

BYLAW #1031-23
The City of Beaumont Emergency Management Bylaw

Whereas:

Pursuant to the Emergency Management Act, a council is responsible for the direction and control of the municipality's emergency responses, and the preparation and approval of emergency plans and programs;

Pursuant to the Emergency Management Act, a council must appoint an emergency advisory committee consisting of a member or members of council to advise on the development of emergency plans and programs, and provide for the payment of expenses of the members of the emergency advisory committee;

Pursuant to the Emergency Management Act, a council must maintain an emergency management agency to act as its agent in exercising council's powers and duties under the Emergency Management Act;

Pursuant to the Municipal Government Act, a council may pass bylaws in relation to the establishment and functions of, and procedures to be followed by, council committees established by council; and

Pursuant to the Municipal Government Act, a council may by bylaw delegate any of its powers, duties or functions under the Municipal Government Act or any other enactment or a bylaw to a council committee, the chief administrative officer or a designated officer, unless the Municipal Government Act or any other enactment or bylaw provides otherwise.

Therefore Council enacts:

PART I – DEFINITIONS, AND INTERPRETATION

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| Citation | 1 This bylaw may be cited as the "Emergency Management Bylaw". |
| Definitions | 2 In this bylaw: <ul style="list-style-type: none">(a) "Act" means the Emergency Management Act, RSA 2000, c E-6.8;(b) "Agency" means the City's emergency management agency established under this bylaw;(c) "Chief Administrative Officer" means the chief administrative officer of the City or delegate;(d) "City" means the municipal corporation of The City of Beaumont;(e) "Committee" means the City's emergency management |

advisory committee established under this bylaw.

- (f) "Council" means the municipal council of the City;
- (g) "Councillor" means members of Council, other than the Mayor;
- (h) "Director of Emergency Management" or "DEM" means the person appointed director of the Emergency Management Agency under this bylaw;
- (i) "Director of Protective Services" means the person occupying the position of the Director of Protective Services for the City or delegate;
- (j) "Disaster" means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property;
- (k) "Emergency" means an event that requires prompt coordination of action or special regulation of persons or property to protect the safety, health, or welfare of people or to limit damage to property;
- (l) "Emergency Operations Centre" or "EOC" means a site from which the City's emergency response and recovery activities are monitored, coordinated and supported during an Emergency or Disaster;
- (m) "EMP" means the City's emergency plan for coordinating the response to an Emergency or Disaster;
- (n) "Mayor" means the chief elected official of the City; and
- (o) "Minister" means the minister responsible for the Act.

Interpretation

- 3 The following rules apply to interpretation of this bylaw:
 - (a) headings, titles, and margin notes in this bylaw are for ease of reference only;
 - (b) gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires;
 - (c) every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared invalid by a Court, all other provisions of this bylaw remain valid and enforceable; and
 - (d) references to bylaws and enactments in this bylaw include amendments and replacement bylaws and enactments, and

regulations and orders thereunder.

PART II – EMERGENCY ADVISORY COMMITTEE

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| Establishment and Duties | 4 | The Committee is hereby established to:
(a) provide guidance, advice and direction to the Agency regarding its activities, including the development and implementation of the EMP and related plans and programs;
(b) advise Council on the development and status of the EMP and related plans and programs on an annual basis;
(c) declare a state of local emergency; and
(d) perform any other functions and duties as required by this bylaw. |
| Membership | 5 | The Committee shall consist of:
(a) Mayor;
(b) one (1) Councillor;
(c) Chief Administrative Officer; and
(d) Director of Emergency Management. |
| Committee Chair | 6 | The Mayor shall act as chair of the Committee. If the Mayor is unable to perform the chair duties, the Chief Administrative Officer will act as the chair of the Committee. |
| Quorum and Decisions of the Committee | 7 | A quorum of the Committee shall be at least three (3) members, and Committee decisions shall be by majority vote. |
| Meetings | 8 | The Committee will meet at least annually, or more frequently, as required to discharge its responsibilities hereunder. |
| | 9 | If an Emergency exists, or may exist, in the City, the Mayor or Chief Administrative Officer may call a special meeting of the Emergency Advisory Committee. |
| Membership Expenses | 10 | Members of the Committee will be entitled to reimbursement of reasonable expenses incurred in the performance of their Committee duties. |

PART III – EMERGENCY MANAGEMENT AGENCY

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| Establishment and Duties | 11 | The Agency is hereby established and shall have the following powers and duties:
(a) responsible for the administration of the City's EMP;
(b) review the City's emergency plan and operational procedures at least annually; |
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- (c) report annually to the Committee to provide updates on Agency activities including an update on the Agency's review of the EMP at least once annually;
- (d) use a command, control, and coordination system prescribed by the Act; and
- (e) perform any other functions as required by this bylaw or Council.

