

BEING A BYLAW OF THE TOWN OF WESTLOCK IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL EMERGENCY MANAGEMENT AGENCY AND ADVISORY COMMITTEE.

WHEREAS, pursuant to Section 11 of the *Emergency Management Act*, R.S.A. 2000, c. E-6.8, the Town of Westlock Council is responsible for the direction and control of the Town of Westlock's response in the event of a major emergency,

WHEREAS, pursuant to Section 11.1 of the *Emergency Management Act*, the Town of Westlock Council is required to appoint a committee to advise on the development of emergency plans and programs,

WHEREAS, pursuant to Section 11.3 of the *Emergency Management Act*, the Town of Westlock Council may delegate any of its powers and duties under the Act to a committee composed of a member or members of Council, and

WHEREAS, pursuant to Section 11.2 of the *Emergency Management Act*, the Town of Westlock Council is required to establish and maintain a Municipal Emergency Management Agency to act as the agent of the Town of Westlock Council to carry out its statutory powers and obligations under the Act.

NOW THEREFORE, the Town of Westlock Council enacts as follows:

- i. This Bylaw may be cited as the "Emergency Management Bylaw".
- ii. Where the provisions of this Bylaw conflict with the provision of any other Bylaw of the Town of Westlock, this Bylaw shall prevail.

SECTION 1.0 - DEFINITIONS

In this bylaw, unless the context otherwise requires:

- 1.1 "**Act**" means the *Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000, as amended*.
- 1.2 "**Agency**" means the Town of Westlock Municipal Emergency Management Agency established under this bylaw.
- 1.3 "**Committee**" means the Emergency Advisory Committee established under this bylaw.
- 1.4 "**Council**" means the Council of the Town of Westlock.
- 1.5 "**Director**" means the person appointed Director of the Municipal Emergency Management Agency under this bylaw.
- 1.6 "**Disaster**" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or widespread damage to property or the environment.
- 1.7 "**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.
- 1.8 "**Minister**" means the Minister charged with the administration of the Act.
- 1.9 "**Municipal Emergency Management Plan**" means the emergency plan prepared by the Municipal Emergency Management Agency to coordinate response to an Emergency or Disaster.

Number and Gender References - All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

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SECTION 2.0 - EMERGENCY ADVISORY COMMITTEE

2.1 Establishment

- a) There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
- b) The Committee shall consist of 2 members of Council.

2.2 Responsibilities and Duties of Council

- a) Council shall:
 - i. by resolution, appoint annually at the Organizational Meeting of Council, two of its members to serve on the Emergency Advisory Committee,
 - ii. provide for the payment of expenses of the members of the Emergency Advisory Committee,
 - iii. by resolution, on the recommendation of the Emergency Advisory Committee, appoint a Director of Emergency Management and a Deputy Director of Emergency Management who shall do those duties required of the Director of Emergency Management in that person's absence,
 - iv. ensure that emergency plans and programs are prepared to address potential emergencies or disaster in the Town of Westlock.
 - v. approve the Town of Westlock's emergency plans and programs, and
 - vi. review the status of the Municipal Emergency Plan and related plans and programs at least once each year.
- b) Council may:
 - i. by bylaw, that is not advertised, borrow, levy, appropriate and expend, all sums required for the operation of the Emergency Advisory Committee, and
 - ii. 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.

2.3 Responsibilities and Duties of the Committee

- a) The Committee shall:
 - i. meet as required, but at minimum once per year, to review the Municipal Emergency Management Program and related plans,
 - ii. advise Council, duly assembled, on the status of the Municipal Emergency Management Program and related plans, and
 - iii. provide guidance and direction to the Town of Westlock Emergency Management Agency.

SECTION 3.0 – MUNICIPAL EMERGENCY MANAGEMENT AGENCY**3.1 Establishment**

- a) The Municipal Emergency Management Agency is hereby established 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.

