BYLAW NO. 392

OF THE VILLAGE OF SPRING LAKE

BEING A BYLAW OF THE VILLAGE OF SPRING LAKE IN THE PROVINCE OF ALBERTA

FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL EMERGENCY MANAGEMENT BYLAW

WHEREAS the Council of the Village of Spring Lake is responsible for the direction and control of its 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 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;

NOW, THEREFORE, The Council of the Village of Spring Lake, duly assembled, enacts as follows:

TITLE

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.

DEFINITIONS

2. In this Bylaw,
   - **(a)** "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
   - **(b)** "Council" means the Council of the Village of Spring Lake;
   - **(c)** "Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property or the environment;
   - **(d)** "Emergency Advisory Committee" means the committee established under this Bylaw;
   - **(e)** "Emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property or the environment;
   - **(f)** "Minister" means the Minister charged with administration of the Act;
   - **(g)** "Emergency Management Agency" means the agency established under this Bylaw; and
   - **(h)** "Municipal Emergency Management Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.
   - **(i)** "Local Authority" means where a municipality has a council within the meaning of the *Municipal Government Act*

INTERPRETATION

3. The headings in this bylaw are for reference only

EMERGNCY ADVISORY COMMITTEE

4. There is hereby established an Emergency Advisory Committee.

5. The purpose of the Emergency Advisory Committee is, within the parameters of the Act, to:

(a) provide guidance and direction to the Emergency Management Agency,
(b) discuss proposed amendments to the Municipal Emergency Management Bylaw,
(c) approve the municipality's emergency plans and programs annually,
(d) fulfill any requirements of the Municipal Emergency Plan during an emergency.

6. Council shall, by resolution, appoint three members to serve on the Emergency Advisory Committee including the Mayor and Deputy Mayor.

7. Meetings shall be conducted in accordance with Bylaw 381, Procedural Bylaw, as amended, or enacted from time to time. This paragraph 7 does not apply to an emergency meeting.

8. Two members of the Emergency Advisory Committee shall constitute a quorum.

9. The Mayor is the Chair of the Emergency Advisory Committee. If the Mayor is absent, the Deputy Mayor will chair, and in the absence of the Deputy Mayor, the Council member next scheduled as Deputy Mayor shall chair.

10. The Emergency Advisory Committee shall meet annually, or more frequently as required, and may meet on less than twenty-four (24) hours' notice. When meeting in person is not feasible, the Emergency Advisory Committee may convene by electronic means of communication.

11. The Chair of the Emergency Advisory Committee or Chief Administrative Officer may call an emergency meeting of the Emergency Advisory Committee if satisfied that an emergency exists or may exist that affects the Village of Spring Lake.

12. The Chair of the Emergency Advisory Committee or the Chief Administrative Officer must give at least one (1) hour notice of the time and place of an emergency meeting of the Emergency Advisory Committee to as many members of Council as possible in the circumstances.

13. Council shall provide for the payment of expenses of the members of the Emergency Management Advisory Committee.

14. 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; 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 agreements and/or regional plans and programs.
    (c) appoint one or more Deputy Director(s) of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence.

EMERGENCY MANAGEMENT AGENCY

15. There is hereby established a Municipal Emergency Management 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.

16. Council hereby appoints the Chief Administrative Officer as the Director of Emergency Management.

17. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
    (a) the Director of Emergency Management (C.A.O. of the Village of Spring Lake);
    (b) the Deputy Director of Emergency Management;
    (c) Administrative Assistant, Clerk and Finance Officer of the Village of Spring Lake;

(d) Any person deemed by the Director of Emergency Management to be beneficial in the preparation or implementation of the Emergency Management Plan including, but not limited to:
   i. the R.C.M.P. Chief or designate or the N.C.O. in Charge from the local detachment;
   ii. the Fire Chief from Parkland County or designate;
   iii. the Public Works Foreman of the Village of Spring Lake or designate;
   iv. Peace Officers from Parkland County or designates;
   v. Bylaw Enforcement Officers from Parkland County or designates;
   vi. the FCSS Director of the Village of Spring Lake or designate;
   vii. representatives from other mutual aid partners.

18. The Emergency Management Agency is responsible:
   (a) for the administration of the municipal emergency management program;
   (b) supervise the development, maintenance, and implementation of the Municipal Emergency Plan;
   (c) to advise the Director of Emergency Management and to update the Emergency Advisory Committee on agency activities at least annually or as required;
   (d) to review, amend and approve mutual aid agreements;
   (e) ensure that the command, control, and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency is used by the Emergency Management Agency.
   (f) Provide an annual report on activities to the Emergency Advisory Committee including an update on the review of the local authority's emergency plan

19. The Director of the Emergency Management Agency shall
   (a) prepare and co-ordinate the Municipal Emergency Management Plan and related plans for the Village of Spring Lake;
   (b) act as director of emergency operations, or ensure that someone is designated under the Municipal Emergency Management Plan to so act, on behalf of the Municipal Emergency Management Agency; and
   (c) authorize and co-ordinate all emergency services and other resources required during an emergency; or
   (d) delegate duties and tasks as necessary to ensure conformance with paragraphs (a), (b), and (c).

20. The Deputy Director of Emergency Management shall assist the Director of Emergency Management and, in the absence of the Director of Emergency Management, perform the duties of the Director of Emergency Management.

STATE OF LOCAL EMERGENCY

21. The power to declare, renew, or terminate a state of local emergency, are hereby delegated to the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council. He, she, or they may, at any time, when he, she or they are satisfied that an emergency exists or may exist, make a declaration of a state of local emergency.

22. When a state of local emergency is declared, the person[s] making the declaration shall
   (a) ensure that the declaration identifies the nature of the emergency and the area of the Village 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; and
   (d) renew or terminate the declaration within seven (7) days of making the declaration.

23. On making a declaration of a state of local emergency and for the duration of the state of local emergency, Council may in accordance with Section 24 of the Act, do all acts and take all necessary proceedings to deal with the emergency.

24. When a state of local emergency is declared,
    (a) neither Council nor any member of Council, and
    (b) no person appointed by Council to carry out measures relating to emergencies or disasters, are liable for anything done or omitted to be done in good faith while carrying out a power or duty under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

25. When, in the opinion of the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council shall terminate the declaration.

26. When a declaration of a state of local emergency has been terminated, the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council 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.

27. Should any provision of this bylaw be deemed invalid then such invalid provision will be severed from this bylaw and such severance will not affect the validity of the remaining portions of this bylaw, except to the extent necessary to give effect to such severance.

28. Bylaw No. 377 is hereby rescinded. This Bylaw comes into force on the day it is finally passed.

Read a first time this 14th day of September 2021.

Read a second time this.day 14th of September 2021.

Read a third and final time this 14th day of September 2021.

Mayor

Chief Administrative Officer