

## BYLAW 2617/PS/19

### **BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING OF AN EMERGENCY MANAGEMENT PROGRAM IN THE TOWN OF STONY PLAIN.**

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WHEREAS, pursuant to the *Emergency Management Act*, R.S.A 2000 E-6.8 (Act) the Town of Stony Plain Council is responsible for the direction and control of all Stony Plain's Emergency responses;

AND WHEREAS, the Act requires Council to appoint an Emergency Advisory Committee to advise on the development of Emergency plans and programs;

AND WHEREAS, the Act requires Council to maintain an Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act;

AND WHEREAS, the Act requires Council to appoint a Director of the Emergency Management Agency;

NOW THEREFORE, the Council of the Town of Stony Plain in the Province of Alberta, duly assembled, hereby enacts the following:

#### **1.0.0 Title**

1.1.0 This Bylaw may be cited as the "Emergency Management Bylaw".

#### **2.0.0 Definitions**

2.1.0 "Act" means the *Emergency Management Act*, R.S.A. 2000 E-6.8;

2.2.0 "Agency" means the Emergency Management Agency established under this bylaw;

2.3.0 "CAO" means the Chief Administrative Officer of the Town as appointed by Council and whatever subsequent title may be conferred on that officer by the Town or by Statute and includes his designate;

2.4.0 "Capital Region Emergency Preparedness Partnership (C-REPP)" means the organization comprised of the members of the Capital Region Board, that have created an all-encompassing mutual aid agreement that can be called upon in times of emergency;

2.5.0 "Committee" means the Emergency Management Committee established under this bylaw;

2.6.0 "Council" means the Town of Stony Plain Council;

2.7.0 "Deputy Director of Emergency Management (DDEM)" means the Person appointed by the DEM to act as their alternate;

2.8.0 "Director of Emergency Management (DEM)" means the Person appointed to lead the Emergency Management Program;

2.9.0 "Emergency" means a present or imminent Threat that requires prompt co-ordination of action, or special regulation of persons or property to protect the health, safety and welfare of people, or to limit damage to property or the environment;

2.10.0 "Emergency Advisory Committee (Committee)" means the committee established under this bylaw;

2.11.0 "Emergency Management" means the development, coordination and execution of plans, measures and programs pertaining to mitigation, preparedness, response and recovery before, during and after an Emergency event;

2.12.0 "Emergency Management Coordinator (EMC)" means the Person appointed by the DEM to act as an alternate to the DDEM. The EM Coordinator will assist with the preparation and delivery of the EMP and its programs;

2.13.0 "Emergency Management Plan (EMP)" means the Emergency plan prepared and maintained by the DEM & the Municipal Emergency Management Agency, to coordinate the response to an Emergency event;



- 2.14.0 “Emergency Operations Centre (EOC)” means the primary or secondary site from where Town Officials can coordinate, monitor and direct Emergency response and recovery activities during an Emergency;
- 2.15.0 “Hazard” means a potentially damaging physical event, phenomenon or human activity that may cause the loss of life or injury, property damage, social or economic disruption or environmental degradation;
- 2.16.0 “Incident Command System (ICS)” means a standardized approach to the command, control and coordination of Emergency response providing a common hierarchy within which responders from multiple agencies can be effective;
- 2.17.0 “Managing Director” means the manager responsible for Emergency Management in the Province of Alberta;
- 2.18.0 “Minister” means the Minister responsible for the Act;
- 2.19.0 “Municipal Emergency Management Agency” means the Agency established under this Bylaw;
- 2.20.0 “Person” means an individual and includes a firm, partnership, joint venture, proprietorship, corporation, department, board, agency, association, society or any other legal entity;
- 2.21.0 “Risk” means a probability or Threat of damage, injury, liability, loss, or other negative occurrence that is caused by external or internal vulnerabilities, and that may be neutralized through preemptive action;
- 2.22.0 “Threat” means a negative event that can cause a Risk to become a loss, expressed as an aggregate of Risk, consequences of Risk and the likelihood of the occurrence of the event. A Threat may be a natural phenomenon such as an earthquake, flood, storm or a man-made incident such as fire, power failure, sabotage, etc.; and
- 2.23.0 “Town” means the Town of Stony Plain.