3.2 Members of Agency

- a) The Municipal Emergency Management Agency will consist of the:
 - i. Chief Administrative Officer.
 - ii. Director of Emergency Management or Designate.
 - iii. Director of Operations or Designate.
 - iv. Director of Development Services or Designate.
 - v. Director of Community Services or Designate.
 - vi. Director of Finance or Designate.
 - vii. Municipal Clerk or Designate.
 - viii. Geographical Information System Technician or Designate.
 - ix. Information Systems Coordinator or Designate.
 - x. Executive Director of Family and Community Support Services or Designate.
 - xi. Fire Chief or Designate.
 - xii. Marketing and Communications Coordinator or Designate; and the
 - xiii. Community Peace Officer
- b) In addition to the members appointed under Subsection 3.2 other organizations may be invited by the Director to nominate representatives to serve as members of the Agency, including:
 - i. the N.C.O in Charge, R.C.M.P., or designate.
 - ii. the Emergency Medical Services Manager or designate.
 - iii. Alberta Health Services.
 - iv. utility companies.
 - v. industry/business stakeholders.
 - vi. service organizations; and
 - vii. any other agency or organization that, in the opinion of the Director, may assist in the preparation or implementation of the Municipal Emergency Plan.

3.3 Duties of The Director

- a) The Director of Emergency Management shall:
 - i. prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Town of Westlock,
 - ii. act as director of emergency operations on behalf of the Municipal Emergency Management Agency,
 - iii. co-ordinate all emergency services and other resources used in an emergency,
 - iv. advise Council on the need to declare a State of Local Emergency, and
 - v. perform other duties as prescribed by Council.

3.4 Responsibilities and Duties of the Agency

- a) The Municipal Emergency Management Agency shall:
 - i. be responsible for the administration and execution of the Town of Westlock's Municipal Emergency Management Plans and Programs, and
 - ii. use the command, control and coordination system prescribed by the Managing Director during an emergency within the Town of Westlock.

SECTION 4.0 - STATE OF LOCAL EMERGENCY**4.1 Declaration of a State of Local Emergency**

- a) The power to declare or renew a state of local emergency under the *Act*, the powers specified in Section 5.0 of this bylaw, and the requirements specified in Section 6.0 of this bylaw, are hereby delegated to the Mayor or the Deputy Mayor alone, or in their absence, a Committee of two members of Council, who 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.
- b) When a State of Local Emergency is declared, the person or persons making the declaration shall:
 - i. ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists,
 - ii. 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
 - iii. forward a copy of the declaration to the Minister forthwith.



SECTION 5.0 - EXTRAORDINARY EMERGENCY POWERS

5.1 When a State of Local Emergency is declared, the Agency may, for the duration of the State of Local Emergency, do all acts and take all necessary proceedings including the following:

- a) put into operation an emergency plan or program,
- 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 or make an order to 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 Town of Westlock,
- e) provide for or make an order to provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain, and co-ordinate or make an order to provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Town of Westlock,
- f) order the evacuation of persons and the removal of livestock and personal property from any area of the Town of Westlock that is or may be affected by a disaster and arrange 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 or make an order to 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 any part of the Town of Westlock for the duration of the state of emergency,
- j) authorize the conscription or make an order for the conscription of persons needed to meet an emergency, and
- k) authorize any persons at any time to exercise, in the operation of an emergency plan or program, the powers listed above in relation to any part of the municipality affected by a declaration of a State of Local Emergency.

SECTION 6.0 - TERMINATION OR CANCELLATION OF A STATE OF LOCAL EMERGENCY

6.1 When, in the opinion of Council, an Emergency no longer exists in relation to which the declaration was made, it shall, by resolution, terminate the declaration of a state of local emergency.

6.2 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 6.1,



b) a period of seven (7) days, or in the case of a pandemic, ninety (90) days, has lapsed since it was declared, unless it is renewed by resolution, or

c) the Minister cancels the State of Local Emergency.

6.3 When a declaration of a State of Local Emergency has been terminated or cancelled, Council shall cause the details of the termination or cancellation to be published immediately by such means of communication considered most likely to notify the population of the area affected.

SECTION 7.0 - SEVERABILITY

7.1 Should any provision of this Bylaw be invalid, then such invalid provision shall be severed, and the remaining Bylaw shall be maintained.

SECTION 8.0 – REPEAL

8.1 Bylaw 2016-06 Emergency Management Agency Bylaw, and all its amendments are hereby repealed.

SECTION 9.0 - EFFECTIVE DATE

9.1 This Bylaw shall take full force and effect upon third and final reading.

READ a first time this 24th day of January 2022.

READ a second time this 24th day of January 2022.

Unanimous consent for third reading this 24th day of January 2022.

Read a third time and passed this 24th day of January 2022.

Signed by Mayor and CAO this 28th day of JANUARY 2022.


Mayor Ralph Leriger


CAO Simone Wiley