

Amending Bylaw 3857/96
Amending Bylaw 4021/2001
Amending Bylaw 4058/2003
Amending Bylaw 4129/2005
Amending Bylaw 4302/2011
Amending Bylaw 4304/2011

TOWN OF HIGH RIVER
ALBERTA
BYLAW NO. 3843/96
Consolidation 2011

*Amending Bylaw
4058/2003
(Name Change to
Emergency
Management from
Disaster Services
throughout)*

A BYLAW OF THE TOWN OF HIGH RIVER IN THE PROVINCE OF ALBERTA TO ESTABLISH A MUNICIPAL EMERGENCY MANAGEMENT AGENCY.

WHEREAS

*Amending
Bylaw 3857/96*

the Council of the Town of High River is responsible for the direction and control of its emergency response and is required, under the Disaster Services Act, RSA 1980, Chapter D-36 and any amendments thereto, to appoint a Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency;

AND
WHEREAS

*Amending
Bylaw 3857/96*

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 Disaster Services Act, RSA 1980, Chapter D-36 and any amendments thereto;

NOW,
THEREFORE

THE COUNCIL OF THE TOWN OF HIGH RIVER, 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 Disaster Services Act, RSA 1980, Chapter D-36;
 - (b) "Council" means the Council of the Town of High River;
 - (c) "disaster" means a 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;
 - (d) "Emergency Management 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 administration of the Act;
 - (g) "Municipal 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.
3. There is hereby established a Emergency Management 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

*Amending
Bylaw
3857/96*

in Section 12 of this Bylaw.

5. Council shall

*Amending
Bylaw
4302/2011*

*Amending
Bylaw
4129/2005*

*Amending
Bylaw
4021/2001*

- (a) by resolution, appoint the Mayor and two (2) Councillors to serve on the Emergency Management Committee;
- (b) provide for the payment of expenses of the members of the Emergency Management Committee;
- (c) by resolution, on the recommendation of the Emergency Management Committee, appoint a Director of Emergency Management, and two (2) Deputy Directors of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence;
- (d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of High River;
- (e) approve the Town of High River's emergency plans and programs; and
- (f) review the status of the Municipal Emergency Management Plan and related plans and programs at least once each year.

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 Management Committee shall

- (a) review the Municipal Emergency Management Plan and related plans and programs on a regular basis; and
- (b) advise Council, duly assembled, on the status of the Municipal Emergency Management Plan and related plans and programs at least once each year.

8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:

*Amending
Bylaw
4021/2001*

- (a) the Director of Emergency Management;
- (b) two (2) Deputy Directors of Emergency Management;
- (c) the Manager and other administrative staff member(s) of the municipality;
- (d) the Police Chief or designate or the N.C.O. in Charge, R.C.M. Police or designate;
- (e) the Fire Chief or designate;
- (f) the Public Information Officer or designate;
- (g) the Director of Operational Services or designate;
- (h) the Ambulance Service Manager or designate;
- (i) representative from the Chamber of Commerce;
- (j) representative(s) from Alberta Environmental Protection;
- (k) representative(s) from Alberta Transportation and Utilities; and
- (l) anyone else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Management Plan.

9. The Director of Emergency Management shall

- (a) prepare and co-ordinate the Municipal Emergency Management Plan and related plans and programs for the Town of High River;
- (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) co-ordinate all emergency services and other resources used in an emergency; or
- (d) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).

*Amending
Bylaw
4129/2005*

10. The power to declare or renew a state of local emergency under the Act, the powers specified in Section 12 of this Bylaw and the requirements specified in Section 15 of the Bylaw are hereby delegated to a committee of two comprised of:

*Amending
Bylaw
4304/2011*

1. the Mayor or Deputy Mayor, plus one Councillor; or
2. If the Mayor or Deputy Mayor is not available, the committee may be comprised of two Councillors; or
3. If two elected officials are not readily available, the committee may be comprised of any Councillor and the Chief Administration Officer or his/her designate.

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 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.
12. Subject to Section 15, when a state of local emergency is declared, the persons making the declaration may
 - (a) cause the Municipal Emergency Management 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 co-ordinate emergency medical, welfare and other essential services in any part of the Town;
 - (f) 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 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 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 Management 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) no person appointed by Council to carry out measures relating to emergencies or disasters,
is liable in respect of damage caused through any action taken under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
14. Notwithstanding Section 13,
(a) Council and any member of Council, and
(b) any person acting under the direction or authorization of Council,
is liable for gross negligence in carrying out their duties under this Bylaw.
15. When, in the opinion of the 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.
16. 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 15;
(b) a period of seven 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.
17. When a declaration of a state of local emergency has been terminated, the 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.

Bylaw 2058 is hereby rescinded.

This Bylaw comes into full force and effect upon third and final reading.

READ A FIRST, SECOND AND WITH UNANIMOUS CONSENT OF ALL COUNCIL
PRESENT A THIRD AND FINAL TIME THIS 25TH DAY OF MARCH A.D. 1996.

MAYOR/DEPUTY MAYOR

CHIEF ADMINISTRATIVE OFFICER/
DIRECTOR OF LEGISLATIVE & ADMINISTRATIVE SERVICES