

**BYLAW NO. 410-19**  
**A BYLAW OF THE TOWN OF COALHURST**  
**IN THE PROVINCE OF ALBERTA**  
**“MUNICIPAL EMERGENCY MANAGEMENT BYLAW”**

**WHEREAS** the Council of the Town of Coalhurst is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of December 11, 2013), to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency; and

**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;

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF COALHURST, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. **TITLE**

This Bylaw may be cited as the Municipal Emergency Management Bylaw.

2. **DEFINITIONS**

In this Bylaw,

- (a) **"Act"** means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000, current as of December 11, 2013;
- (b) **"Council"** means the Council of the Town of Coalhurst;
- (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 Bylaw;

- (e) **"Emergency"** means an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property;
- (f) **"Minister"** means the Minister charged with administration of the Act;
- (g) **"Municipal Emergency Management Agency"** means the agency established under this Bylaw; and
- (h) **"Municipal Emergency Plan"** means the emergency plan prepared by the Director of Emergency Management to co-ordinate responses to an emergency or disaster.

3. **THE EMERGENCY ADVISORY COMMITTEE**

There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.

4. **THE MUNICIPAL EMERGENCY MANAGEMENT AGENCY**

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 Bylaw.

5. **COUNCIL SHALL**

- (a) By resolution, appoint an Emergency Advisory Committee comprised of:
  - i. up to two (2) members of Council; and
  - ii. up to three (3) members-at-large; and
  - iii. the Director of Emergency Management, as a non-voting member
  - iv. Emergency Advisory Committee to be made up of at least three (3) members of 5.a.i. and ii.
- (b) Council and member-at-large members of the Committee may be appointed for a one (1) year term.
- (c) Provide for the payment of expenses of the members of the Emergency Advisory Committee;

- (d) By resolution, appoint a Director of Emergency Management in that person's absence.
- (e) Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Coalhurst;
- (f) Approve the Town of Coalhurst's emergency plans and programs.
- (g) Review the status of the Municipal Emergency Management Program 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.
- (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 agreements and/or regional plans and programs.
- (c) Appoint one or more Deputy Director(s) of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence;

7. **THE EMERGENCY ADVISORY COMMITTEE SHALL**

- (a) Review the Municipal Emergency Management Program and related plans on a regular basis.
- (b) Advise Council, duly assembled, on the status of the Municipal Emergency Management Program and related plans at least once each year.

8. The Municipal Emergency Management Agency shall be comprised of one or more of the following permanent members:

- (a) the Director of Emergency Management;
- (b) the Deputy Director(s) of Emergency Management;
- (c) the Chief Administrative Officer;

- (d) the Staff Sergeant or designate or the N.C.O. in charge of the Coaldale Rural/Municipal RCMP Detachment;
- (e) the Fire Chief or designate;
- (f) the Public Information Officer or designate;
- (g) the Director of Operations or designate;
- (h) the Social Services/Transportation Services Manager or designate

And may include the following non-permanent members:

- (a) Representative from Alberta Health Services – South Zone
- (b) Representative from Palliser Regional Schools
- (c) Representative from Coalhurst High School
- (d) Representative from Coalhurst Elementary School
- (e) Representative from Canadian Pacific Rail
- (f) Representative from Lethbridge Northern Irrigation District
- (g) Representative from Alberta Emergency Management Agency
- (h) Representative from Alberta Transportation
- (i) Representative from Calvin Christian School
- (j) Representative from ham radio operators
- (k) Director of Emergency Management from adjacent municipalities
- (l) Representative from ATCO, TELUS, FortisAlberta
- (m) 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 Management Program and related plans for the Town of Coalhurst.
- (b) 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.
- (c) Authorize and co-ordinate all emergency services and other resources required during an emergency.

- (d) Delegate duties and tasks as necessary to ensure conformance with Section 9 Paragraphs (a), (b), and (c).
- (e) Conduct regular meetings with the Emergency Advisory Committee to ensure the Municipal Emergency Plan and related plans and programs are being managed, maintained, administered and coordinated in a satisfactory manner.

10. **POWER TO DECLARE A STATE OF EMERGENCY**

The power to declare or renew a state of local emergency, the powers specified in Section 11 of this Bylaw, and the requirement specified in Section 14 of this Bylaw, are hereby delegated to a Committee comprised of the Mayor, or in the Mayor's absence any two (2) members of Council. This 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.

11. **PERSON MAKING THE DECLARATION SHALL**

When a state of local emergency is declared, the person(s) making the declaration shall

- (a) Ensure that the declaration identifies the nature of the emergency and the area of the Town 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.
- (c) Forward a copy of the declaration to the Minister forthwith.

12. **PERSON MAKING THE DECLARATION MAY**

Subject to Section 14, when a state of local emergency is declared, the Committee delegated in Section 10 making the declaration may do all acts and take all necessary proceedings including the following;

- (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 Town;
  - (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 Town;
  - (f) 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;
  - (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 Town 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,**
- (a) neither Council nor any member of Council, and
  - (b) no person appointed by Council to carry out measures relating to emergencies or disasters,

are liable for anything done or omitted to be done in good faith while carrying out a power or duty under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

**14. TERMINATION OF THE DECLARATION**

When, in the opinion of the persons delegated in Section 10 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. WHEN A DECLARATION IS CONSIDERED TERMINATED**

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;
- (b) a period of seven (7) 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. PUBLIC NOTIFICATION OF TERMINATED DECLARATION**

When a declaration of a state of local emergency has been terminated, the persons delegated in Section 10 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. REPEAL**

Bylaw No. 241-97 passed on June 3<sup>rd</sup>, 1997, dealing with Disaster Services Agency is hereby rescinded.

**18. EFFECTIVE DATE**

This Bylaw comes into force upon the date of the third and final reading thereof.

Read a first time this 5<sup>th</sup> day of November, A.D., 2019.

Read a second time this 5<sup>th</sup> day of November, A.D., 2019.

Read a third time and finally passed this 5<sup>th</sup> day of November, A.D., 2019.

---

MAYOR

---

CHIEF ADMINISTRATIVE OFFICER