



# BYLAW C-8074-2020

**A Bylaw of Rocky View County, in the Province of Alberta, to establish and maintain a Regional Emergency Management Agency and Emergency Advisory Committee.**

**WHEREAS** the *Municipal Government Act* allows Council to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

**AND WHEREAS** the *Emergency Management Act* and the *Local Authority Emergency Management Regulation* allow Council to pass bylaws authorizing the establishment and maintenance of a Regional Emergency Management Agency and Emergency Advisory Committee;

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

## **Title**

- 1 This bylaw may be cited as the *Emergency Management Bylaw*.

## **Definitions and Interpretation**

- 2 Words in this bylaw have the same meaning as those set out in the *Municipal Government Act* or the *Emergency Management Act*, as the context requires, except for those provided in Schedule 'A' of this bylaw.
- 3 The title of positions and departments referenced throughout this bylaw may change from time to time without affecting the powers, duties, and responsibilities outlined in this bylaw.
- 4 References to a position throughout this bylaw also include an authorized delegate of the person occupying that position.

## **Establishment of the Emergency Advisory Committee**

- 5 The Emergency Advisory Committee is established for the following purposes:
  - (1) reviewing and considering changes to the Regional Emergency Management Plan and related plans, programs, and activities;
  - (2) advising Council on the status of the Regional Emergency Management Plan and related plans, programs, and activities; and
  - (3) providing guidance and direction to the Regional Emergency Management Agency before, during, and after an emergency or disaster.
- 6 The Emergency Advisory Committee consists of the following:
  - (1) The CAO, who is the chair;

- (2) the Reeve, who is the vice-chair; and
  - (3) any councillors appointed by a resolution of Council.
- 7 Meetings of the Emergency Advisory Committee are held annually, and additional meetings may be called by the Chair, Chief Administrative Officer, or Director of Emergency Management as required or desired.
  - 8 Members of the Emergency Advisory Committee are reimbursed for expenses incurred during the performance of their duties in accordance with applicable Rocky View County policies and procedures.
  - 9 Notwithstanding the provisions of any other Rocky View County bylaw, quorum for a meeting of the Emergency Advisory Committee consists of those members who attend that meeting.
  - 10 Notwithstanding section 9 of this bylaw, quorum for a meeting of the Emergency Advisory Committee when declaring, renewing, or terminating a state of local emergency is defined in section 23 of this bylaw.

### **Establishment of the Regional Emergency Management Agency**

- 11 The Regional Emergency Management Agency is established for the following purposes:
  - (1) administering the Regional Emergency Management Program;
  - (2) updating the Emergency Advisory Committee on the Regional Emergency Management Plan and related plans, programs, and activities; and
  - (3) preparing for and responding to emergencies and disasters using the command, control, and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency.
- 12 The Regional Emergency Management Agency consists of the following:
  - (1) The Chief Administrative Officer;
  - (2) Director of Emergency Management;
  - (3) Deputy Directors of Emergency Management;
  - (4) Manager for Communications (Public Information Officer);
  - (5) Manager for Enforcement Services;
  - (6) Manager for Fire Services;
  - (7) Manager for Financial Services;
  - (8) Manager for Operational Services;
  - (9) Manager for Recreation, Parks, and Community Support;

