



Bylaw #2023-03 Emergency Management

BEING A BYLAW OF THE TOWN OF THORSBY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF PROVIDING FOR THE DIRECTION AND CONTROL OF EMERGENCY OPERATIONS.

- WHEREAS:**
- i. Pursuant to the Act, the Local Authority, defined as Council, is responsible for the direction and control of the Town of Thorsby's response in the event of a major emergency;
 - ii. The Act requires Council to appoint an Emergency Advisory Committee to advise on the development of emergency plans and programs;
 - iii. The Act requires Council to maintain an Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the ACT;
 - iv. Pursuant to the *Municipal Government Act*, RSA 2000, c. M-26, Council may pass bylaws in relation to the establishment and functions of Council committees; and
 - v. Pursuant to the Municipal Government Act, Council may, by bylaw, delegate any of its powers, duties or functions under the Municipal Government Act or any other enactment of bylaw to a Council committee, the Chief Administrative Officer, or a designated officer unless the *Municipal Government Act* or other enactment of bylaw provides otherwise.

THEREFORE: The Council of the Town of Thorsby in the Province of Alberta duly assembled, hereby enacts as follows:

PART I: TITLE

1. That this Bylaw may be cited as the "Emergency Management Bylaw";

PART II: PURPOSE

1. The purpose of this Bylaw is to provide for the direction and control of emergency operations under the Act.

PART III: DEFINITIONS

1. In this bylaw, unless the context otherwise requires:
 - a) "**ACT**" means the Emergency Management Act, RSA 2000, c.E-6.8, as amended and includes Regulations and Orders established thereunder, including but not limited to the Local Authority Emergency Management Regulation, Alberta Regulation 203/2018 as amended;
 - b) "**AGENCY**" means the emergency Management Agency established under this Bylaw;
 - c) "**BYLAW**" means this Emergency Management Bylaw and all amendments thereto;
 - d) "**COMMITTEE**" means the Emergency Advisory Committee established under this Bylaw;
 - e) "**COUNCIL**" means the municipal council of the Town of Thorsby;
 - f) "**COUNCIL MEMBER**" means a member of the Town's municipal council, including the Mayor;
 - g) "**DIRECTOR**" means the director of the Agency and the office to which the Town's designated consultant Werkz Inc. is appointed;

- h) **“DISASTER”** means an event that has resulted or may result in serious harm to the safety, health or welfare of people or to limit damage to property or the environment;
- i) **“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 or the environment;
- j) **“EMERGENCY MANAGEMENT PLAN”** means the plan prepared by the Director in accordance with the ACT to coordinate the response to an emergency or disaster
- k) **“EMERGENCY OPERATIONS CENTER”** means a designated site from which the Town’s emergency response and recovery activities are monitored, coordinated, and supported during an emergency or disaster;
- l) **“MAYOR”** means the Town’s Chief Elected Official
- m) **“MINISTER”** means the minister charged with administration of the ACT; and
- n) **“SECTION” AND “SUBSECTION”** mean, respectively, a section or subsection of this Bylaw

PART IV: AUTHORITIES

COMMITTEE

- 5. 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 Emergency Management Plan and related plans and programs;
 - b) Advise Council on matters pertaining to the Town’s emergency management program and the Emergency Management plan; and
 - c) Exercise the powers of Council to declare, or renew or terminate declarations of, a state of local emergency in accordance with Part III of this Bylaw
- 6. The Committee shall consist of:
 - a) The Mayor;
 - b) A Council member other than the Mayor, as appointed annually by Council; and
 - c) The Town Chief Administrative Officer
- 7. The Mayor shall act as Chair of the Committee. From time to time, the Chair may invite individuals, including Town employees and other Council Members, to discuss matters of relevance at Committee Meetings;
- 8. The Committee shall meet annually, or more frequently, as required to discharge its responsibilities hereunder. Quorum shall be no less than fifty percent (50%) of the members, and Committee decisions shall be by majority vote.

AGENCY

- 9. With the exception of:
 - a) Any powers and duties of Council specifically delegated under this Bylaw to the Committee; and
 - b) Council’s authority to pass a bylaw related to a borrowing as described in the ACT,

The Agency is hereby established as the agent to carry out the powers and obligations of the Council as the Local Authority under the ACT, including the development and administration of the Emergency Management Plan and related programs.

