

BYLAW 3643/2020

¹WHEREAS, pursuant to the *Emergency Management Act*, RSA 2000, c E-6.8 Council is responsible for the direction and control of the City's emergency responses, and the preparation and approval of emergency plans and programs;

AND WHEREAS, pursuant to Section 11 of the *Emergency Management Act*, RSA 2000, c E-6.8, 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 Council must establish and maintain an emergency management agency to act as its agent in exercising Council's powers and duties under the Act;

AND WHEREAS, pursuant to Section 203 of the *Municipal Government Act*, RSA 2000, c M-26, 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.

NOW THEREFORE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

PART I – TITLE, PURPOSE AND DEFINITIONS

Title

1 This Bylaw shall be known as the "The Emergency Management Bylaw."

Purpose

2 The purposes of this Bylaw are to:

- (a) provide for the direction and control of the City's emergency responses and the preparation and approval of the Municipal Emergency Management Plan and related plans and programs;
- (b) establish an Emergency Advisory Committee; and
- (c) establish an Emergency Management Agency to act as Council's agent in exercising Council's powers and duties under the Act.

Definitions

3 In this bylaw, unless the context otherwise requires, the following terms have the meanings shown:

- (a) "**Act**" means the *Emergency Management Act*, RSA 2000, c E-6.8;

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- (b) **“Director of Emergency Management”** or **“Director”** means the person appointed to that position under this bylaw;
- (c) **“Disaster”** means an event that results in serious harm to the safety, Health or welfare of people or in widespread damage to property or the environment;
- (d) **“Emergency”** means an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property or the environment;
- (e) **“Emergency Advisory Committee”** or **“Committee”** means the emergency advisory committee established under this bylaw;
- (f) **“Emergency Management”** means the development, coordination and execution of plans, measures and programs pertaining to the mitigation of, preparedness for, response to, and recovery from an Emergency;
- (g) **“Emergency Management Agency”** or **“Agency”** means the emergency management agency established under this bylaw;
- (h) **“Minister”** means the minister charged with the administration of the Act;
- (i) **“Municipal Emergency Management Plan”** means the City’s plan that outlines how people and property will be protected, who is responsible for carrying out which actions, and how Emergency response is coordinated before, during, and after real or imminent Emergencies; and
- (j) **“State of Local Emergency”** means a state of local emergency declared in accordance with the provisions of the Act and this bylaw.

PART II – EMERGENCY ADVISORY COMMITTEE

Establishment

4 The Committee is hereby established.

Membership and Chair

5 ²The Committee consists of three members as follows:

- (a) the Mayor; and
- (b) two Councillors as appointed by Council.

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- 6 ¹Councillors not appointed as Committee members will be alternate members who can serve as a member in the event that the Mayor or an appointed Councillor is unable to participate in a meeting. The Chair shall select the Council member who will serve as the substitute member for the meeting.
- 7 ²The Mayor is the Chair of the Committee. If the Mayor is absent, a Councillor will act as chairperson.

Meetings

- 8 The Committee will meet annually, or more frequently as required, at the call of the Chair, and may meet on less than 24 hours' notice.
- 9 Where in person meetings are not possible, the Committee may convene and make decisions by telephone or electronic means of communication.
- 10 Except as otherwise outlined within this bylaw, the Committee may establish its own rules of procedure but in doing so, it shall have due regard for the principles of procedural fairness.

Quorum and Decision Making

- 11 A quorum of the Committee shall be three members of the Committee.
- 12 ³Committee decisions will be made by a majority vote.

Purpose, Duty and Function of the Committee

- 13 The Committee may:
 - (a) provide guidance and direction to the Agency, including advising on the development of emergency management plans and programs;
 - (b) expend all sums required for the response to, and recovery from an Emergency;
 - (c) 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 management plans and programs;
 - (d) during an Emergency or Disaster, declare, renew and terminate a State of Local Emergency pursuant to the Act and this bylaw; and
 - (e) perform any other functions or duties as required by this bylaw.