- (10) Manager for Planning and Development Services;
  - (11) Manager for Transportation Services;
  - (12) Manager for Utility Services;
  - (13) the Chief Administrative Officers of the Town of Crossfield and the Village of Beiseker;
  - (14) the Emergency Social Services Directors of the Town of Crossfield and the Village of Beiseker; and
  - (15) any other municipal employee designated by the Chief Administrative Officer or Director of Emergency Management of Rocky View County, Town of Crossfield, or the Village of Beiseker.
- 13 The Regional Emergency Management Agency is delegated and authorized to carry out the powers, duties, and responsibilities of Council under the *Emergency Management Act*, except for the powers, duties, and responsibilities of Council outlined in sections 20 and 21 of this bylaw.
- 14 The Regional Emergency Management Agency is authorized to act as the agent of the Town of Crossfield and the Village of Beiseker pursuant to the *Local Authority Emergency Management Regulation*.
- 15 In addition to those listed in section 12 of this bylaw, the following organizations may be invited to provide representation to the Regional Emergency Management Agency as required or desired from time to time:
- (1) municipalities with which Rocky View County has entered into mutual aid agreements;
  - (2) local school boards;
  - (3) local Royal Canadian Mounted Police detachments;
  - (4) the Canadian Red Cross or other non-governmental organizations;
  - (5) provincial departments and agencies such as, but not limited to, the Alberta Emergency Management Agency, Alberta Health Services, Alberta Municipal Affairs, Alberta Environment and Parks, and Alberta Transportation;
  - (6) representatives from local industries or industrial associations, local telecommunications services providers, or other local business or business associations such as a chamber of commerce; or
  - (7) any other person or agency which may serve a useful purpose in the preparation or implementation of the Regional Emergency Management Plan.

### **Duties and Responsibilities of the Director of Emergency Management**

- 16 The Director of Emergency Management is appointed by and accountable to the Chief Administrative Officer.

- 17 The Director of Emergency Management, in cooperation with the Chief Administrative Officer, is responsible for:
- (1) preparing and coordinating the Regional Emergency Management Plan and related plans, programs, and activities;
  - (2) directing emergency and disaster operations for Rocky View County and participating municipalities under the Regional Emergency Management Plan;
  - (3) coordinating all services and resources used during an emergency or disaster; and
  - (4) ensuring that each member of the Regional Emergency Management Agency has a designate identified to act in their absence when required.

### **Duties and Responsibilities of the Deputy Directors of Emergency Management**

- 18 Deputy Directors of Emergency Management are appointed by and accountable to the Director of Emergency Management.
- 19 Deputy Directors of Emergency Management are responsible for fulfilling the powers, duties, and responsibilities of the Director of Emergency Management in their absence.

### **Duties and Responsibilities of Council**

- 20 Council is responsible for approving the Regional Emergency Management Plan and related plans, programs, and activities to ensure that Rocky View County is prepared to address potential emergencies and disasters.
- 21 Council may:
- (1) by bylaw borrow, appropriate, and expend without the consent of the electors, all sums required for the operation of the Regional Emergency Management Agency; and
  - (2) 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.

### **Declaration of States of Local Emergency**

- 22 If at any time the Emergency Advisory Committee is satisfied by the information provided to them by the Director of Emergency Management or a Deputy Director of Emergency Management, the Emergency Advisory Committee may declare, renew, or terminate a state of local emergency.
- 23 For the purposes of declaring, renewing, or terminating a state of local emergency, the quorum of the Emergency Advisory Committee is the Reeve and the Reeve may declare the state of local emergency acting alone.
- (1) If the Reeve is unable to fulfil the duties outlined in section 23 of this bylaw, the quorum of the Emergency Advisory Committee is the Deputy Reeve and the Deputy Reeve may declare, renew, or terminate the state of local emergency acting alone.

- (2) If both the Reeve and Deputy Reeve are unable to fulfil the duties outlined in section 23 and 23(1) of this bylaw, the quorum of the Emergency Advisory Committee is any two members of Council and those two members of Council may declare, renew, or terminate the state of local emergency.
- 24 When a state of local emergency is declared, the person or persons who made the declaration must:
  - (1) ensure that the declaration identifies the nature of the emergency and the area of Rocky View County in which it exists;
  - (2) cause the declaration and its details to be published immediately by the means of communication most likely to notify the population of the area affected by the emergency; and
  - (3) forward a copy of the declaration to the provincial minister responsible for the *Emergency Management Act* without delay.
- 25 When a state of local emergency is terminated, the person or persons who made the declaration must ensure the declaration and its details are published immediately by the means of communication most likely to notify the population of the area affected by the emergency.
- 26 A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:
  - (1) it is terminated in accordance with section 23 of this bylaw;
  - (2) a period of seven days has lapsed since it was declared unless it is renewed;
  - (3) the Lieutenant Governor in Council makes an order for a state of emergency under the *Emergency Management Act* relating to the same area that also directs that the declaration of local state of emergency ceases to be of any force or effect; or
  - (4) the provincial minister responsible for the *Emergency Management Act* cancels the state of local emergency.
- 27 When a state of local emergency is declared, the person or persons making the declaration may:
  - (1) put into operation the Regional Emergency Management Plan or any related plans or programs to be put into operation;
  - (2) acquire or utilize any real or personal property considered necessary to prevent, combat, or alleviate the effects of an emergency or disaster;
  - (3) authorize or require any qualified person to render aid of a type the person is qualified to provide;
  - (4) control or prohibit travel to or from any area of Rocky View County;

