
- b) act as the appointed agent in exercising the Council's powers and duties under the Act;

- c) coordinate all emergency services and other resources used in an Emergency;
- d) ensure that one of the DEMs, DDEMs or alternate is designated to discharge the responsibilities of the Agency;
- e) meet a minimum of once a year. Additional meetings may be called by the DEM;
- f) use the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency;
- g) meetings may be held through the use of a conference telephone or similar communications equipment such as email, instant messaging so long as all members participating in such meeting can communicate with one another at the time of such meeting. Participation in such a meeting constitutes presence in person at such meeting. Each person participating in the meeting shall sign the minutes thereof, which may be in counterparts. Approval of said meeting may be accomplished via email.

SECTION 7

DIRECTOR OF EMERGENCY MANAGEMENT (DEM)

The DEM shall:

- a) assist in the preparation and coordination of Emergency Management Plan and prepare and coordinate related plans and programs for Mackenzie County;
- b) act as a director of emergency operations
- 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 Management Plans;
- i) review the impacts of the incidents and be responsible for post-event debriefing;

- j) liaising with external agencies and surrounding municipalities;
- k) maintaining of all local and regional emergency agreements, which include HAZMAT, Emergency Social Services, etc.
- l) attend all of the Emergency Advisory Committee (EAC) meetings and Emergency Management Agency meetings.

SECTION 8 SEVERANCE

8.1 Each Section of this Bylaw shall be read and construed as being separate and severable from each other Section. Furthermore, should any Section or Part of this Bylaw be found to have been improperly enacted for any reason, then such Section or Part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

SECTION 9 COMING INTO EFFECT

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

9.2 This Bylaw will repeal and replace Bylaw 1307-23

READ a first time this 22nd day of October, 2024

READ a second time this 22nd day of October, 2024.

READ a third time and finally passed this 22nd day of October, 2024.

(original signed)

Joshua Knelsen
Reeve

(original signed)

Darrell Derksen
Chief Administrative Officer