

**TOWN OF SEDGEWICK
BYLAW NO. 543/18
TOWN OF SEDGEWICK MUNICIPAL EMERGENCY MANAGEMENT BYLAW**

A BYLAW OF THE TOWN OF SEDGEWICK, IN THE PROVINCE OF ALBERTA, TO PROVIDE DIRECTION AND CONTROL FOR EMERGENCY MANAGEMENT IN THE TOWN OF SEDGEWICK.

WHEREAS the Council of the Town of Sedgewick 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 the interest 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 Sedgewick, duly assembled, enacts as follows:

1. Title

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

2. Definitions

"Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000, as amended, repealed or replaced;

"CAO" means the Chief Administrative Officer of the Town of Sedgewick;

"Council" means the Council of the Town of Sedgewick pursuant to the *MGA*;

"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;

"Emergency Advisory Committee" means the committee established under this Bylaw that is responsible to advise on the development of emergency plans and programs;

"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;

"Mayor" means the elected Mayor of the Town of Sedgewick;

"Minister" means the Minister charged with administration of the Act;

"Emergency Management Agency" or "Agency" means the agency established under this Bylaw that is to act as the agent of the Town of Sedgewick in exercising the powers and duties as stipulated in the Emergency Management Act; and

"Municipal Emergency Plan" or "MEP" means the emergency plan prepared by the Emergency Advisory Committee to co-ordinate response to an emergency or disaster.

3. Emergency Management Advisory Committee

3.1 The Committee is hereby established.

3.2 All Councillors and Mayor are members of the Committee.

3.3 The Mayor shall be the chair of the Committee. If the Mayor is absent, the Deputy Mayor shall chair the meeting and in the absence of the Deputy Mayor, the Acting Mayor shall chair the Committee.

3.4 Business of the Committee may form part of the agenda of a regular Council Meeting and may be conducted during a regular meeting of Council.

- 3.5** The members of the Committee will be entitled to reasonable expenses in accordance with Council policy.
- 3.6** The Committee shall ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Sedgewick.
- 3.7** The Committee will approve the Municipal Emergency Plan and review on a regular basis.
- 3.8** The power to declare, renew or terminate a state of local emergency including the power to put emergency plans into operations, are hereby delegated to the Committee.
- 3.9** The CAO or member of the Committee may call an emergency meeting of the Committee where a Councillor, Mayor or the CAO considers that a major emergency exists or may exist in the Town.
- 3.10** The CAO or designate shall give as much notice as possible to the public and to as many Councillors as possible including the Mayor of the time and place of the emergency meeting.
- 3.11** Those Councillors, including Mayor, in attendance at any particular time during an emergency meeting of the Committee constitute a quorum.
- 3.12** The Committee may:
 - 3.12.1** 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
 - 3.12.2** 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.

4. Emergency Management Agency

- 4.1** The Emergency Management Agency is hereby established.
- 4.2** The Agency shall be comprised of one or more of the following:
 - 4.2.1** The Director of Emergency Management ;
 - 4.2.2** The Deputy Director of Emergency Management;
 - 4.2.3** The Chief Administrative Officer;
 - 4.2.4** Other administrative staff member(s) of the Town of Sedgewick as may be required;
- 4.3** In addition to the members appointed in Section 9.2, some or all the following may be invited by the Director to Agency meetings:
 - 4.3.1** The Police Chief or designate or the N.C.O. in charge, R.C.M P. or designate;
 - 4.3.2** The Fire Chief or designate;
 - 4.3.3** The Public Works Foreman or designate;
 - 4.3.4** The Ambulance Service manager or designate;
 - 4.3.5** The Health Unit Manager or designate;
 - 4.3.6** The School Board Chairman or designate;
 - 4.3.7** The Social Services Manager or designate;

- 4.3.8 Representative(s) from adjacent communities which have entered into mutual aid agreements;
- 4.3.9 Representative(s) from local business or business associations;
- 4.3.10 Representative(s) from local industry or industrial associations; and
- 4.3.11 Anybody else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan

4.4 The Agency shall:

- 4.4.1 Meet at least once each quarter;
- 4.4.2 Review the Municipal Emergency Plan and related plans and programs on a regular basis; and
- 4.4.3 Advise the Emergency Management Committee and/or Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year.
- 4.4.4 Coordinate an annual review and/or Table-top exercise of the MEP with the Municipal Emergency Management Agency.

