

**VILLAGE OF HILL SPRING
BY-LAW NO. 2012-311
EMERGENCY MANAGEMENT BYLAW**

**A BY-LAW OF THE VILLAGE OF HILL SPRING, IN THE PROVINCE OF ALBERTA TO
ESTABLISH A MUNICIPAL EMERGENCY MANAGEMENT AGENCY AND TO APPOINT A
MUNICIPAL EMERGENCY ADVISORY COMMITTEE**

Whereas, the Council of the Village of Hill Spring is responsible for the direction and control of its emergency response, the preparation and approval of emergency plans and programs and is required, under the Emergency Management Act, Chapter E 6.8 Revised Statutes of Alberta 2000 to appoint an Emergency Management Committee, to establish and maintain an Emergency Management Agency; and to appoint a Director of Emergency management;

Whereas, in accordance with the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property.

;

NOW THEREFORE, the council of the Village of Hill Spring, duly assembled, enacts as follows:

1. This By-Law may be cited as the Municipal Emergency Management By-Law
2. In this By-Law,
 - a) “**Act**” means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
 - b) “**Agency**” means the Municipal Emergency Management Agency established under this Bylaw
 - c) “**Council**” means the Council of the Village of Hill Spring;
 - d) “**Committee**” means the Municipal Advisory Committee established under this Bylaw
 - e) “**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;
 - f) “**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;
 - g) “**Minister**” means the Minister charged with administration of the Act;
 - 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 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 their statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, or the powers contained in Section 12 of this By-Law.
5. Council
 - a) is responsible to appoint the members of the Committee by resolution.
 - b) may remove any member of the Committee at any time and for any reason by resolution of Council.
 - c) provide for the payment of expenses of the members of the Emergency Management Committee;
 - d) by resolution appoint a Director of Emergency Management
 - e) shall ensure that emergency plans and programs are prepared to address potential emergencies or disasters
 - f) shall approve the Village of Hill Spring’s emergency plans and programs; and

- g) shall review the status of the Municipal Emergency Plan and related plans at least once each year.
6. Council may
 - a) by By-Law 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 a regular basis; and
 - b) advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year.
8. 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 (if one has been appointed);
 - c) at least one elected official
 - d) the fire chief or designate and
 - e) anyone else deemed necessary by the Director of Emergency Management who might serve a useful purpose in assisting in the preparation or implementation of the Municipal Emergency Plan.
9. The Emergency Management Agency and Director may
 - a) conduct public information programs relating to emergency preparedness
 - b) provide training for agency members, elected officials, public, municipal staff mutual aid responders and volunteers
10. The Director of Emergency Management shall
 - a) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Village of Hill Spring;
 - b) act as director of emergency operations on behalf of the emergency management agency
 - c) co-ordinate all emergency services and other resources used in an emergency
 - d) perform any other duty prescribed by council
 - e) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), (c) and (d).
 - f) cause the Municipal Emergency Plan or related plans or programs to be put into operation
11. The Municipal Emergency Advisory Committee or any two members of Council may at any time when they are satisfied that an emergency exists or may exist in the Village, by resolution make a declaration of a State of Local Emergency relating to all or any part of the Village. Any declaration must be accompanied by a recommendation from the Emergency Management Agency.
12. When a state of local emergency is declared, the person making the declaration shall
 - a) identify 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) notify the Emergency Management Agency as soon as reasonably practicable
 - d) forward a copy of the declaration to the Minister forthwith.
13. When a state of Local Emergency is declared, the Director of Emergency Management may
- a) cause the Emergency Plan or any related plan or program 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 in which it exists
 - 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 in which it exists
 - 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 an emergency or 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 an emergency, 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, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Village of the duration of the State of Local Emergency
 - j) authorize the conscription of persons needed to meet an emergency or disaster
 - k) authorize any persons at any time to exercise, in the operation Municipal Emergency Plan and related plans or programs, any power specified in relation to any part of the Village affected by a Declaration of a State of Local Emergency
 - l)
14. No action lies against a local authority or a person acting under the authority's direction or authorization for anything done or omitted to be done in good faith while carrying out a power or duty under this Act or the regulations during a state of local emergency.
15. When, in the opinion of Council, an emergency no longer exists in relation to whom 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 15;
 - 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.
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. By-Law # 103-264 passed May 20, 2003 is hereby rescinded.

18. This bylaw comes into full force and effect upon the date of the third and final reading

Read a FIRST time this 16th day of October, 2012

Read a SECOND time this 17th day of December, 2013.

Read a THIRD time and finally passed this 17th day of December, 2013

VILLAGE OF HILL SPRING

Mayor

Chief Administrative Officer