

**MOUNTAIN VIEW COUNTY**

**BYLAW NO. 28/08, as Amended**

**MUNICIPAL EMERGENCY MANAGEMENT AGENCY AND  
MUNICIPAL EMERGENCY MANAGEMENT COMMITTEE**

**(CONSOLIDATED ON JANUARY 14, 2009)**

**NOTE:**

All persons making use of the consolidation are reminded that it has no legislative sanction, that the amendments have been embodied for convenience of reference only, and that the original Acts should be consulted for all purposes of interpreting and applying the bylaw.

## OFFICE CONSOLIDATION

Mountain View County  
Province of Alberta

Bylaw No. 28/08

### A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH A MUNICIPAL EMERGENCY MANAGEMENT AGENCY AND MUNICIPAL EMERGENCY MANAGEMENT COMMITTEE.

#### Amended by Bylaw Number 40/08

101. The Council of Mountain View County 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, to appoint a Municipal Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency.
102. 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*.
102. This bylaw may be cited as the Municipal Emergency Management Agency bylaw.

#### DEFINITIONS

201. 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 Mountain View County.
  - c. **"Disaster"** means an event that results in serious harm to the safety, health or welfare of people, or in a widespread damage to property.
  - d. **"Emergency"** means an 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.
  - e. **"Minister"** means the Minister charged with administration of the Act.
  - f. **"Municipal Emergency Management Agency"** means the agency established under this bylaw.
  - g. **"Municipal Emergency Management Committee"** means that committee established under this bylaw.
  - h. **"Municipal Emergency Plan"** means the emergency plan prepared by the Director of Disaster Services to co-ordinate response to an emergency or disaster.

#### GENERAL

301. There is hereby established a Municipal Emergency Management Committee to advise Council on the development of emergency plans and programs.

302. 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 310 of this bylaw.
303. Council shall:
- a. by resolution, appoint three (3) of its members to serve on the Municipal Emergency Management Committee.  
(amended to 3 Members Bylaw 40/08, November 5/08)
  - b. provide for the payment of expenses of the members of the Municipal Emergency Management Committee.
  - c. by resolution, on the recommendation of the Municipal Emergency Management Committee, appoint a Director of Municipal Emergency Management and a Deputy Director of Municipal Emergency Management who shall do those things required of the Director of Municipal Emergency Management in that person's absence.
  - d. ensure that emergency plans and programs are prepared to address potential emergencies or disasters in Mountain View County.
  - e. approve Mountain View County's emergency plans and programs.
304. 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 plans and programs.
  - c. review the status of the Municipal Emergency Plan and related plans and programs at least once each year.
305. The Municipal Emergency Management Committee shall:
- a. review the Municipal Emergency Plan and related plans and programs on a regular basis.
  - b. advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year.
306. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
- a. the Director of Municipal Emergency Management;
  - b. the Deputy Director of Municipal Emergency Management;
  - c. the County Chief Administrative Officer;
  - d. the Public Information Officer or designate;
  - e. the Director of Operations or designate;
  - f. those individuals appointed by an organization whom the Director of Municipal Emergency Management invites to nominate a volunteer representative to serve as a member of the Municipal Emergency Management Agency. Such organization may include the Regional Health Authority.

- g. Any other person appointed by the Director of Municipal Emergency Management Agency.
307. The Director of Municipal Emergency Management shall:
- a. prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for Mountain View County.
  - b. act as a 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. co-ordinate all emergency services and other resources used in an emergency.
  - d. ensure that someone is designated to discharge the responsibilities specified in paragraphs a, b, and c.
308. The power to pass a resolution to declare or renew a state of local emergency under the Act, the powers specified in Section 310 of this bylaw, and the requirement specified in Section 313 of this bylaw, are hereby delegated to the Reeve or Deputy Reeve or, in their absence, any two Councillors.
309. When a state of local emergency is declared, the Reeve or designate making the declaration shall:
- a. ensure that the declaration identifies the nature of the emergency and the area of the County 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. notify Emergency Management Alberta, as soon as is reasonably practicable.
  - d. forward a copy of the declaration to the Minister forthwith.
310. Subject to Section 313, when a state of local emergency is declared, the Reeve or designate making the declaration may:
- 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 for a type he or she is qualified to provide.
  - d. control or prohibit travel to or from any are of the County.
  - 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 County.
  - f. cause the evacuation of persons and the removal of livestock and personal property from any area of the County 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 County for the duration of the state of emergency.
  - h. authorize the conscription of persons needed to meet an emergency.
  - i. 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.
311. When a state of local emergency is declared:
- a. neither Council nor any member of Council, and
  - b. no persons appointed by Council to carry out measures relating to emergencies of disasters,
- is liable in respect of damage caused through any action taken under this bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
312. Notwithstanding Section 311:
- a. Council and any member of Council, and
  - b. any person acting under the direction or authorization of Council,
- is liable for gross negligence in carrying out their duties under this bylaw.
313. When, in the opinion of the Reeve or designate established under Section 308 of this bylaw, an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.
314. 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 313.
  - 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.
  - d. the Minister cancels the state of local emergency.

315. When a declaration of a state of local emergency has been terminated, the Reeve or designate 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 and shall notify Emergency Management Alberta as soon as is reasonably practicable.
316. Mountain View County will collaborate with the other communities in Mountain View County in developing a Regional Emergency Response Plan.
317. Mountain View County will operate a joint Municipal Emergency Management Agency with the other communities in Mountain View County for the purpose of managing the Regional Emergency Response Plan.
318. Bylaw No. 28/08 rescinds bylaw No. 24/00.

Bylaw 28/08, passed by Council July 2, 2008

Amended:

Bylaw 40/08 – November 5, 2008