5. Director of Emergency Management

- 7.1 A Director of Emergency Management shall be appointed by Council.
- 7.2 A Deputy Director of Emergency Management shall be appointed by Council and
- 7.3 The Director of Emergency Management shall:
 - 7.3.1 Prepare and coordinate the Municipal Emergency Plan and related plans and programs for the Town of Sedgewick;
 - 7.3.2 Act as Director of emergency operations, or ensure that someone is designated under the Municipal Emergency Bylaw to so act, on behalf of the Municipal Emergency Management Committee; and
 - 7.3.3 Co-ordinate all emergency services and other resources used in an emergency; or
 - 7.3.4 Ensure that someone is designated to discharge the responsibilities specified in paragraphs 7.1.1, 7.1.2 and 7.1.3.

8. Declaration of a State of Local Emergency

- 8.1 When a state of local emergency is declared, the person(s) making the declaration shall:
 - 8.1.1 Ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists;
 - 8.1.2 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
 - 8.1.3 Forward a copy of declaration to the Minister forthwith.
- 8.2 Subject to Section 8, when a state of local emergency is declared, the person(s) making the declaration may:
 - 8.2.1 Cause the Municipal Emergency Plan or any related plans or programs to be put into operation;

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- 8.2.2 Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - 8.2.3 Authorize or require any qualified person to render aid of a type he or she is qualified to provide;
 - 8.2.4 Control or prohibit travel to or from any area of the Town;
 - 8.2.5 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;
 - 8.2.6 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 from the adequate care and protection of those persons or livestock and of the personal property;
 - 8.2.7 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;
 - 8.2.8 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;
 - 8.2.9 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 the Town for the duration of the state of emergency
 - 8.2.10 Authorize the conscription of persons needed to meet an emergency ; and
 - 8.2.11 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 Paragraph (b) through (j) in relation to any part of the municipality affected by declaration of state of local emergency.
- 8.3 When a state of local emergency is declared:
- 8.3.1 Neither Council nor any member of council, and
 - 8.3.2 No person appointed by Council to carry out measures relating to emergencies or disasters, are 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.
- 8.4 Notwithstanding Section 8.3:
- 8.4.1 Council and any member of Council, and
 - 8.4.2 Any person acting under the direction or authorization of Council;
- are liable for gross negligence in carrying out their duties under this Bylaw.
- 8.5 When, in the opinion of the person(s) 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.
- 8.6 A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:
- 8.6.1 A resolution is passed under Section 15;
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- 8.6.2 A period of seven days has lapsed since it was declared, unless it is renewed by resolution;
- 8.6.3 The Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
- 8.6.4 The Minister cancels the state of local emergency.

8.7 When a declaration of state of local emergency has been terminated, the person(s) 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.

9. Repeals

This rescinds Bylaw #485 and supersedes any pre-existing Bylaw in regards to Municipal Emergency Management.

10. Severability

If any term of this Bylaw is found to be invalid, illegal, or unenforceable by a court or tribunal having the jurisdiction to do so, that term is to be considered to have been severed from the rest of this bylaw, and the rest of the bylaw remains in force unaffected by that finding or by the severance of that term.

11. Enactment

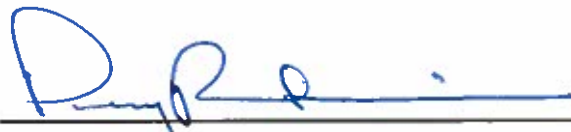
This Bylaw shall take effect at the date of final passing thereof.

First Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 23rd day of August, 2018.

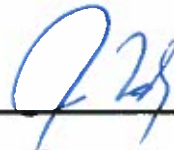
Second Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 23rd day of August, 2018.

Third Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 23rd day of August, 2018.

TOWN OF SEDGEWICK



PERRY ROBINSON
MAYOR



JIM FEDYK
CHIEF ADMINISTRATIVE OFFICER