

BYLAW NO. 813/2023

A BYLAW OF THE TOWN OF PENHOLD, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL EMERGENCY ADVISORY COMMITTEE AND A MUNICIPAL EMERGENCY MANAGEMENT AGENCY.

Whereas the Council of the Town Of Penhold is responsible for the direction and control of its emergency response and is required, under the *Emergency Management Act*, Chapter E-6.8, 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 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 it is recognized that an emergency or disaster of a jurisdictional or multijurisdictional nature could affect any or all of the municipalities within the geographical boundaries of Red Deer County to such a degree that local resources would be inadequate to cope with the situation; and

Whereas Council wishes to enter into a regional emergency management partnership with other municipalities within the geographical boundaries of Red Deer County for the purpose of integrated emergency management planning and operations.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PENHOLD, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1.0 BYLAW TITLE

1.1 This Bylaw shall be known as the **Municipal Emergency Management Bylaw**.

2.0 DEFINITIONS

2.1 In this Bylaw, words have the meanings as set out in the Municipal Government Act, except that:

- a. *Act* means the Emergency Management Act, Chapter E-6.8 and amendments;
- b. *Agency* means the Municipal Emergency Management Agency as established by this Bylaw;
- c. *Chief Administrative Officer (CAO)* means the person appointed by Council as the CAO for the Town of Penhold or a person delegated to act in said role;
- d. *Committee* means the Emergency Advisory Committee as established by this Bylaw;
- e. *Council* means the Council of the Town of Penhold;

- f. *Town or Town of Penhold* means the municipality of Town of Penhold, in the Province of Alberta;
- g. *Director* means the Director of Emergency Management for the Town of Penhold as appointed by this Bylaw;
- h. *Disaster* means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property;
- i. *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;
- j. *Emergency Advisory Committee* means the Committee established under this Bylaw;
- k. *Minister* means the Minister responsible for the Emergency Management Act;
- l. *Municipal Emergency Management Agency* means the agency established under this Bylaw; and
- m. *Red Deer Regional Emergency Management Partnership* means those municipalities who have entered into a joint agreement for the purpose of organizing integrated emergency planning, training, assistance and emergency operations programs;
- n. *Red Deer Regional Emergency Advisory Committee* means a regional committee comprised of a Councillor, or designate, from each of the partnering municipalities of the Red Deer Regional Emergency Management Partnership
- o. *Red Deer Regional Emergency Management Agency* means the Directors of Emergency Management, or designate, from each of the partnering municipalities of the Red Deer Regional Emergency Management Partnership;
- p. *Red Deer Regional Emergency Management Plan* means the integrated emergency management plan prepared by the Red Deer Regional Emergency Management Agency to coordinate response to an emergency or disaster within the geographic boundaries of Red Deer County.

3.0 EMERGENCY ADVISORY COMMITTEE

3.1 The Emergency Advisory Committee (the "Committee") is hereby established for the Town of Penhold

3.2 The Committee shall:

- a. consist of the Mayor and all members of Council;
- b. review the Red Deer Regional Emergency Management Plan and related plans and programs at least once each year;
- c. recommend to Council any changes to the Red Deer Regional Emergency Management Plan if appropriate; and
- d. provide the Emergency Management Agency with guidance and direction.

3.3 The Mayor shall be the Chair of the Committee. If the Mayor is absent, the Deputy Mayor will chair the Committee, and in the absence of the Deputy Mayor, the Council member present who is next scheduled in the roster as Deputy Mayor shall chair. In the event

there are no Council members present who are scheduled to be Deputy Mayor, then the last Council member to fulfil the role of Deputy Mayor shall chair.

- 3.4 The Committee shall meet annually, or more frequently as required, and may meet on less than twenty-four (24) hours' notice. Where meetings in person are not feasible, the Committee may convene by electronic means of communication.
- 3.5 The Director of Emergency management may call an emergency meeting of the Committee where he considers that a disaster exists or may exist that affects the Town.
- 3.6 A minimum of one (1) hour notice of the time and place of an emergency meeting must be given to as many members of Council as possible in the circumstances.
- 3.7 Those members of Council attending in an emergency meeting of the Committee constitute a quorum.

4.0 MUNICIPAL EMERGENCY MANAGEMENT AGENCY

- 4.1 The Municipal Emergency Management Agency (the "Agency") is hereby established 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 power contained in Section 8 of this Bylaw.
- 4.2 The Agency shall be comprised of the following Town of Penhold personnel:
 - a. Director of Emergency Management;
 - b. Deputy Director(s) of Emergency Management;
 - c. Emergency Management Officer;
 - d. Emergency Management Coordinator;
 - e. Fire Chief;
 - f. Patrol Manager; and
 - g. Other personnel at the discretion of the Director.
- 4.3 The Agency shall invite representatives from the following organizations and agencies to participate in an annual stakeholder meeting and exercise:
 - a. Police Agency of Jurisdiction;
 - b. Emergency Medical Services Provider(s);
 - c. Alberta Health Services
 - d. School Divisions;
 - e. Utility Providers;
 - f. Alberta Environment;
 - g. Alberta Emergency Management Agency;

- h. Non-Governmental Aid / Disaster Response Organizations;
- i. Amateur Radio Emergency Services; and
- j. Any other organizations that may be required from time to time.