Membership and Participation

- 12 The Director of Protective Services is appointed the Director of Emergency Management.
- 13 The members of the Agency are:
 - (a) the Chief Administrative Officer;
 - (b) the Director of Emergency Management; and
 - (c) City staff as appointed by the Chief Administrative Officer.
- 14 The following organizations may be invited by the Director of Emergency Management to nominate representatives and recovery activities for an Emergency or Disaster, including participating in the EOC or providing recommendations for the EMP:
 - (a) health agencies;
 - (b) utility companies;
 - (c) the board of trustees of a school district, school division, or regional division, that operate within the City;
 - (d) government of Alberta and Government of Canada departments, boards, committees, or agencies;
 - (e) municipalities adjacent to the City that have entered into mutual aid agreements with the City;
 - (f) business or industry, or business or industry associations, local to the City; and
 - (g) any other organization that, in the opinion of the DEM, may assist in the preparation or implementation of the EMP.
- 15 City personnel may be invited by the DEM to participate in emergency responses and recovery activities for an Emergency or Disaster, including participating in the Emergency Operations Center, provided such City personnel are qualified to participate.

DEM Duties

- 16 The Director of Emergency Management will:
 - (a) prepare and coordinate the EMP and related plans and programs for the City;
 - (b) act as director of the EOC, or ensure that someone is designated under the EMP to so act, on behalf of the Agency.
 - (c) coordinate all emergency services and other resources, including the activation of the EOC, used in:
 - (i) an Emergency or Disaster;
 - (ii) a recovery from an Emergency or Disaster; and
 - (iii) the response to a request for assistance from another

municipality, the Government of Alberta, or the Government of Canada, related to an Emergency or Disaster;

- (d) act as the liaison on behalf of the Agency between the Agency and other organizations, including the Alberta Management Agency;
- (e) perform any other functions and duties as required by this bylaw or as directed by the Chief Administrative Officer.

PART IV – FINANCIAL

Financial

- 17 Council may 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 the EMP and related plans and programs.
- 18 Subject to Section 18, Council may by bylaw that is not advertised borrow, levy, appropriate, and expend, without the consent of the electors, all sums required for the operation of the Agency.
- 19 Council may, during or within 60 days after the state of local emergency, by bylaw that is not advertised but is approved by the Minister responsible for the Municipal Government Act, borrow any money necessary to pay expenses caused by the Emergency including payment for services provided by the Government of Alberta or by the Government of Canada when the services were provided at the request of Council.
- 20 Council may expend all money borrowed in accordance with Section 18 to pay expenses caused by the Emergency.

PART V – STATE OF LOCAL EMERGENCY

Declaration of State of Local Emergency

- 21 The Committee, at any time when it is satisfied that an Emergency exists, or may exist, within the City, may by resolution declare or renew a state of local emergency relating to all or any part of the City.
- 22 The Committee must ensure that the declaration identifies the nature of the Emergency and the area of the City in which it exists.
- 23 If the Committee declares or renews a state of local emergency, the Chief Administrative Officer will:
 - (a) cause the details of the declaration to be published by any means the Chief Administrative Officer considers most likely to make known to the population of the area of the City affected by the contents of the declaration; and
 - (b) forward a copy of the declaration to the Minister.

During State of Local Emergency

24 On the making of a declaration of a state of local emergency and for the duration of the state of local emergency, the Agency may do all acts and take all necessary proceedings including the following:

- (a) cause the EMP and related plans and 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 the person is qualified to provide;
- (d) control or prohibit travel to or from any area of the City;
- (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 City;
- (f) cause the evacuation of persons and the removal of personal property from any area of the City that is or may be affected by the Emergency or Disaster and make arrangements for the adequate care and protection of those persons 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 the EMP and related plans and programs;
- (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 an Emergency or Disaster, or to attempt to forestall its occurrence or to combat its progress;
- (i) procure or fix prices of food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within any part of the City for the duration of the state of local emergency;
- (j) authorize the conscription of persons needed to meet the needs of the Agency in addressing an Emergency or Disaster; and
- (k) any other acts which the Agency or City is authorized to perform pursuant to the Act.

Termination of State of Local Emergency

25 When the Committee is of the opinion that an Emergency or Disaster no longer exists in relation to which a declaration of a state of local emergency was made, it will by resolution terminate the declaration of a state of local emergency.

26 If the Committee terminates a declaration of a state of local emergency, or if a declaration is otherwise cancelled or lapses, the Chief Administrative Officer must immediately publish a notice by any means of communication that the Chief Administrative Officer considers is most likely to make known to the majority of the population of the area affected by the contents of the declaration

or cancellation of the fact of the termination.

Severability 27 If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, that decision will not affect the validity of the remaining provisions of the bylaw.

Repeal 28 Bylaw 963-19 is repealed.

FIRST READING: May 9, 2023

SECOND READING: May 9, 2023

THIRD READING: May 9, 2023

SIGNED THIS 9th day of May, 2023.

Bill Daneluik
MAYOR

Sandy Bugeja
CLERK