



CITY OF FORT SASKATCHEWAN
EMERGENCY MANAGEMENT BYLAW
BYLAW NO. C4-15

WHEREAS, pursuant to the *Emergency Management Act*, R.S.A 2000, c. E-6.8 as amended or repealed and replaced from time to time, Council is responsible for the direction and control of all Fort Saskatchewan emergency responses;

NOW THEREFORE, the Council of the City of Fort Saskatchewan, duly assembled enacts as follows:

This Bylaw is cited as the City of Fort Saskatchewan “Emergency Management Bylaw”.

1. DEFINITIONS

For the purposes of this Bylaw, the following words shall mean:

- (a) “Act” means the *Emergency Management Act*, R.S.A. 2000, c. E-6.8;
- (b) “City” means the City of Fort Saskatchewan;
- (c) “City Manager” means the Chief Administrative Officer for the City of Fort Saskatchewan, as appointed by Council;
- (d) “Council” means the Council of the City of Fort Saskatchewan;
- (e) “Deputy Director of Emergency Management (Deputy Director)” means the person appointed by the Director of Emergency Management;
- (f) “Director of Emergency Management (DEM)” means the City Manager or designate;
- (g) “disaster” means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property;
- (h) “emergency” means a present or imminent threat that requires prompt coordination of action, or special regulation of persons or property to protect the health, safety and welfare of people, or to limit damage to property or the environment;
- (i) “Emergency Advisory Committee (EAC)” means the committee established under this Bylaw consisting of a member or members of Council;
- (j) “emergency management” means the development, coordination and execution of plans, measures and programs pertaining to mitigation, preparedness, response and recovery before, during and after an emergency event;
- (k) “Emergency Management Agency (Agency)” means the Emergency Management Agency established under this Bylaw;

- (l) "Emergency Operations Centre (EOC)" means a site from where City officials can coordinate, monitor and direct emergency response and recovery activities during an emergency;
- (m) "Fire Chief" means the person appointed as head of the City Fire Department;
- (n) "Minister" means the Minister responsible for the Act;
- (o) "Municipal Emergency Plan (MEP)" means the emergency plan prepared and maintained by the Agency to coordinate the response to an emergency event;
- (p) "person" means an individual and includes a firm, partnership, joint venture, proprietorship, corporation, department, board, agency, association, society or any other legal entity;
- (q) "risk" means a probability or threat of damage, injury, liability, loss, or other negative occurrence that is caused by external or internal vulnerabilities, and that may be neutralized through preemptive action; and
- (r) "threat" means a negative event that can cause a risk to become a loss, expressed as an aggregate of risk, consequences of risk and the likelihood of the occurrence of the event. A threat may be a natural phenomenon such as an earthquake, flood, storm or a man made incident such as fire, power failure, sabotage, etc.

2. EMERGENCY ADVISORY COMMITTEE

- (a) The EAC is hereby established to advise the City on the development of emergency management plans and programs.
- (b) All Council members are members of the EAC.
- (c) The Mayor is the Chair of the EAC. If the Mayor is absent, the Deputy Mayor shall chair the EAC.
- (d) The Mayor, or in the Mayor's absence the Deputy Mayor, or in their absence any two (2) members of the EAC are authorized to declare, renew or terminate a state of local emergency.
- (e) The EAC shall meet as required, and may meet on less than twenty-four (24) hours notice. Where meetings in person are not feasible, the Committee may convene by electronic means of communication.
- (f) Where the EAC is not able to meet in a timely manner; the powers of the EAC may be exercised by the Mayor acting alone, or in the Mayor's absence the Deputy Mayor, or in their absence any two (2) members of the EAC.
- (g) The members of the EAC, including the Chair, shall be entitled to expenses in accordance with Council policy.
- (h) The DEM may call an emergency meeting of the EAC when the DEM considers that an emergency exists or may exist in the City.

- (i) A quorum for an emergency meeting of the EAC is not dependant on number attending, but on those Council members available to attend.

3. FINANCIAL

- (a) In accordance with the Act, Council may by bylaw that is not advertised borrow, levy, appropriate and expend all sums required for the operation of the Agency.
- (b) Council may, during or within sixty (60) days after the state of local emergency, by bylaw that is not advertised but is approved by the Minister responsible for the *Municipal Government Act*, borrow any money necessary to pay expenses caused by the emergency, including payment for services provided by the Government of Alberta or the Government of Canada, when the services were provided at the request of the City.
- (c) Council may 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) Council may, in accordance with the Act and as per Section 4(b), expend all sums required for the response to and recovery from an emergency event.