4.4 The Agency shall be responsible for administration of the Red Deer Regional Emergency Management Plan and related plans and programs;

4.5 The Agency shall operate in accordance with a command, control and coordination system prescribed by the Managing Director of the Alberta Emergency management Agency; and

4.6 The Agency shall review the Red Deer Regional Emergency Management Plan and make recommendations to the Emergency Advisory Committee regarding enhancement of the Red Deer Regional Emergency Management Plan at least once annually.

5.0 COUNCIL'S POWERS AND RESPONSIBILITIES

5.1 Council shall:

- a. appoint a Director of Emergency Management for the Town of Penhold;
- b. provide for the payment of expenses of the members of the Emergency Advisory Committee;
- c. ensure that emergency plans and programs are prepared to address potential emergencies or disasters that can reasonably be foreseen in the Town of Penhold; and
- d. approve the Town of Penhold's Red Deer Regional Emergency Management Plan.

5.2 Council may:

- a. by Bylaw, borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency when a State of Local Emergency has been declared pursuant to Section 7; 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 according to the provisions of the Municipal Government Act.

6.0 DIRECTOR OF EMERGENCY MANAGEMENT POWERS AND RESPONSIBILITIES

6.1 The Director of Emergency Management shall appoint Deputy Directors of Emergency Management for the Town of Penhold to act on the Director's behalf in his absence.

- a. ensure the preparation and coordination of the Red Deer Regional Emergency Management Plan and related plans and programs for the Town of Penhold;

- b. act as Director of emergency operations to coordinate all emergency services and other resources used in an emergency, or ensure that someone is designated under the Red Deer Regional Emergency Management Plan to so act;
- c. coordinate the Municipal Emergency Management Agency to fulfill the Agency's obligations laid out herein; and
- d. communicate recommendations made by the Municipal Emergency Management Agency to the Emergency Advisory Committee.

7.0 DECLARING A STATE OF LOCAL EMERGENCY

7.1 The power to declare or renew a State of Local Emergency under the Act are hereby delegated to the Mayor, or the Deputy Mayor, or two members of Council acting in concert.

7.2 When a State of Local Emergency is declared, the Director or delegate shall:

- a. ensure that the declaration identifies the nature of the emergency and the area of the Town 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. forward a copy of the declaration to the Minister forthwith; and
- d. notify the Alberta Emergency Management Agency when practicable.

8.0 STATE OF LOCAL EMERGENCY

8.1 Subject to Section 9, when a State of Local Emergency is declared, the Director or delegate may:

- a. cause the Red Deer Regional Emergency Management 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;
- 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 Town;
- f. order the evacuation of persons and the removal of pets, 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 Red Deer Regional Emergency Management 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.

9.0 TERMINATE A STATE OF LOCAL EMERGENCY

- 9.1 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 terminate the declaration.
- 9.2 The person or persons declaring the State of Local Emergency shall terminate the declaration immediately after:
 - a. the cancellation by the Minister of a State of Local Emergency; or
 - b. the termination by a lapse of time of a State of Local Emergency.
- 9.3 When a declaration of a State of Local Emergency has been terminated, the Director or designate 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.

10. STATEMENT

- 10.1 No action lies against the Town of Penhold or a person acting under the Town of Penhold'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, the Local Authority Emergency Management Regulation or this Bylaw during a State of Local Authority.

11. TRANSITIONAL

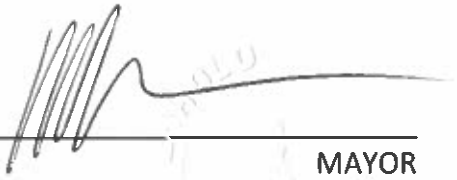
- 11.1 This Bylaw comes into force on the day of its final passing.

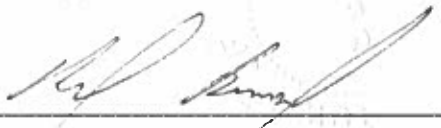
11.2 Bylaw No. 792/2020 is hereby repealed on the date of final passing of this Bylaw.

Read a first time this 13th day of March, 2023.

Read a second time this 13th day of March, 2023.

Read a third time and finally passed this 13th day of March, 2023.



MAYOR


CHIEF ADMINISTRATIVE OFFICER

Schedule A

Municipal Emergency Management Agency

Red Deer Regional Emergency Management Partnership:



Handwritten signature or initials in the bottom right corner.