

**VILLAGE OF LONGVIEW
BYLAW 443-22 – EMERGENCY MANAGEMENT**

BEING A BYLAW OF THE VILLAGE OF LONGVIEW IN THE PROVINCE OF ALBERTA TO APPOINT AN EMERGENCY MANAGEMENT ADVISORY COMMITTEE AND TO ESTABLISH A MUNICIPAL EMERGENCY MANAGEMENT AGENCY

WHEREAS the Council of the Village of Longview is responsible for the direction and control of its emergency response and is required under the Emergency Management Act, Local Authority Emergency Management Regulation, Alberta Regulation 203/2018 and amendments thereto, to appoint an Emergency Management Advisory 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, pursuant to and under authority of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council of the Village of Longview, in the Province of Alberta, duly assembled, enacts as follows;

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.
2. In this Bylaw
 - a) "Act" means the Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8, Local Authority Emergency Management Regulation, Alberta Regulation 203/2018;
 - b) "Council" means the Council of the Village of Longview;
 - c) "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;
 - d) "Emergency Management Advisory Committee" means the committee established under this Bylaw;
 - e) "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;
 - f) "Minister" means the Minister charged with administration of the Act;
 - g) "Municipal Emergency Management Agency" means the agency established under this Bylaw; and
 - h) "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 Advisory 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.



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5. Council shall
 - a) by resolution, appoint three (3) of its members to serve on the Emergency Management Advisory Committee;
 - b) by resolution, appoint any other person or persons to serve on the Emergency Management Advisory Committee;
 - c) provide for the payment of expenses of the members of the Emergency Management Advisory Committee;
 - d) by resolution, on the recommendation of the Emergency Management Advisory Committee, appoint a Director of Emergency Management and a Deputy Director of Emergency Management, who shall do those things required of the Director of Emergency Management in that person's absence;
 - e) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Village of Longview;
 - f) approve the Village of Longview's emergency plans and programs; and
 - g) review the status of the Municipal Emergency Management 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. Training for elected officials
 - a) The Managing Director of the Alberta Emergency Management Agency may prescribe courses that each of a local authority's elected officials must complete by posting notice of the courses on the Alberta Emergency Management Agency's website.
 - b) Any courses that are prescribed under subsection 7(a) must be completed within 90 days of the elected official taking an official oath as required by section 156 of the *Municipal Government Act*

8. The Emergency Management Advisory Committee shall
 - a) Meet at least once a year;
 - b) review the Municipal Emergency Management Plan and related plans and programs on a regular basis; and
 - c) advise Council, duly assembled, on the status of the Municipal Emergency Management Plan and related plans and programs at least once each year.

9. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
 - a) the Director of Emergency Management;
 - b) the Deputy Director of Emergency Management; and
 - c) any other person or persons as recommended by the Director of Emergency Management and appointed by resolution of Council.

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10. The Municipal Emergency Management Agency shall:
 - a) be responsible for the administration of Longview's emergency management program;
 - b) report to the Emergency management Advisory Committee at least once per year and include an update on the agency's review of the Longview emergency plan,
 - c) ensure that a command, control and coordination system prescribed by the Managing Director of Alberta Emergency Management Agency will be used by the Longview Emergency Management Agency.

11. The Director of Emergency Management shall
 - a) prepare and co-ordinate the Municipal Emergency Management Plan and related plans and programs for the Village of Longview;
 - b) act as director of emergency operations, or ensure that someone is designated under the Municipal Emergency Management 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).

12. The Emergency Management Plan must include
 - a) a description of the administration of the local authority's emergency management program,
 - b) the procedures for implementing the emergency plan during an emergency or exercise response,
 - c) the local authority's plan for preparedness, response and recovery activities,
 - d) a hazard and risk assessment,
 - e) emergency management program exercises that the local authority will engage in,
 - f) the local authority emergency management agency's plan for regular review and maintenance of the local authority's emergency plan,
 - g) the local authority emergency management agency's plan for the review and maintenance of the local authority's emergency plan after an exercise, emergency or disaster,
 - h) how the command, control and coordination system prescribed by section 3(3) in the Local Authority Emergency Management Regulation will be used by the local authority's emergency management agency,
 - i) the assignment of responsibilities to local authority employees and elected officials, by position, respecting the implementation of the local authority's emergency plan,
 - j) a training plan for staff assigned with responsibilities under the local authority's emergency plan,
 - k) the mechanisms that will be used to prepare and maintain an emergency management staff contact list for employees and elected officials who have been assigned responsibilities respecting the implementation of the local authority's emergency plan,
 - l) the local authority's plan for communications, public alerts and notifications during exercises, emergencies, and disasters, and
 - m) the local authority's plan for providing emergency social services during an emergency or disaster.

 

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13. Review of Emergency Plan
 - a) A local authority's emergency management agency must review the emergency plan that applies to that local authority at least once per year.
 - b) A local authority's emergency management agency must make the emergency plan that applies to that local authority available to the Alberta Emergency Management Agency for review and comment annually.
14. The Mayor, or in his / her absence any member of Council, at any time he / she is satisfied that an emergency exists or may exist, may make a declaration of a state of local emergency.
15. When a state of local emergency is declared, the person making the declaration shall
 - a) ensure that the declaration identifies the nature of the emergency and the area of the Village 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 Minister forthwith.
16. Subject to Section 19, when a state of local emergency is declared, the person making the declaration may
 - a) cause the Municipal Emergency Management Plan or any related plans or programs to be put into operation;
 - 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 he or she is qualified to provide;
 - d) control or prohibit travel to or from any area of the Village;
 - 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 Village;
 - f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Village 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 Village for the duration of the state of emergency;
 - j) authorize the conscription of persons needed to meet an emergency; and
 - k) authorize any person(s) at any time to exercise, in the operation of the Municipal Emergency Management 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.

 

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17. 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.
18. Notwithstanding Section 17,
 - 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.
19. When, in the opinion of the person declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, they shall terminate the declaration.
20. 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 19;
 - 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 Minister cancels the state of local emergency.
21. When a declaration of a state of local emergency has been terminated, the person 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.
22. Bylaw #371-15 dealing with the establishment of Emergency Management Agency is hereby rescinded.

THIS BYLAW comes into full force and effect upon third and final reading.
READ a first, second and third time this 15th day of February 2022 A.D.



Mayor



Chief Administrative Officer