



# Village of Marwayne

## Emergency Management Bylaw No. 596-23

### A BYLAW OF THE VILLAGE OF MARWAYNE TO AMEND THE MUNICIPAL EMERGENCY MANAGEMENT AGENCY BYLAW NO. 573-19.

**WHEREAS** the Village of Marwayne in the Province of Alberta is permitted to amend or repeal a bylaw, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta 2000, Chapter M26 and amendments thereto, Section 191;

**WHEREAS** under the Municipal Government Act, Statutes of Alberta 2000, Chapter M26 and amendments thereto, Section 69 states: Consolidation of bylaws (1) A council may by bylaw authorize a designated officer to consolidate one or more of the bylaws of the municipality; (2) In consolidating a bylaw, the designated officer must (a) incorporate all amendments to it into one bylaw, and (b) omit any provision that has been repealed or that has expired;

**AND WHEREAS** the Council of the Village of Marwayne deems it desirable to amend the Emergency Management Bylaw No. 573-19;

**NOW THEREFORE** under the authority of the *Municipal Government Act*, the Council of the Village of Marwayne, in the Province of Alberta, enacts as follows:

1. **THAT** Bylaw No. 573-19, being a Bylaw to establish a municipal emergency management agency is hereby amended as per Schedule B, attached hereto.
2. **SHOULD** any provisions of this Bylaw be deemed invalid, then such provisions shall be severed and the remaining Bylaw shall be maintained.

This Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Mayor and Chief Administrative Officer for the Village of Marwayne.

**READ A FIRST TIME IN COUNCIL THIS 20<sup>TH</sup> DAY OF MARCH, 2023.**

**READ A SECOND TIME IN COUNCIL THIS 20<sup>TH</sup> DAY OF MARCH, 2023.**

**READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 20<sup>TH</sup> DAY OF MARCH, 2023.**

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Chris Neureuter, Mayor

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Shannon Harrower, CAO



## **SCHEDULE "B"**

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1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.
2. In this Bylaw:
  - (a) "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
  - (b) "Council" means the Council of the Village of Marwayne;
  - (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 Advisory Committee" means the committee established under this By-law;
  - (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;
  - (f) "Municipal Emergency Management Agency" means the agency established under this By-law; 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 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 By-law.
5. Council shall:
  - (a) by resolution, appoint two of its members to serve on the Emergency Advisory Committee;
  - (b) provide for the payment of expenses of the members of the Emergency Advisory Committee;
  - (c) by resolution, on the recommendation of the Emergency Advisory Committee, appoint a Director of Emergency Management;
  - (d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Village of Marwayne;
  - (e) approve the Village of Marwayne's emergency plans and programs; and

# Village of Marwayne

## Emergency Management Bylaw No. 596-23



- (f) review the status of the Municipal Emergency 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. The Emergency Advisory Committee shall:
  - (a) review the Municipal Emergency Plan and related plans and programs on an annual basis;
  - (b) advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year;
  - (c) consist of two members with both being required to be present for a quorum;
  - (d) appoint a chair for the committee at the beginning of each meeting; and
  - (e) Provide guidance and direction to the local authority's emergency management agency.
8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
  - a) the Director of Emergency Management;
  - b) the Manager, Administrator, Clerk or other administrative staff member(s) of the municipality;
  - c) the Police Chief or designate or the N.C.O. in Charge, R.C.M. Police or designate;
  - d) the Fire Chief or designate;
  - e) the Information Officer or designate;
  - f) the Public Works Foreman or designate;
  - g) Emergency Social Services or designate;
  - h) Command staff;
  - i) General staff;
  - j) the School Board Chairman or designate; and

# Village of Marwayne

## Emergency Management Bylaw No. 596-23



- k) anybody else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan.
9. The Director of Emergency Management shall:
- (a) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Village of Marwayne;
  - (b) be responsible for the administration of the local authority's emergency management program;
  - (c) identify the frequency at which the agency meet with the emergency advisory committee to provide updates on agency activities, which must be at least once per year and must include an update on the agency's review of the local authority's emergency plan;
  - (d) utilize the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency will be used by the local authority's emergency management agency;
  - (e) arrange a meeting with the advisory committee once per year.
  - (f) act as director of emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
  - (g) co-ordinate all emergency services and other resources used in an emergency; or
  - (h) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).
10. 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 requirement specified in Section 14 of this By-law, are hereby delegated to a committee comprised of Mayor, or Deputy Mayor or two members of Council. This person or committee may, on recommendation of the DEM, when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a state of local emergency.
11. When a state of local emergency is declared, the person or persons making the declaration shall:
- (a) ensure that the declaration identifies the nature of the emergency and the area of the Village of Marwayne 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.
12. Subject to Section 14, when a state of local emergency is declared, the person or persons making the declaration may do all acts and take all necessary proceedings including the following:



## Village of Marwayne

### Emergency Management Bylaw No. 596-23

- (a) cause the Municipal Emergency 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 of Marwayne;
  - (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 of Marwayne;
  - (f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Village of Marwayne 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 of Marwayne for the duration of the state of emergency;
  - (j) authorize the conscription of persons needed to meet an emergency; and
  - (k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency 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.
13. When a state of local emergency is declared, no action lies against Council or a person acting under Council's direction or authorization for anything done or omitted to be done in good faith while carrying out a power or duty under this bylaw or the regulations during a state of local emergency.
14. When, in the opinion of the person or 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.
15. 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 14;



## Village of Marwayne

### Emergency Management Bylaw No. 596-23

- (b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;
  - (c) a period of ninety days has lapsed since it was declared a pandemic; or
  - (d) the Minister cancels the state of local emergency.
16. 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 communication considered most likely to notify the population of the area affected.
17. Bylaw No. 587-22 is hereby rescinded.