### **3.0.0 General**

#### **Emergency Advisory Committee**

- 3.1.0 The Emergency Advisory Committee is hereby established.
- 3.2.0 All Councilors are members of the Committee.
- 3.3.0 Council delegates the power to declare, renew or terminate a State of Local Emergency to the Emergency Management Agency.
- 3.4.0 The Mayor is 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 Acting Mayor will act as the Chair.
- 3.5.0 Where the Committee is not able to meet in a timely manner, the powers of the Committee may be exercised by the Mayor acting alone or, in the absence of the Mayor, by the Deputy Mayor or Alternate Deputy Mayor.
- 3.6.0 Those Councilors attending an Emergency meeting of the Committee constitute a quorum.
- 3.7.0 The Committee shall meet annually, or as required. Where meetings in person are not feasible, the Committee may convene by electronic means of communication.
- 3.8.0 The Committee provides guidance and direction to the Emergency Management agency.
- 3.9.0 Reports on the Emergency Management Plan and related Emergency Management programs will be provided to the Committee by the Emergency Management Agency annually.
- 3.10.0 The DEM may call an Emergency meeting of the Committee where an Emergency exists or may exist in the Town.

#### **Emergency Management Agency**

- 3.11.0 The Emergency Management Agency (Agency) is hereby established.

- 3.12.0 The Agency is responsible for:
  - 3.12.1 The development, maintenance and implementation of the EMP.
  - 3.12.2 The maintenance, establishment and operation of the Emergency Operation Centre.
  - 3.12.3 The provision of Emergency Management advice to the DEM and the Committee as required.
  - 3.12.4 Conduct of all coordination and liaison with the Alberta Emergency Management Agency.
  - 3.12.5 Conduct appropriate training to ensure effective operation of the EOC.
- 3.13.0 The General Manager of Community and Protective Services is hereby appointed as the Director of Emergency Management (DEM).
- 3.14.0 The Agency will use a command, control, and coordination system as prescribed by the Managing Director (ICS).
- 3.15.0 The Director of Emergency Management shall:
  - 3.15.1 Ensure that all Emergency plans and programs are prepared and coordinated as required by the Act.
  - 3.15.2 Act as Director of EOC.
  - 3.15.3 Co-ordinate all Emergency operations within the Town.
  - 3.15.4 Perform other duties as required by the Town during an Emergency.
  - 3.15.5 Appoint a Deputy Director or Director(s) as required.
  - 3.15.6 Appoint an Emergency Management Coordinator or Coordinator(s) as required.
- 3.16.0 The DEM is authorized to delegate and authorize further delegations of any powers, duties, and functions delegated to the DEM under this Bylaw.
- 3.17.0 In the event of an activation of the EOC, the Agency may include any of the following as partners in its activation:
  - 3.17.1 Senior Leadership Team (SLT).
  - 3.17.2 Office of the CAO.
  - 3.17.3 Corporate Communications.
  - 3.17.4 Corporate Services.
  - 3.17.5 Planning and Infrastructure.
  - 3.17.6 Community and Protective Services.
  - 3.17.7 Economic Development.
  - 3.17.8 Cultural Development.
  - 3.17.9 Public Works.
  - 3.17.10 Family and Community Support Services.
  - 3.17.11 Human Resources.
- 3.18.0 The following organizations may be invited by the DEM to participate as members in the EOC:
  - 3.18.1 Alberta Health Services (AHS).



- 3.18.2 Public and Separate School Divisions.
- 3.18.3 Municipalities which have entered into mutual aid agreements with the Town either on their own or through C-REPP.
- 3.18.4 Local business or industry, or business or industry associations.
- 3.18.5 Local utility companies.
- 3.18.6 Government of Alberta or Government of Canada departments, boards or agencies.
- 3.18.7 Royal Canadian Mounted Police
- 3.18.8 Any other Person or non-governmental organization (NGO) who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan.

