

Village of Delia
Province of Alberta
By-Law #590-12

Being a bylaw of the Village of Delia, Alberta to establish a Regional Emergency Advisory Executive Council, a Regional Emergency Advisory Committee and a Regional Municipal Emergency Management Agency.

WHEREAS the Council of the Village of Delia 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, to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Plan;

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 Council's statutory powers and obligations under the said *Emergency Management Act*;

AND WHEREAS the Village of Delia, the Village of Morrin, the Village of Munson and Starland County have agreed to work together through a Regional Emergency Management Agency to carry out emergency preparedness activities;

NOW THEREFORE the Council of the Village of Delia, duly assembled, enacts as follows:

Short Title

- 1 The short title of this Bylaw shall be the "Regional Emergency Management Agency 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 Regional Emergency Management Agency established under this Bylaw;
- (c) "Committee" means the Regional Emergency Advisory Committee established under this Bylaw;
- (d) "Council" means the Council of the Village of Delia;

- (e) "DEM" means the Director of Emergency Management;
- (f) "Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or widespread damage to property;
- (g) "Emergency" means a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
- (h) "MGA" means *Municipal Government Act*, Chapter M-26, Revised Statutes of Alberta, 2000 as amended;
- (i) "Minister" means the Minister charged with administration of the Act;
- (j) "Plan" means the Regional Emergency Response Plan prepared by the Regional Emergency Management Agency to co-ordinate response to an emergency or disaster; and
- (k) "Village" means the Village of Delia or its duly authorized representatives.

Conditions

- 3 There is hereby established 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, nor to powers contained in Section 10 of this Bylaw.
- 4 Each participating municipal Council shall:
 - a. By resolution appoint one or more of its members to serve on the Committee;
 - b. By resolution appoint a Director of Emergency Management;
 - c. Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Village;
 - d. Approve the Village's emergency plans and programs;
 - e. Review the status of the Plan and any other related plans and programs at least once each year.
- 5 Each participating municipal Council may:
 - a. By law, borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Agency; 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.

6 The Committee shall:

- a. Be comprised of one elected official to be appointed from each of the Villages of Morrin, Munson and Delia and Starland County;
- b. Review the Plan and related plans and programs on a regular basis with assistance from any person or agency who/which might serve a useful purpose in the preparation or implementation of the Plan; and
- c. Advise the Agency on the status of the Plan and related plans and programs at least once each year.

7 The DEM shall be the DEM from the lead municipality involved in an emergency or disaster or a full-time Regional Director of Emergency Management and shall:

- a. Act as Director of emergency operations, or ensure that someone is designated under the Plan to so act, on behalf of the Village; and
- b. Co-ordinate all emergency services and other resources used in an emergency.

8 The power to declare or renew a State of Local Emergency under the act, the powers specified in Section 10 of this Bylaw, and the requirements specified in Section 12 of the Bylaw, are hereby delegated to the Committee member from the municipality suffering the emergency or disaster, comprised of the Mayor alone, or in their absence, any two members of Council. The committee members from the lead municipality experiencing a disaster 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.

9 When a State of Local Emergency is declared, the person or persons making the declaration shall:

- a. Ensure that the declaration identifies the nature of the emergency and the geographic area in which it exists;
- b. Cause the details of the declaration to be published immediately by such means of communications considered most likely to notify the population of the area affected; and
- c. Forward a copy of the declaration to the Minister forthwith.

10 Subject to Section 12, when a State of Local Emergency is declared, the person or persons making the declaration 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 municipality;

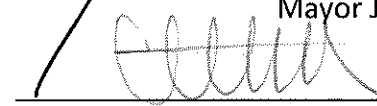
- e. Provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the municipality;
 - f. Cause the evacuation of persons and the removal of livestock and personal property from any area of the municipality that is or may be affected by the 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 municipality for the duration of the State of Local 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 materials, any power specified in Paragraphs (b) through (j) in relation to any part of the municipality affected by the declaration of the State of Local Emergency.
- 11 When a State of Local Emergency is declared, no action lies against a local authority or a person acting under the local authority's direction or authorization for anything done or omitted to be done in good faith while carrying out a power or duty under this bylaw or the Act or the regulations.
- 12 When, in the opinion of the 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.
- 13 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 12;
 - b. A period of seven (7) days has lapsed since it was declared, unless it is renewed by resolution;
 - c. The Lieutenant Governor in Council makes an order for a State of Local Emergency under the Act, relating to the same area; or
 - d. The Minister cancels the State of Local Emergency.
- 14 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 communications considered most likely to notify the population of the area affected.

In Force

- 15 This by-law shall come into full force and effect on the day that it is finally passed by Council by giving it third and final reading and it is signed in accordance with the MGA.

READ A FIRST TIME THIS 22nd DAY OF FEBRUARY, 2012.



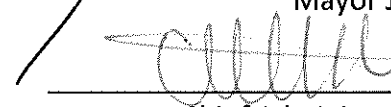
Mayor John Rogers


Chief Administrative Officer
Caroline Siverson

READ A SECOND TIME THIS 22nd DAY OF FEBRUARY, 2012.

READ A THIRD TIME AND FINALLY PASSED THIS 22nd DAY OF FEBRUARY, 2012.



Mayor John Rogers


Chief Administrative Officer
Caroline Siverson