

**BYLAW 12-014
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH A MUNICIPAL EMERGENCY MANAGEMENT AGENCY.

WHEREAS under the authority and pursuant to the Municipal Government Act M26, R.S.A. 2000, and amendments thereto, Council may pass a bylaw to establish a Municipal Emergency Management Agency;

AND WHEREAS, the Council of Lac La Biche County 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 (current as of May 13, 2011), to appoint and 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 interest of public safety, that such a committee 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 under the authority and pursuant to the provisions of the said Municipal Government Act, and by virtue of all other enabling powers, the Council of Lac La Biche County, duly assembled, enacts as follows:

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.
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 Lac La Biche County;
 - c) "Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in the widespread damage to property;
 - 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;
 - f) "Minister" means the Minister charged with the administration of the Act;

- g) "Municipal Emergency Management Agency" means the agency established under this Bylaw; and
 - h) "Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.
3. There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
 4. 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 12 of this Bylaw.
 5. Council shall;
 - a) By resolution, appoint any three (3) of its members to serve on the Emergency Advisory Committee.
 - b) Provide for the payment of expenses of all members of the Emergency Advisory Committee;
 - c) By resolution, on the recommendation of the Emergency Advisory Committee, appoint a Director of Emergency Management;
 - d) Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in Lac La Biche County;
 - e) Approve Lac La Biche County emergency plans and programs;
 - f) Review the status of the Municipal Emergency Plan and related plans and programs at least once annually.
 6. 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 plans and programs.
 7. The Emergency Advisory Committee shall:
 - a) Review the Municipal Emergency Plan and related plans and programs on an annual basis; and
 - b) Advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs, including mutual aid plans and programs at a minimum of an annual basis.

8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
 - a) The Director of Emergency Management;
 - b) The Deputy Director of Emergency Management (as appointed by the Director of Emergency Management);
 - c) The Chief Administrative Officer;
 - d) Administrative staff members of the municipality as designated by the Director of Emergency Management;
 - e) The Police Chief or designate, or the N.C.O. RCMP or designate;
 - f) The Municipal Fire Chief or designate;
 - g) The Public Information Officer;
 - h) The Disaster Social Services Manager;
 - i) Any one else who may serve a useful purpose in the preparation and/or implementation of the Municipal Emergency Plan.

9. The Director of Emergency Management shall:
 - a) Prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for Lac La Biche County;
 - b) Act as Director of Emergency Operations, or ensure that a suitable person 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; or
 - d) Ensure that a suitable person is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).

10. The power to declare or renew a state of local emergency under the Act, the powers specified in Section 12 of the Bylaw, and the requirement specified in Section 11 of this Bylaw, are hereby designated to a committee comprised of the Mayor, (or in the Mayor's absence the Deputy Mayor) and any two (2) other members of Council. This Committee 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.

11. When a state of local emergency is declared, the committee making the declaration shall:
 - a) Ensure that the declaration identifies the nature of the emergency and the area of Lac La Biche County in which the emergency exists;
 - b) Cause the details of the declaration to be published immediately and by such means of communication considered most likely to notify the population of the affected area; and
 - c) Forward a copy of the declaration to the Minister forthwith.

12. Subject to Section 14 of this Bylaw, when a state of local emergency is declared, the local authority making the declaration may do all acts and take all necessary proceedings including the following:

- 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 Lac La Biche County;
- 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 Lac La Biche County;
- f) Cause the evacuation of persons and the removal of livestock and personal property from any area of Lac La Biche 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;
- 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 Lac La Biche County for the duration of the state of emergency;
- j) Authorize the conscription of person 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.

13. When a state of local emergency is declared:

- a) Neither Council nor any member of Council; and
- b) Nor person appointed by Council to carry out measures relating to emergencies or disasters is 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.

14. When in the opinion of the local authority 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.

15. 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 14 of this Bylaw;
 - 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 emergency under the Act, relating to the same area; or
 - d) The Minister cancels the state of local emergency.
16. When a declaration of a state of local emergency has been terminated, the local authority 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.
17. Former Lac La Biche County Bylaw No. 08-011 dealing with the establishment of an Emergency Management Agency are hereby rescinded.
18. This bylaw shall come into effect upon passing of this third reading.

MOTION BY COUNCILLOR SIEBOLD THAT BYLAW 12-014 BE GIVEN FIRST READING THIS 11TH DAY OF SEPTEMBER, 2012.

MOTION BY COUNCILLOR THOMPSON THAT BYLAW 12-014 BE SECOND READING THIS 11TH DAY OF SEPTEMBER, 2012.

MOTION BY COUNCILLOR KUMPULA THAT BYLAW 12-014 BE SUBMITTED FOR THIRD AND FINAL READING THIS 11TH DAY OF SEPTEMBER, 2012.

MOTION BY COUNCILLOR NOWAK THAT BYLAW 12-014 BE GIVEN THIRD READING THIS 11TH DAY OF SEPTEMBER, 2012.

"Original Signed"

Mayor

"Original Signed"

Chief Administrative Officer