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PART III – EMERGENCY MANAGEMENT AGENCY

Establishment

14 There is hereby established an Emergency Management Agency.

Director of Emergency Management

15 The City Manager is hereby appointed as the Director of Emergency Management.

Membership and Chair

16 The Director shall be the Chair of the Agency and be responsible for determining and appointing Agency members.

Agency Meetings

17 The Agency will meet annually or more frequently at the call of the Director.

18 The Director may consult with or permit other stakeholders or interested parties who can advise or assist with Emergency Management activities to participate in meetings of the Agency.

Responsibilities, Duties and Functions of the Agency

19 The Agency will:

- (a) be responsible for the administration of the City's Emergency Management program;
- (b) act as the agent of Council to carry out all of the powers and duties of Council under the Act, except for the powers and duties delegated by this bylaw to the Committee;
- (c) be responsible for the direction and control of the City's response to emergencies. In particular, the Agency may authorize the taking of any action necessary to mitigate risk from hazards, prepare for emergency response, and respond to and recover from existing or imminent Emergencies;
- (d) 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 Municipal Emergency Management Plan;
- (e) use a command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency; and
- (f) perform any other functions and duties as required by this bylaw or by Council.

Duties and Functions of the Director

20 ¹The Director shall:

- (a) determine the procedures to be followed by the Agency in its meetings and decision making;
- (b) ensure the preparation, coordination, approval, and annual review of Emergency Management plans and programs including, but not limited to, the Municipal Emergency Management Plan;
- (c) ensure the submissions of an annual report to the Committee on the status of all Emergency Management plans and programs;
- (d) act as the spokesperson for the Agency; and
- (e) perform any other functions and duties as prescribed by Council or the Committee.

21 ²The Director is authorized to delegate and authorize further delegations of any powers, duties and functions delegated to the Director under this bylaw, including appointing another person to act as the Director.

PART IV – STATE OF LOCAL EMERGENCY

Declaration of State of Local Emergency

22 The Committee may, at any time that it is satisfied that an Emergency exists or may exist, by resolution make a declaration of a State of Local Emergency relating to all or any part of the City.

23 The Committee must ensure that the declaration identifies the nature of the Emergency and the boundaries to which the State of Local Emergency will apply

24 When a State of Local Emergency is declared, the Director will:

- (a) cause the details of the declaration to be published immediately by any means of communication that they consider most likely to reach the population of the area affected; and
- (b) provide a copy of the declaration to the Minister.

25 ³A declaration of a State of Local Emergency lapses seven days after it is made, or at the end

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of 90 days if the declaration is in respect of a pandemic, unless it is earlier canceled by the Minister or terminated or renewed by the Committee.

Powers of the Agency in a State of Local Emergency

26 Upon declaration of a State of Local Emergency, the Agency may exercise any power given to the Minister under Section 19(1) of the Act in relation to any part of the City affected by the State of Local Emergency except those powers given to the Committee in this Bylaw.

Termination of State of Local Emergency

27 When, in the opinion of the Committee, an Emergency no longer exists in an area of the City in relation to which a declaration of a State of Local Emergency was made, the Committee shall, by resolution, terminate the declaration of a State of Local Emergency.

28 When a State of Local Emergency is terminated, the Director will:

(a) cause the details of the termination to be published by any means of communication that they consider most likely to reach the population of the area affected; and

(b) provide a copy of the completed resolution to the Minister.

Transitional

29 Bylaw No. 3468/2011 is repealed.

30 This bylaw shall come into force and take effect upon third reading.

READ A FIRST TIME IN OPEN COUNCIL this 20 day of January 2020.

READ A SECOND TIME IN OPEN COUNCIL this 20 day of January 2020.

READ A THIRD TIME IN OPEN COUNCIL this 20 day of January 2020.

AND SIGNED BY THE MAYOR AND CITY CLERK this 20 day of January 2020.

“Mayor Tara Veer”

MAYOR

“Frieda McDougall”

CITY CLERK