10. The Agency shall consist of the following members:

- a) The Director of Emergency Management
- b) The Deputy Director of Emergency Management
- c) Town staff as appointed by the Chief Administrative Officer

11. In addition to the members appointed to the Agency under Section 9, the Director may invite other organizations to nominate representatives to serve as temporary or permanent members of the Agency, including:

- a) Alberta Emergency Management Agency;
- b) Utility companies;
- c) Rail companies;
- d) Health agencies;
- e) Service Organizations; and
- f) Any other organization that, in the opinion of the Director, may assist in the implementation of the Emergency Management Plan.

12. The Director will:

- a) Schedule meetings of the Agency as necessary;
- b) Prepare and Co-ordinate the Emergency Management Plan and related plans and programs;
- c) Act as Director of the Emergency Operations Centre Agency on behalf of the Agency;
- d) Coordinate all emergency services and other resources used in an emergency;
- e) Ensure that the Emergency Management Plan is reviewed at least annually and anytime conditions arise or there is an opportunity for improvement of the plan;
- f) Ensure that the Emergency Management Plan is implemented;
- g) Ensure that the Agency conducts mandatory emergency training exercises at a frequency and in a manner required under the Act;
- h) Ensure that, where mandated by the Managing Director of the Alberta Emergency Management Agency, emergency management training is conducted for the Town's elected officials and employees, including the Director, Deputy Director and others who may be assigned responsibilities under the Emergency Management Plan; and
- i) Act as Agency spokesperson
- j) From time to time, the Director may invite individuals including Town employees and Committee members, to discuss matters of relevance with the Agency. The Director may require such individuals to assist with the development and implementation of the Emergency Management Plan and related programs.

13. The Agency shall:

- a) Utilize the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency;
- b) Provide an annual report to the Committee to provide updates on Agency activities including an update on the Agency's review of emergency plans, or programs, including the Emergency Management Plan and related programs.

PART V: STATE OF LOCAL EMERGENCY

DECLARATION

1. If the Committee is satisfied that an emergency exists or may exist, it may make in writing or otherwise a resolution declaring a state of local emergency relating to all or part of the Town
2. In declaring a state of local emergency, the Committee must:
 - a) Identify the nature of the emergency;
 - b) Identify the area of the Town where the emergency exists;
 - c) Immediately cause the details of the declaration to be written and published by such means of communication as the Committee considers is most likely to make it known to the population that is affected by the declaration; and
 - d) Immediately forward a copy of the written declaration to the Minister.
3. When a state of local emergency is declared, the Agency may at any time, in accordance with the ACT and related plans or programs;
 - a) Acquire or utilize any real property or personal property considered necessary to prevent, combat, or alleviate the effects of an emergency or disaster;
 - b) Authorize or require any qualified person to render aid of a type of the person is qualified to provide;
 - c) Control or prohibit travel to or from any area of the Town;
 - d) Provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain, and coordinate emergency medical, social and other essential services in any part of the Town;
 - e) Order or cause the evacuation of person and the removal of animals and personal property for any area of the Town that is or may be affected by a disaster;
 - f) 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;
 - g) 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;
 - h) Procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property within the Town for duration of the state of emergency; and
 - i) Authorize the conscription or make an order for the conscription of persons needed to meet an emergency.

Lapse/Termination

4. The declaration of a state of local emergency lapses at the end of seven (7) days after its making, or at the end of ninety (90) days if the declaration is in respect of a pandemic or very serious incident that is still in its emergent state.

5. When, in the opinion of the Committee, a major emergency no longer exists in relation to which the declaration was made, the Committee may terminate the declaration by resolution.
6. 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 17;
 - b) It lapses without renewal by Committee 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.
7. When a declaration of a state of local emergency has been terminated, the Committee 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.
8. The Agency shall forward copies of all resolutions passed under the state of local emergency and specifics of agreements or payments made during this period to the Committee within fourteen (14) days of the termination of the state of local emergency, where practicable.
9. The Committee shall verify that each expenditure made under the state of local emergency was authorized by the Agency and shall report to Council on the findings.

PART V: SEVERABILITY

1. In the event any portion of this Bylaw is found invalid by a Court of Law or is overturned by a superior jurisdiction, the validity of the remaining parts of the Bylaw shall not be affected.

PART VI: EFFECTIVE DATE

1. This Bylaw shall come into force and have effect upon third and final reading.

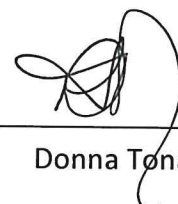
READ A FIRST TIME this 24th day of January, 2023

READ A SECOND TIME this 24th day of January, 2023

READ A THIRD AND FINAL TIME this 28th day of February, 2023



Darryl Hostyn, Mayor



Donna Tona, CAO