4. EMERGENCY MANAGEMENT AGENCY

- (a) The Agency is hereby established.
- (b) The Agency is responsible for:
 - (i) the development, maintenance and implementation of the MEP;
 - (ii) the maintenance, establishment and operation of the EOC;
 - (iii) the provision of emergency management advice to the DEM and the EAC as required;
 - (iv) conduct of all coordination and liaison with the Alberta Emergency Management Agency (AEMA); and
 - (v) conduct appropriate training to ensure effective operation of the EOC.
- (c) The City Manager, under this Bylaw, is hereby appointed as the DEM.
- (d) The City Manager may delegate the powers, duties, or functions of the DEM to an employee of the City.
- (e) The DEM shall:
 - (i) ensure that all emergency plans are prepared and coordinated as required by the Act;
 - (ii) act as Director of the EOC;
 - (iii) coordinate all emergency operations within the City;

- (iv) perform other duties as required by the City during an emergency;
 - (v) appoint a Deputy DEM as required; and
 - (vi) appoint an Interim DEM as required.
- (f) The DEM is authorized to delegate and authorize further delegations of any powers, duties, and functions delegated to the DEM under this Bylaw.
- (g) In the event of an activation of the EOC, the Agency may include the following as partners in its activation:
 - (i) all departments within the City of Fort Saskatchewan; and
 - (ii) any other resources as required.
- (h) The following organizations may be invited by the DEM to participate as members in the EOC:
 - (i) Alberta Health Services;
 - (ii) public and separate school Divisions;
 - (iii) police or RCMP Services;
 - (iv) adjacent municipalities which have entered into mutual aid agreements with the City;
 - (v) local business or industry, or business or industry associations;
 - (vi) local utility companies;
 - (vii) Government of Alberta or Government of Canada departments, boards or agencies; and/or
 - (viii) any other person or non-governmental organization who might serve a useful purpose in the preparation or implementation of the MEP.

5. DUTIES OF THE FIRE CHIEF

- (a) The Fire Chief, under the direction of the DEM, shall:
 - (i) manage the day-to-day aspects of emergency management planning and preparedness and assist the DEM with all aspects of emergency management; and
 - (ii) ensure that the MEP and all other plans and programs are prepared, coordinated, maintained and submitted to the proper authorities.

6. STATE OF LOCAL EMERGENCY

- (a) The EAC 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 relating to all, or any part of the City.
- (b) The EAC shall ensure that the declaration identifies the nature of the emergency and the area of the City in which it exists.
- (c) When a state of local emergency is declared, the EAC shall:
 - (i) cause the details of the declaration to be published by any means of communication that it considers most likely to make known to the population of the area affected the contents of the declaration; and
 - (ii) forward a copy of the declaration to the Minister.
- (d) When a state of local emergency is declared, the Agency may at anytime, in accordance with the MEP and related plans or programs:
 - (i) cause the MEP or any related plans or programs to be put into operation, if not already in operation;
 - (ii) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - (iii) authorize or require any qualified person to render aid of a type they are qualified to provide;
 - (iv) control or prohibit travel to and from any area of the City;
 - (v) provide for the restoration of essential services and the distribution of essential supplies; and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the City;
 - (vi) cause the evacuation of persons and the removal of livestock and personal property from any area of the City 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 their personal property;
 - (vii) 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;
 - (viii) 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, to attempt to forestall its occurrence or to combat its progress;
 - (ix) procure or fix prices for food, clothing, fuel, equipment, medical supplies or other essential supplies, and the use of any services, resources or equipment within the City for the duration of the state of local emergency; and/or
 - (x) authorize the conscription of persons needed to meet an emergency.

- (e) No action lies against Council or a person acting under the direction or authorization of Council for anything done or omitted to be done in good faith while carrying out a power or duty under the Act or this Bylaw.

7. CANCELLATION OR TERMINATION OF STATE OF LOCAL EMERGENCY

- (a) When, in the opinion of the EAC, an emergency no longer exists in an area of the municipality in relation to which a declaration of a state of local emergency was made, it shall by resolution or, in the case of the Minister responsible for the *Municipal Government Act*, by order, terminate the declaration of a state of local emergency in respect of that area.
- (b) Immediately after:
 - (i) the passage of a resolution or order terminating a declaration of a state of local emergency;
 - (ii) the cancellation by the Minister of a declaration of a state of local emergency; or
 - (iii) the termination by lapse of seven (7) days of a declaration of a state of local emergency,

the EAC shall cause the details of the declaration or cancellation or the fact of the termination by lapse of time to be published by any means of communication that it considers is most likely to make known to the majority of the population of the areas affected the contents of the declaration or cancellation or the fact of the termination.

- (c) Upon cancellation or termination of a state of local emergency, a copy of the notice shall be forwarded to the Minister.

8. NUMBER AND GENDER REFERENCES

All references in this Bylaw shall be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

9. SEVERABILITY

If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

10. OFFENCE

Any person that violates any provision of this Bylaw or interferes with or obstructs any person in the exercise of any power or the performance of any duty conferred or imposed by this Bylaw is guilty of an offence and is liable upon conviction to a maximum fine of \$10,000.00 or in default of payment of the fine to imprisonment for a period not exceeding one (1) year, or to both fine and imprisonment in such amounts.

11. REPEAL

Upon third reading of Emergency Management Bylaw C4-15, Emergency Management Bylaw C6-12 is hereby repealed.

12. EFFECTIVE DATE

This Bylaw becomes effective upon third and final reading.

READ a first time this day of 2015.

READ a second time this _____ day of _____ 2015.

READ a third time and passed this _____ day of _____ 2015.

Mayor _____

Director, Legislative Services

Date Signed: _____