

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA**

BYLAW 6/2013

A BYLAW OF THE TOWN OF MORINVILLE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL EMERGENCY MANAGEMENT COMMITTEE AND A MUNICIPAL EMERGENCY MANAGEMENT AGENCY WITHIN THE CORPORATE LIMITS OF THE TOWN OF MORINVILLE.

WHEREAS, the *Municipal Government Act* gives the Municipalities' the power to enact Bylaws and impose fines and penalties for infractions of their Bylaws;

AND WHEREAS the *Municipal Government Act*, R.S.A. 2000, c.M-26 provides that one of the purposes of a municipality is to develop and maintain safe and viable communities;

AND WHEREAS the *Municipal Government Act*, R.S.A. 2000, C. M-26 authorizes a municipality to take whatever actions or measures are necessary to eliminate an emergency;

AND WHEREAS the *Emergency Management Act*, R.S.A. 2000, C. E-6.8 requires the Town of Morinville shall, at all times, be responsible for the direction and control of the Town of Morinville's emergency response;

AND WHEREAS the *Emergency Management Act*, R.S.A. 2000, C. E-6.8 requires that the Town of Morinville appoint a Municipal Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency herein known as to advise on the development of emergency plans and programs;

AND WHEREAS the *Emergency Management Act*, R.S.A 2000, C. E 6-8 requires that the Town of Morinville 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*.

AND WHEREAS the *Emergency Management Act*, R.S.A 2000, C. E 6-8 requires that the Town of Morinville appoint a Director of Municipal Emergency Management.

AND WHEREAS the Council of the Town of Morinville considers it necessary and desirable to regulate the assessment of risk, the development of emergency plans or programs, and the implementation of physical precautions by industries and businesses as an effective way to provide for the safety, health and welfare of people and the protection of people and property in the Town of Morinville;

NOW THEREFORE, the Municipal Council of the Town of Morinville, Alberta, duly assembled, hereby enacts as follows.

1.0 DEFINITIONS

This Bylaw may be cited as the, "Morinville Municipal Emergency Management Bylaw".

In this Bylaw, except where otherwise defined;

"ACT" means the *Emergency Management Act*, R.S.A. 2000, cE6.8

"AGENCY" means the Municipal Emergency Management Agency established under this bylaw.

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“CAO” means the Chief Administrative Officer of the Town of Morinville, Alberta or the Director(s) or Department(s) designated by the Chief Administrative Officer to implement this Bylaw.

“COUNCIL” means the duly elected municipal council of Morinville, Alberta.

“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 or environment.

“DEPUTY DIRECTOR OF EMERGENCY MANAGEMENT” means second in command of the Emergency Command Center when Director of Emergency Management (DEM) is present. This position shall be designated by the DEM (CAO) or their designate. In the absence of the DEM, the Deputy Director shall assume the role and responsibility of the position until the DEM has returned.

“DIRECTOR OF EMERGENCY MANAGEMENT (DEM)” means the CAO or designate.

“EMERGENCY” means a present or imminent threatening 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 or the environment.

“EMERGENCY MANAGEMENT” means the development, coordination and execution of plans, measures and programs pertaining to the mitigation, preparedness, response and recovery before, during and after an Emergency.

“EMERGENCY MEETING” means the CAO may call an emergency meeting within a 1 hour notice if there is concern a major emergency exists or may exist within the Town.

“EMERGENCY OPERATION CENTRE (EOC)” means a site from where the DEM is located or has appointed to coordinate, monitor and direct Emergency Response and Recovery activities during an Emergency.

“MINISTER” means the Minister charged with administration of the Act.

“MORINVILLE” means the Town of Morinville.

“MUNICIPAL EMERGENCY MANAGEMENT AGENCY (AGENCY)” means the agency established under this By-law consisting of the DEM and partners as required to coordinate the activities in response to an Emergency.

“MUNICIPAL EMERGENCY MANAGEMENT COMMITTEE” means the committee established under this Bylaw consisting of members of Council.

“MUNICIPAL EMERGENCY PLAN (MEP)” means the emergency plan prepared by the Director of Emergency Management and the Agency to co-ordinate response to an emergency or disaster.

“PERSON” means an individual, firm, partnership, joint venture, proprietorship, corporation, department, board, agency, association, society or any other legal entity.

“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.

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“THREAT” means a negative event that can cause a risk to become a loss. Expressed as the consequence of risk and the likelihood of occurrence of the event. Threat may include but not limited to natural events such as earth quakes, flood, storm or be a man-made incident such as fire, power failure sabotage, and others.

2.0 Municipal Emergency Management Committee

2.1 Council is hereby established as the Municipal Emergency Management Committee.

2.1.1 A minimum of two members is required for quorum.

2.1.2 The Mayor will act as Chair of the committee. If the mayor is absent, the Deputy Mayor will chair the committee.

2.2 The committee will review the Municipal Emergency Plan (MEP) and related plans or programs on an annual basis and bring to Council for approval as required.

2.3. Council hereby authorizes the Municipal Emergency Management Committee the authority to declare a State of Local Emergency under the *Act*.

