

WHEATLAND COUNTY
BYLAW 2024-16

**A Bylaw of Wheatland County, in the province of Alberta, to establish a Wheatland Regional
Emergency Management Committee and Agency**

WHEREAS the *Municipal Government Act* allows Council to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property.

WHEREAS Wheatland County is responsible for the direction and control of its emergency response and is required under the *Emergency Management Act*, Chapter E-6.8, RSA 2000 to appoint an Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency.

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*.

WHEREAS it is desirable in the public interest, and in the interests of public safety that a regional emergency management group be formed to coordinate a regional emergency approach and programs.

WHEREAS the municipalities of Wheatland County, Town of Strathmore, City of Chestermere, Village of Rockyford, Village of Standard and Village of Hussar wish to establish a Regional Emergency Advisory Committee and a Regional Emergency Management Agency.

NOW THEREFORE the Council of Wheatland County, in the province of Alberta, enacts as follows:

1.0 Title

1.1 This Bylaw may be cited as the Wheatland Regional Emergency Management Bylaw.

2.0 Definitions

In this Bylaw the following words and terms shall have the following meanings:

- 2.1 "**Act**" means the *Emergency Management Act*, Chapter E-6.8, RSA 2000;
- 2.2 "**Council**" means the Council of Wheatland County;
- 2.3 "**Deputy Director of Emergency Management**" (DDEM) means the person responsible for the duties of the Director of Emergency Management in their absence;
- 2.4 "**Director of Emergency Management**" (DEM) means the person appointed by resolution of Council who shall be responsible for the municipality's Emergency Management Program;
- 2.5 "**Disaster**" means an event that results in serious harm to the safety, health, or welfare of people, or in widespread damage to property;
- 2.6 "**Emergency**" means an event that requires prompt coordination of action or special regulation of persons or property to protect the safety, health, or welfare of people or to limit damage to property;
- 2.7 "**Emergency Coordination Centre**" (ECC) means the location that functions as a point of coordination, addressing the needs of the municipality or the Wheatland Region as a whole, exercising the authority of the local officials, as well as anticipating and supporting the needs of one (1) or more incident sites;
- 2.8 "**Joint Wheatland Regional Emergency Management Coordinators**" (WREM Coordinators) means the persons appointed to coordinate the activities of the Wheatland Regional Emergency Management Agency.
- 2.9 "**Local Authority**" means, where a municipality has a council within the meaning of the *Municipal Government Act*, Chapter M-26, RSA 2000;
- 2.10 "**Minister**" means the Minister charged with administration of the Act;

- 2.11 **"Parties"** means Wheatland County, the Town of Strathmore, the City of Chestermere; the Village of Hussar, the Village of Rockyford and the Village of Standard.
- 2.12 **"Regional Emergency Advisory Committee"** (the Committee) means the Regional Emergency Management Committee of the Wheatland Regional Emergency Partnership as established by agreement between and the bylaws of the Parties;
- 2.13 **"Regional Emergency Management Agency"** (the Agency) means the Wheatland Regional Emergency Partnership Agency as established by Agreement between and the bylaws of the respective municipal councils of the Parties;
- 2.14 **"Regional Emergency Management Plan"** means the Wheatland Regional Emergency Management Plan prepared by the Directors of Emergency Management to co-ordinate the response to an emergency or disaster;
- 2.15 **"Wheatland Regional Emergency Management Partnership"** (WREMP) means the Wheatland Regional Emergency Management Partnership as established by agreement between and the bylaws of the respective municipal councils of the Parties.

