

A BYLAW OF THE MUNICIPALITY OF THE VILLAGE OF MYRNAM IN THE PROVINCE OF ALBERTA BEING A BYLAW FOR THE PURPOSE TO ESTABLISH A REGIONAL EMERGENCY MANAGEMENT AGENCY.

WHEREAS the Council of the Village of Myrnam 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 (current as of June 19, 2007), to appoint an Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency; and

WHEREAS, it is desirable in the regional public interest, and in the interest of regional public safety, that such a committee be appointed and such an agency be established and maintained to carry out Councils' statutory powers and obligations under the said Emergency Management Act; and

AND WHEREAS, the Two Hills County No. 21, Town of Two Hills, and the Villages of Derwent, Myrnam and Willingdon have agreed to work together through a Regional Emergency Management Agency to carry out emergency preparedness activities;

NOW THEREFORE the Council of the Village of Myrnam, in the Province of Alberta, in regular meeting duly assembled hereby, enacts:

1. This By-Law may be cited as the Village of Myrnam Regional Emergency Management Agency By-Law.
2. In this By-Law:
 - 2.1 "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000,
 - 2.2 "Council" means the each Council of the partner municipalities.
 - 2.3 "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;
 - 2.4 "Regional Emergency Management Committee" means the committee of appointed elected officials from the partner municipalities;
 - 2.5 "Emergency" means a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
 - 2.6 "Minister" means the Minister charged with administration of the Act;
 - 2.7 "Regional Emergency Management Agency" means the agency established under this By-Law.
 - 2.8 "Regional Emergency Response Plan" means the emergency plan prepared by the Regional Emergency

Management Agency to co-ordinate response to an emergency or disaster.

3. There is hereby established a Regional Emergency Management Agency to act as the agent of Councils to carry out their 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 By-Law.
4. Each participating municipal Council shall:
 - 4.1. By resolution appoint the Mayor/Reeve or Deputy to serve on the Regional Emergency Management Committee.
 - 4.2. By resolution appoint a Director of Emergency Management.
 - 4.3. Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the municipality.
 - 4.4. Approve the municipality emergency plans and programs.
 - 4.5. Review the status of the Regional Emergency Plan and related plans and programs at least once each year.
 - 4.6. Ensure at least 3 years participation in the Regional Emergency Management Agency. On expiry of the 3rd year, Municipalities wishing to terminate their partnership must provide at least one (1) year written notice of their intention to withdraw from the Regional Emergency Management Agency.
5. Each participating municipal Council may:
 - 5.1 By law, borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Regional Emergency Management Services Agency; and
 - 5.2 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.
6. The Regional Emergency Management Committee shall:
 - 6.1 Review the Regional Emergency Plan and related plans and programs on a regular basis with assistance from any person or agency who/which might serve a useful purpose in the preparation or implementation of the Regional Emergency Plan.
7. The Mayor or Reeve (or Deputy Mayor/Reeve) from each partner municipality shall serve as the Regional Emergency Management Committee; and be advisory in function.
 - 7.1 The Regional Emergency Management Committee will review the Regional Emergency Plan annually.
8. The Director of Emergency Management shall be the DDS from the lead municipality involved in an emergency or disaster and act as director of emergency operations, or ensure that someone is

designated under the Regional Emergency Plan to so act, on behalf of the Village of Myrnam; and

- 8.1 Co-ordinate all emergency services and other resources used in an emergency.
9. The power to declare or renew a state of local emergency under the Act, the powers specified in Section 12 of this By-Law, and the requirements specified in Section 14 of this By-Law, are hereby delegated to the local authority from the municipality suffering the emergency or disaster, comprised of the mayor or Deputy Mayor alone, or in their absence, any two members of Council. The local authority from the lead municipality experiencing a disaster 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.
 10. When a state of local emergency is declared, the person or persons making the declaration shall:
 - 10.1 Ensure that the declaration identifies the nature of the emergency and the geographic area in which it exists.
 - 10.2 Cause the details of the declaration to be published immediately by such means of communications considered most likely to notify the population of the area affected.
 - 10.3 Forward a copy of the declaration to the Minister forthwith.
 11. Subject to Section 14, when a state of local emergency is declared, the person or persons making the declaration may:
 - 11.1 Cause the Regional Emergency Plan or any related plans or programs to be put into operation.
 - 11.2 Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster.
 - 11.3 Authorize or require any qualified person to render aid of a type he or she is qualified to provide.
 - 11.4 Control or prohibit travel to or from any area of the municipality.
 - 11.5 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 municipality.
 - 11.6 Cause the evacuation of persons and the removal of livestock and personal property from any area of the municipality that is or may be affected by the disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
 - 11.7 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.
 - 11.8 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.

11.9 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 municipality for the duration of the state of local emergency.

11.10 Authorize the conscription of persons needed to meet an emergency.

11.11 Authorize any persons at any time to exercise, in the operation of the Regional Emergency Plan and related plans or programs, any power specified in Paragraphs (11.2) through (11.10) in relation to any part of the municipality affected by the declaration of a state of local emergency.

12. When a state of local emergency is declared:

12.1 Neither Council nor any member of Council, and no person appointed by Council to carry out measures, relating to emergencies or disasters, is liable in respect of damage caused through any action taken under this By-Law, nor are they subject to any proceedings, certiorari, mandamus or injunction.

13 When, in the opinion of the persons 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.

14 A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:

14.1 Resolution is passed under Section 14.

14.2 A period of seven days has lapsed since it was declared, unless it is renewed by resolution.

14.3 The Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or

14.4 The Minister cancels the state of local emergency.

15 When a declaration of a state of local emergency has been terminated, the person or persons who made the declaration shall cause the details of the termination to be published immediately by such means of communications considered most likely to notify the population of the area affected.

16 By-Law No. 340 and 396, dealing with the establishment of a Emergency Management Services Agency and Committee is hereby rescinded.

17. This By-Law comes into force on the day it is finally passed.

READ A FIRST TIME this ___day of ____, A.D., ____

READ A SECOND TIME this ___day of ____, A.D., ____

READ A THIRD TIME and finally passed this ___day of ____, A.D.,

Mayor Edward Sosnowski

Administrator Elsie Howanyk