**Financial**

- 3.19.0 Subject to 3.20.0, Council may by bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Agency.
- 3.20.0 Council may, during or within 60 days after the state of local Emergency, by bylaw that is not advertised but is approved by the Minister, borrow any money necessary to pay expenses caused by the Emergency, including payment for services provided by the Government of Alberta or the Government of Canada, when the services were provided at the request of the Town.
- 3.21.0 Council may 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 Management plans and programs.
- 3.22.0 Council may, in accordance with 3.20.0, expend all sums required for the response to and recovery from an Emergency event.

**State of Local Emergency**

- 3.23.0 The Committee may, at any time when it is satisfied that an Emergency exists or may exist, make a declaration of a State of Local Emergency relating to all or any part of the Town.
- 3.24.0 The Committee shall ensure that the declaration identifies the nature of the Emergency and the area of the Town in which it exists.
- 3.25.0 When a State of Local Emergency is declared, the Committee shall:
  - 3.25.1 Cause the details of the declaration to be published immediately by such means of communication considered most likely to make known to the majority of the population of the area affected the contents of the declaration.
  - 3.25.2 Forward a copy of the declaration to the Minister.
- 3.26.0 When a State of Local Emergency is declared, the Agency may at any time, in accordance with the EMP and related plans or programs:
  - 3.26.1 Cause the EMP or any related plans or programs to be put into operation, if not already in operation.
  - 3.26.2 Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an Emergency or disaster.
  - 3.26.3 Authorize or require any qualified Person to render aid of a type he or she is qualified to provide.
  - 3.26.4 Control or prohibit travel to and from any area of the Town.
  - 3.26.5 Provide for the restoration of essential services 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.



- 3.26.6 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 their personal property.
- 3.26.7 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.
- 3.26.8 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, to attempt to forestall its occurrence or to combat its progress.
- 3.26.9 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 Local Emergency.
- 3.26.10 Authorize the conscription of Persons needed to meet an Emergency.
- 3.27.0 No action lies against Council or a Person acting under the direction or authorization of Council for anything done or omitted to be done in good faith while carrying out a power or duty under the Act or this bylaw.

#### **Termination of State of Local Emergency**

- 3.28.0 When, in the opinion of the Committee, the major Emergency no longer exists in relation to which the declaration was made, the Committee shall, by resolution, terminate the declaration of a State of Local Emergency.
- 3.29.0 A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when:
  - 3.29.1 A period of seven (7) days has lapsed since a State of Local Emergency was declared, unless it is renewed by resolution.
  - 3.29.2 The Lieutenant Governor in Council makes an order for a State of Local Emergency under this Act, relating to the same area; or
  - 3.29.3 The Minister cancels the State of Local Emergency.
- 3.30.0 When a declaration of a State of Local Emergency has been terminated, the DEM 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.

#### **4.0.0 Penalties**

- 4.1.0 Any Person that violates any provision of this Bylaw or interferes with or obstructs any Person in the exercise of any power or the performance of any duty conferred or imposed by this Bylaw is guilty of an offence and is liable upon conviction to a maximum fine of \$10,000 or in default of payment of the fine to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts.

#### **5.0.0 Effectiveness and Review**


- 5.1.0 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and, and the remainder of the bylaw is deemed valid.
- 5.2.0 Bylaw 2533/PS/15 and amendments thereto are hereby repealed.
- 5.3.0 This bylaw shall be reviewed within its fifth year, being 2024, or as deemed necessary.
- 5.4.0 This bylaw shall take full force and effect upon passage of third and final reading in accordance with Section 213, the *Municipal Government Act*, RSA c. M-26, and amendments thereto.

Read a first time this 8<sup>th</sup> day of July, AD 2019.

Read a second time this 8<sup>th</sup> day of July, AD 2019.


Given unanimous consent this 8<sup>th</sup> day of July, AD 2019.

Read a third time this 8<sup>th</sup> day of July AD 2019.



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Mayor William Choy



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Jen Boleski, CPA, CA  
General Manager, Corporate Services