- (5) provide for the restoration of essential facilities and the distribution of essential supplies and other essential services in any part of Rocky View County;
  - (6) cause the evacuation of persons and the removal of livestock and personal property from any area of Rocky View 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;
  - (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;
  - (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, or to attempt to forestall its occurrence or to combat its progress;
  - (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 Rocky View County for the duration of the state of local emergency;
  - (10) authorize the conscription of persons needed to meet an emergency;
  - (11) authorize any persons at any time to exercise, in the operation of the Regional Emergency Management Plan and related plans or programs, any power specified in sections 27(2) through 27(10) of this bylaw in relation to any part of the municipality affected by a declaration of a state of local emergency; and
  - (12) any other power provided for in the *Emergency Management Act* and its regulations that is not provided for in this bylaw.
- 28 Despite section 27 of this bylaw, the provincial minister responsible for the *Emergency Management Act* may restrict, prohibit, or terminate the exercise of powers by Rocky View County under a local state of emergency in accordance with the *Emergency Management Act*.

### **Indemnification**

- 29 No action lies against Rocky View County or a person acting under Rocky View County'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* or its regulations during a state of local emergency.

### **Severability**

- 30 Each provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

### **Transitional**

- 31 Bylaw C-7396-2014 is repealed upon this bylaw passing and coming into full force and effect.

32 Bylaw C-8074-2020, being the *Emergency Management Bylaw*, is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this 10<sup>th</sup> day of November, 2020

READ A SECOND TIME IN COUNCIL this 10<sup>th</sup> day of November, 2020

UNANIMOUS PERMISSION FOR THIRD READING this 10<sup>th</sup> day of November, 2020

READ A THIRD TIME IN COUNCIL this 10<sup>th</sup> day of November, 2020



Reeve

Charlotte Stank  
Chief Administrative Officer or Designate

November 10, 2020  
Date Bylaw Signed

## Bylaw C-8074-2020

### Schedule 'A' – Definitions

- 1     **“Chief Administrative Officer”** means the Chief Administrative Officer of Rocky View County.
- 2     **“Council”** means the duly elected Council of Rocky View County.
- 3     **“Deputy Reeve”** means the Deputy Chief Electoral Officer of Rocky View County.
- 4     **“Disaster”** has the same meaning as in the *Emergency Management Act*.
- 5     **“Emergency”** has the same meaning as in the *Emergency Management Act*.
- 6     **“Emergency Advisory Committee”** means the Emergency Advisory Committee established under this bylaw.
- 7     **“Emergency Management Act”** means the *Emergency Management Act*, RSA 2000, c E-6.8, as amended or replaced from time to time.
- 8     **“Local Authority Emergency Management Regulation”** means the *Local Authority Emergency Management Regulation*, Alberta Regulation 2013/2018, as amended or replaced from time to time.
- 9     **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.
- 10    **“Regional Emergency Management Agency”** means the Regional Emergency Management Agency established under this bylaw.
- 11    **“Regional Emergency Management Plan”** means the Rocky View County Regional Emergency Management Plan, as amended or replaced from time to time.
- 12    **“Reeve”** means the Chief Electoral Officer of Rocky View County.
- 13    **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.