3.0 Wheatland Regional Emergency Management Advisory Committee

- 3.1 The Wheatland Regional Emergency Management Advisory Committee is hereby established to advise Council on the development of emergency plans and programs.
- 3.2 The Committee shall:
 - a) consist of municipal Councillors appointed by each of the Parties, with each municipality appointing one (1) primary member, each of whom shall have one (1) vote regarding any matter coming before the Committee;
 - b) have each municipality appoint one (1) alternate member for the Committee who shall be permitted to vote in the absence or in place of the primary member;
 - c) elect a chair who will serve as the chair for the remainder of the calendar year, the elected chair must be a member of represented Council;
 - d) meet a minimum of twice each year and hold the option of calling special meetings of the Committee on an as needed basis, upon fourteen (14) days advance notice to all members of the Committee;
 - e) four (4) Committee members shall constitute a quorum of the Committee and a motion or resolution of the Committee may only be passed by an affirmative vote of the majority of the members present on the motion or resolution;
 - f) review of the Regional Emergency Management Plan and related plans and programs on a regular basis;
 - g) advise Council, duly assembled, on the status of the Regional Emergency Management Plan and related plans and programs at least once each year;
 - h) provides guidance and direction to the Local Authority's emergency management agency prior to, during, and after an emergency event;
 - i) establish procedures that must be followed when declaring a local state of emergency;
 - j) provides guidance and direction to the Local Authority's emergency management agency.

4.0 Role of Council

- 4.1 Council shall:
 - a) by resolution, appoint one (1) of its member to serve on the Committee and at least one (1) member as an alternate;
 - b) provide for the payment of expenses of its member(s) of the Committee;
 - c) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in Wheatland County and the WREMP Region;
 - d) approve the Regional Emergency Management Plans and Programs as they relate to Wheatland County and the WREMP Region;
 - e) review the status of the Regional Emergency Management Plan and related plans and programs at least once a year;
 - f) by resolution appoint a DEM;
- 4.2 Council may:
 - a) by resolution appoint one (1) or more DDEM;

- b) by bylaw borrow, levy, appropriate and expend all sums required for its share of the operation of the Agency; and
- 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 plans or programs including mutual aid plans and programs.

4.3 Council agrees through the WREMP, to establish a position of Joint Wheatland Regional Emergency Management Coordinators to handle program administration, planning, coordination, and leadership on behalf of the Committee and Agency.

5.0 Agency Structure

Council agrees through the WREMP, to establish an Agency to act as the agent of Council to carry out its statutory powers and obligation under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, nor the powers contained in this Bylaw, under Section 7.

5.1 The Agency shall:

- a) report to the Committee once per year, while including an update on the Agency's review of the Local Authority's emergency plan and activities;
- b) be familiar with the Regional Emergency Management Plan;
- c) provide input and make recommendations for the Regional Emergency Management Plan;
- d) participate in local and regional training;
- e) provide updated contact information to the Agency;
- f) participate in regional Agency meetings;
- g) share information to the Agency;
- h) participate in providing public education within their organization;
- i) provide an up-to-date resource and inventory list to the Agency;
- j) use a command, control and coordination system prescribed by AEMA (Incident Command System)

5.2 The Agency shall be comprised of the following persons:

- a) the CAO of each municipality which is a member of WREMP;
- b) the DEM of each municipality which is a member of WREMP; and
- c) the DDEM of each municipality which is a member of WREMP.

5.3 The Agency may request that the following persons join or advise the Agency on either a standing or as needed basis for each period of time that the Agency deems appropriate:

- a) RCMP Detachment Commander or designate;
- b) Fire Chiefs or designates;
- c) Wheatland and District Emergency Medical Services Association Manager or designate;
- d) Enforcement Services Supervisor or designate;
- e) Family and Community Support Services Director or designate;
- f) Public Works Supervisor or designate;
- g) Utility Manager or designate;
- h) Emergency Public Information Officers or designates;
- i) Emergency Social Services Manager or designate;
- j) Alberta Health Services representatives or designates;
- k) School Superintendent or designate;
- l) Disaster Social Services Managers or designates;
- m) Representative(s) from adjacent municipalities or First Nations;
- n) Representatives from local business;
- o) Representatives from local industry or industrial associations;
- p) Representatives from Alberta Municipal Affairs;
- q) Representatives from local utility companies; and
- r) Anybody else who might serve as useful purpose in the preparation or implementation of the Regional Emergency Management Plan.

6.0 Authority and Powers

6.1 In the event of an emergency entirely within the boundaries of and only affecting Wheatland County, the authority, and powers to declare or renew a state of local emergency under the Act, the authority and powers specified in Section 9 of this Bylaw and the requirement specified in Section 8 of this Bylaw are hereby delegated to a

municipal committee comprised of the Reeve or any two (2) Councillors. This municipal committee 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.

