
TOWN OF PENHOLD
BYLAW NO. 753/18

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

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 Management Services 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 TOWN OF PENHOLD, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This bylaw may be cited as the Municipal Emergency Management Agency Bylaw.
2. In this Bylaw,
 - (a) *Act* means the *Emergency Management Act*, Chapter E-6.8 and amendments;;
 - (b) *Council* means the Council of the Town of Penhold;
 - (c) *Town or Town of Penhold* means the municipality of Town of Penhold, in the Province of Alberta;
 - (d) *Director* means the Director of Emergency Management;
 - (e) *Disaster* means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property;
 - (f) *Emergency Management Committee* means a Committee of the Town of Penhold consisting of one or more members of Council;
 - (g) *Emergency* means an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health, or welfare of people or to limit damage to property;
 - (h) *Minister* means the Minister responsible for the *Emergency Management Act*;
 - (i) *Municipal Emergency Management Agency* means the agency established under this Bylaw; and
 - (j) *Municipal Emergency Plan* means the emergency plan prepared by the Director of Emergency Management to coordinate response to an emergency or disaster.
3. There is hereby established an Emergency Management Committee to advise Council on the development of emergency plans and programs.

4. The Emergency Management Committee shall:
 - (a) Review the Municipal Emergency Plan and related plans and programs on a regular basis;
 - (b) Advise Council, duly assembled, on the status of the municipal Emergency Plan and related plans and programs at least once each year; and
 - (c) Recommend to Council any changes to the Municipal Emergency Plan if appropriate.

5.
 - (1) 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, nor the powers contained in Section 11 of this Bylaw.
 - (2) The Municipal Emergency Management Agency shall consist of representatives of the organizations and agencies contained in Schedule "A".

6. Council shall
 - (a) Provide for the payment of expenses of the members of the Emergency Management Committee;
 - (b) By resolution, on the recommendation of the Emergency Management Committee, appoint a Director of Emergency Management;
 - (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;
 - (d) Approve the Town of Penhold's emergency plans and programs; and
 - (e) Review the status of the Municipal Emergency Management Program and related plans and programs at least once each year.

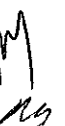
7. Council may
 - (a) By Bylaw, borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency when a State of Local Emergency has been declared pursuant to Section 10;
 - (b) Enter into agreements with and make 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; and
 - (c) By resolution on the recommendation of the Emergency Management Committee, appoint one or more Deputy Director(s) of Emergency Management.

8. The Director of the Emergency Management shall
 - (a) Prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Town of Penhold;
 - (b) Act as Director of Emergency Operations, or ensure that someone is designated under the Municipal Emergency Plan to so act on behalf of the Municipal Emergency Management Agency; and
 - (c) Co-ordinate all emergency services and other resources used in an emergency.

9. 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 11 and 12 of this Bylaw, are hereby delegated to the Mayor or the Deputy Mayor, or two members of Council acting in concert.

10. 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 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; and
 - (c) Forward a copy of the declaration to the Minister forthwith.

11. Subject to Section 10, when a State of Local Emergency is declared, the Director of Emergency Management or delegate may;
 - (a) Cause the Municipal Emergency 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 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) Cause 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 emergency, 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 Municipal Emergency 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.



12. (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, by resolution, terminate the declaration.
12. (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.
13. 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 communication considered most likely to notify the population of the area affected.


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

14. Bylaw No. 675/12 passed on April 10, 2012 is hereby repealed on the date of final passing of this Bylaw.


Read a first time this 14th day of May, 2018.

Read a second time this 28th day of May, 2018.

Read a third time and finally passed this 28th day of May, 2018.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

Schedule A

Municipal Emergency Management Agency

Joint Regional Plan members:

City of Red Deer
Red Deer County
Town of Innisfail
Village of Delburne
Village of Elnora

As noted in Section 5(2) of the Bylaw, the agency will consist of representatives from the following organizations and agencies:

Red Deer County Protective Services
Royal Canadian Mounted Police
Emergency Medical Services Providers
David Thompson Health Region
School Divisions
Utility Providers
Alberta Environment
Emergency Management Alberta
Canadian Red Cross
Amateur Radio Emergency Services
Salvation Army
St. John Ambulance
Any other organization that may be required from time to time