2.4 Council hereby authorizes the Municipal Emergency Management Committee, for the duration of such State of Local Emergency, do all acts and take all necessary proceedings to address the emergency pursuant to the *Act*.

2.5 Emergency Meeting:

2.5.1 The Director of Emergency Management (DEM) may call an emergency meeting of the Emergency Management Committee if a member of Council or Town Executive considers a major emergency exists or has the potential to exist in the Community.

2.5.2 The Director of Emergency Management (DEM) must give a minimum of one (1) hour notice of the time and place of an emergency meeting to as many Committee members as possible in the circumstances.

2.5.3 The notice required will be by such means of communications considered by the Director of Emergency Management (DEM) to be most likely to notify the Committee members and the public.

2.5.4 Those Committee members in attendance at any particular time during an emergency meeting of the Committee constitute a quorum.

3.0 DIRECTOR OF EMERGENCY MANAGEMENT (DEM)

3.1 The CAO is hereby appointed as the Director of Emergency Management (DEM).

3.2 The Director of Emergency Management (DEM) shall:

3.2.1 Act as Chair of the Emergency Management Agency (Agency).

3.2.2 Act as Director of the Emergency Operations Centre (EOC).

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- 3.2.3. Ensure that all emergency plans are prepared and coordinated as required by the *Act*.
- 3.2.4 Co-ordinate all emergency services and other resources used in an emergency.
- 3.2.5 Ensure that the Municipal Emergency Plan is reviewed at least once per year by the Emergency Management Committee.
- 3.2.6 Ensure Staff of the organization and members of the Committee and Agency are made aware of the Municipal Emergency Plan and as required ensure training is done to maintain effectiveness in the event of an emergency.
- 3.2.7 Ensure the Deputy Director of Emergency Management is designated in his or her absence.
- 3.2.8 Perform other duties as prescribed by the local authority.
- 3.3 The Director of Emergency Management (DEM) is authorized to delegate and authorize further delegations of any powers, duties and functions delegated to the Director of Emergency Management (DEM) under this bylaw.

4.0 THE MUNICIPAL EMERGENCY MANAGEMENT AGENCY (AGENCY)

- 4.1 There is hereby established a Municipal Emergency Management Agency (Agency) to act as the agent of Council to carry out its statutory powers and obligations under the *Act*.
- 4.2 The Agency may be comprised of one or more of the following based on the discretion of the Director of Emergency Management (DEM):
 - 4.2.1 The Director of Municipal Emergency Management (DEM);
 - 4.2.2 The Deputy Director of Municipal Emergency Management;
 - 4.2.3 The Public Information Officer, or designate;
 - 4.2.4 Other Senior Management and/or designated staff that may include but not limited to Public Works, Finance, Community Services, and Fire Services.
 - 4.2.5 Other members of core agencies and organizations as invited by the Director of Municipal Emergency Management (DEM). Such agencies and organizations may have a recurring seat at the Agency and others may be invited in as subject matter experts as required. Such agencies and organizations may include but not limited to the Health Authority, School Boards, RCMP, other municipalities and counties, pipelines, utilities, Chamber of Commerce.

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5.0 DECLARATION OF STATE OF LOCAL EMERGENCY

- 5.1 The power to pass a resolution to declare, renew or terminate a State of Local Emergency under Section 18 of the *Act*, the powers are specified to the Emergency Management Committee in Section 2.0 of the Bylaw.
- 5.2 The Emergency Management Committee will:
 - 5.2.1 Ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists;
 - 5.2.2 Cause the details of the declaration to be published immediately by such means of communication considered most likely to make known to the majority of the population of the area affected the contents of the declaration and forthwith forward a copy of the declaration to the minister;
 - 5.2.3 Notify Emergency Management Alberta when practicable;
 - 5.2.4 Forward a copy of the declaration to the Minister forthwith.

6.0 MUNICIPAL EMERGENCY PLAN EXTRAORDINARY EMERGENCY POWERS

- 6.1 When a State of Local Emergency is declared and for the duration of the State of Local Emergency, the Agency may at any time in accordance with the Municipal Emergency Plan (MEP) and related plans or programs:
 - 6.1.1 Cause the Municipal Emergency Plan or any related plans or programs to be put into operation, if not already in operation;
 - 6.1.2 Acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - 6.1.3 Authorize or require any qualified person to render aid of a type he or she is qualified to provide;
 - 6.1.4 Control or prohibit travel to or from any area of the Town;
 - 6.1.5 Provide for the restoration of essential services and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Town;
 - 6.1.6 Cause the evacuation of persons and the removal of livestock and personal property from any area of the Town 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;
 - 6.1.7 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;

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9.0 SEVERABILITY

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

That Bylaw 7/2010 is hereby rescinded.

That this Bylaw shall come into full force and effect upon the final passing thereof.

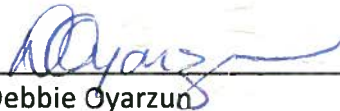
READ a first time the 23 day of April, 2013

READ a second time the 14 day of May, 2013

READ a third time and finally passed the 28 day of May, 2013



Paul Krauskopf
Mayor



Debbie Oyarzun
CAO