

**TOWN OF DRUMHELLER
MUNICIPAL EMERGENCY MANAGEMENT
BYLAW NUMBER 01.19**

WHEREAS the Council of the Town of Drumheller 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 Management Committee and to establish and maintain a Municipal Emergency Management Agency; and

WHEREAS 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 Emergency Management Act;

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF DRUMHELLER DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. 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;

"Chief Administrative Officer" shall mean a Municipal Official employed by the Town of Drumheller in the position of Chief Administrative Officer, or in his/her absence, the person appointed as Acting Chief Administrative Officer; or designate.

"Council" means the Council of the Town of Drumheller

"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 Management Committee" means the committee established under this Bylaw responsible for the development of municipal emergency programs and plans intended to coordinate prompt action or special regulation of persons or property to protect the safety, health and welfare of the population or to limit damage to property;

"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;

"Municipal Emergency Management Agency" means the agency established under this Bylaw; and

"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 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 in Section 12 of this Bylaw.
5. Council shall
 - (a) by resolution, at the annual organizational meeting of Council, appoint the Mayor and two other members of council 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, appoint the Town Manager as the Director of Emergency Management. The Director of Emergency Management shall appoint up to three deputies who shall do those things required of the Director in that person's absence.
 - (d) ensure that Emergency plans and programs are prepared to address potential Emergencies or Disasters in the Town of Drumheller.
 - (e) approve the Town of Drumheller's Emergency plans and programs; and review the status of the Municipal Emergency 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 Plan and related plans and programs on a regular basis; and
 - (b) advise Council, duly assembled, on the status of the Municipal Emergency 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:
 - (a) the Director of Emergency Management;
 - (b) the Deputy Directors of Emergency Management;
 - (c) other administrative staff member (s) of the Town;
 - (d) the N.C.O in charge, R.C.M Police or designate;
 - (e) the Municipal Fire Chief or designate;
 - (f) the Public Information Officer or designate;
 - (g) the Towns Operations Manager or designate;
 - (h) the Towns Utility Manager of designate;
 - (i) the Towns Technical Services Manager or designate;
 - (j) the Towns Emergency Social Services coordinator or designate;
 - (k) the Alberta Health Service Ambulance Service Coordinator or designate;
 - (l) the field officers from the Alberta Emergency Management agency;
 - (m) the Alberta Health Services – Central Zone CEO or designate;
 - (n) the Drumheller Health Centre Manager or designate;
 - (o) the Golden Hills School Division Board Chairperson, Drumheller Valley Secondary school and Greentree school principals or designate;
 - (p) the Christ the Redeemer School Division Board Chairman and St. Anthony's school principal or designate;
 - (q) representative(s) from Alberta Human Resources & Employment;
 - (r) representative(s) from adjacent communities which have entered into mutual aid agreements;
 - (s) representative(s) from local business or business associations (e.g. Chamber of Commerce, Board of Trade);
 - (t) representative(s) from Alta Gas;
 - (u) representative(s) from TELUS;
 - (v) representative(s) from Alberta Agriculture, Food and Rural Development;
 - (w) representative(s) from Alberta Environmental Protection;
 - (x) representative(s) from Alberta Transportation;
 - (y) representative(s) from the Drumheller Institution;

(z) representative(s) from the Ministerial Association;
(aa) representative(s) from ATCO Electric;
(bb) representative(s) from the Royal Tyrrell museum;
(cc) anyone who may serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan as Directed by the Director of Emergency Management determines.

9. The Director of Emergency Management shall

- (a) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Town of Drumheller;
- (b) act as director of Emergency operations, or ensure that someone 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 someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).

10. Council 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. Such declaration may be completed by the mayor or acting mayor and, in the absence of these, two councilors.

11. When a State of Local Emergency is declared, the person[s] 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 Director of Emergency Management forthwith.

12. Subject to Section 19 of the Act, when a State of Local Emergency is declared and for the duration of the state of Emergency, the Director of Emergency

Management may 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 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;
- (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) order 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;
- (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. If the Director of Emergency Management acquires or utilizes real or personal property under subsection (12) or if any real or personal property is damaged

or destroyed due to an action of the Director of Emergency Management in preventing, combating or alleviating the effects of an Emergency or Disaster, the Director of Emergency Management shall cause compensation to be paid for it.

14. 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, 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.

15. Notwithstanding Section 14,

(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.

16. 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.

17. 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 16;

(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 Director of Emergency Management cancels the State of Local Emergency.

18. When a declaration of a 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.

19. This bylaw shall take effect on the date of the 3rd and final reading.

1) The Municipal Emergency Management Bylaw 11-11 is hereby repealed.

This Bylaw shall come into force and effect upon final passing.

Read a first time this 18th day of March, 2019


Read a second time this 1st day of April, 2019

Read a third time and finally passed this 1st day of April, 2019

TOWN OF DRUMHELLER



Mayor



Chief Administrative Officer