- 6.2 In the event of an emergency entirely within the boundaries of and affecting only Wheatland County and the local municipal committee cannot be reached or in the event of an emergency impacting more than one (1) municipality within the WREMP Region, the authority and power to declare or renew a state of local emergency under the Act; the authority and powers specified in Section 7 of this Bylaw and the requirements specified in the Section 6 of this Bylaw are hereby delegated to any two (2) or more members of the committee. The committee 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 for the entire area affected. Whenever possible this resolution should be made by at least one (1) member or alternate from each municipality affected.

7.0 State of Local Emergency

- 7.1 When a state of local emergency is declared, the Local Authority or the Committee making the declaration shall:

- a) ensure that the declaration identifies the nature of the emergency and the area 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.

- 7.2 Subject to Section 7 of this Bylaw, when a Local Authority or the Committee has declared a state of local emergency, that Local Authority or the Committee may, for the duration of that State of Local Emergency, do all acts and take all necessary proceedings including the following:

- a) cause the Regional 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 the person is qualified to provide;
- d) control or prohibit travel to or from any area of Wheatland County;
- e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain, and coordinate emergency medical, welfare and other essential services in any part of Wheatland County;
- f) cause the evacuation of persons and the removal of livestock and personal property from any place within Wheatland County that is or may be affected by a disaster and plan for the adequate care and protection of those persons or livestock and of the personal property;
- g) authorize the entry into any buildings or any land, without warrant, by any person while 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 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 Wheatland County for the duration of the state of local 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 Regional Emergency Management Plan and related plans or programs, any power specified Section 8.2 of this Bylaw in relation to any part of the municipality affected by a declaration of a state of local emergency including as part of a Regional Emergency affecting more than one (1) municipality for which a declaration of State of Local Emergency was made under this Bylaw.

- 7.3 In accordance with Section 28 of the Act, no action lies against a Local Authority or person acting under the Local Authority's direction or authorization for anything done or omitted to be done in good faith while carry out a power or duty under this Act or in the regulations during a state of local emergency.

- 7.4 In accordance with Section 535(2) of the *Municipal Government Act*, Councillors, Council Committee members, municipal officers and volunteer workers are not liable for loss or damage caused by anything said or done or omitted to be done in good faith in the performance or intended performance of their functions, duties, or powers under the *Municipal Government Act* or any other enactment.
- 7.5 When, in the opinion of the Local Authority in which the state of local emergency was declared, or the Committee, as the case may be, an emergency no longer exists, the Local Authority or the Committee shall, by resolution, terminate the declaration.
- 7.6 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 8 of this Bylaw;
 - 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 for the same area; or
 - d) the Minister cancels the state of local emergency for the affected area.
- 7.7 When a declaration of a state of local emergency have been terminated, the Local Authority or the Committee 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.

8.0 Agreements and Policies

- 8.1 The Committee is delegated the authority to enter into an Emergency Management Mutual Aid Agreement with another regional group or single municipality. The decision for the Committee to enter into a mutual aid agreement must be made by unanimous vote of all Parties. The Parties shall be permitted to vote in person or by way of email.
- 8.2 The Committee is delegated the authority to create policies relating to the emergency preparedness, mitigation, response, recovery and the operation of the Wheatland Regional Emergency Management Partnership and the Agency.

9.0 Severability

- 9.1 If any section or sections of this Bylaw or parts thereof are found in any court or law to be illegal or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of the Bylaw shall be deemed separate and independent therefrom and to be enacted as such.

10.0 Repeal and Replace

- 10.1 This Bylaw repeals and replaces 2019-24.

11.0 Effective Date

- 11.1 This Bylaw shall become effective when it has received third and final reading and has been duly signed.

READ A FIRST TIME 4th day of June, 2024.

READ A SECOND TIME 4th day of June, 2024.

READ A THIRD AND FINAL TIME 4th day of June, 2024.



 Amber Link, Reeve



 Brian Henderson, Chief Administrative Officer