



## BYLAW 2024-61

### BEING A BYLAW OF THE TOWN OF DIAMOND VALLEY IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL EMERGENCY MANAGEMENT COMMITTEE, AN EMERGENCY MANAGEMENT AGENCY AND EMERGENCY MANAGEMENT PROTOCOLS FOR THE TOWN OF DIAMOND VALLEY

**WHEREAS** pursuant to the *Municipal Government Act*, RSA 2000, Chapter M-26 as amended, a municipal council has authority to govern and the authority to pass bylaws respecting the municipality, including services provided by or on behalf of the municipality;

**AND WHEREAS** the Council of the Town of Diamond Valley deems it desirable to pass a bylaw to establish an Emergency Advisory Committee, to establish and maintain an Emergency Management Agency and to provide for direction and control of the Town's emergency response as required under the *Emergency Management Act*, RSA 2000, Chapter E-6.8;

**THEREFORE, BE IT RESOLVED THAT** the Council of the Town of Diamond Valley, duly assembled in Council Chambers in Diamond Valley, Alberta, enacts as follows:

#### 1.0 TITLE

1.1 This bylaw may be cited as the "Emergency Management Bylaw".

#### 2.0 INTERPRETATION AND DEFINITIONS

2.1 In this bylaw and any schedules to this bylaw, the following terms, phrases, words and their derivations shall have the following meanings:

- (a) **Act** means the *Emergency Management Act*, Revised Statutes of Alberta RSA 2000, Chapter E-6.8.
- (b) **CAO** means the Chief Administrative Officer of the Town of Diamond Valley.
- (c) **Council** means the duly elected Council of the Town of Diamond Valley.
- (d) **Disaster** means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property or the environment.
- (e) **Emergency Advisory Committee** means the committee established under this Bylaw.
- (f) **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 or the environment.
- (g) **Employee** means the employees of the municipal corporation that have been assigned a role in the implementation of the emergency plan.
- (h) **Minister** means the Minister charged with administration of the Act.
- (i) **Municipal Emergency Management Agency** means the agency established under this Bylaw.
- (j) **Municipal Emergency Plan** means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an Emergency or Disaster.
- (k) **Town** means the municipality of the Town of Diamond Valley in the Province of Alberta, or where the context so requires, its municipal boundaries.

- 2.2 The headings in this bylaw do not form part of this bylaw and shall not affect its interpretation.
- 2.3 Any references in this bylaw to any Statutes are to the *Province of Alberta Statutes* as amended or replaced from time to time and any amendments thereto.
- 2.4 Within the text of this Bylaw;
- (a) use of a pronoun or determiner which indicates one gender shall include all genders unless the context requires otherwise, and
  - (b) use of the singular shall include the plural and the plural shall include the singular as the context requires.
- 2.5 The word 'may' when used in this Bylaw shall be construed as permissive and empowering, and the word 'shall' when used in this Bylaw shall be construed as imperative.

### **3.0 DUTIES OF COUNCIL**

- 3.1 Council Shall:
- (a) by resolution, at their annual organizational meeting, appoint the Mayor and two additional members to serve on the Emergency Advisory Committee for the entire term of office;
  - (b) provide for the payment of expenses of the members of the Emergency Advisory Committee;
  - (c) by resolution, on the recommendation of the Emergency Advisory Committee, appoint a Director of Emergency Management and a Deputy Director of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence;
  - (d) approve the Town of Diamond Valley's emergency plans and programs, subject to the regulations; and
  - (e) review the status of the Municipal Emergency Plan and related plans and programs at least once per year.
- 3.2 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; 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.
- 3.3 During an Emergency, the Emergency Advisory Committee shall:
- (a) be briefed on the Emergency and authorize the activation of the Municipal Emergency Plan;
  - (b) delegate an individual as Director of Emergency Management if the duly appointed Director of Emergency Management or Deputy Director of Emergency Management are unable to fulfill their duties and obligations;
  - (c) receive periodic briefings regarding the incident.
  - (d)

### **4.0 EMERGENCY ADVISORY COMMITTEE**

- 4.1 The Emergency Advisory Committee is comprised of the Mayor and two Councillors.

- 4.2 The Mayor is the chair of the Emergency Advisory Committee. All other members of Council are alternates.
- 4.3 Any two (2) members of the Emergency Advisory Committee who attend any meeting of the Committee in person, by telephone, or electronic means constitutes as quorum for the meeting.
- 4.4 The Emergency Advisory Committee shall:
- (a) advise on the development of emergency plans and programs, and provide guidance and direction to the Municipal Emergency Plan and related plans and programs annually; and
  - (b) review the Municipal Emergency Plan and related plans and programs annually; and
  - (c) advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year.
- 4.5 During an Emergency, the Emergency Advisory Committee has no role.

## **5.0 EMERGENCY MANAGEMENT AGENCY**

- 5.1 The Emergency Management Agency shall consist of:
- (a) The Director of Emergency Management;
  - (b) The Deputy Director of Emergency Management;
  - (c) The Chief Administrative Officer, or designate;
  - (d) The Fire Chief/Director of Public Safety of Diamond Valley, or designate;
  - (e) The Civic Operations Manager, or designate.
- 5.2 In addition to the members appointed under Section 5.1, other organizations may be invited by the Director of Emergency Management to nominate representatives to serve as members of the Agency.
- 5.3 The Emergency Management Agency Shall:
- (a) be responsible for the administration and implementation of Council's emergency management plans and programs;
  - (b) provide updates to the Emergency Advisory Committee annually on Agency activities including an update on and review of the Municipal Emergency Plan
  - (c) make the Municipal Emergency Plan available to the Alberta Emergency Management Agency for review and comment annually;
  - (d) use the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency.
- 5.4 The Director of Emergency Management shall:
- (a) prepare and co-ordinate emergency plans and programs for the Town of Diamond Valley in conjunction with members of the Emergency Management Agency;
  - (b) act as director of emergency operations on behalf of the Emergency Management Agency; and
  - (c) co-ordinate all emergency services and other resources used in an Emergency.

## **6.0 STATE OF LOCAL EMERGENCY**

- 6.1 Council 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 (SOLE). If, for whatever reason, a quorum of Council cannot

be established, the power to declare a state of local emergency is hereby delegated to any two members of Council.

- 6.2 When a state of local emergency is declared, Council shall:
- (a) Ensure that the declaration identified the nature of the Emergency and the area of Town in which it exists;
  - (b) Cause the details of the declaration to be published immediately by any means of communication deemed likely to notify the population of the affected area; and
  - (c) Cause the declaration to be forwarded to the Minister without delay.
- 6.3 Subject to section 19 of the *Emergency Management Act*, when a state of local emergency is declared, Council, may at any time, in accordance with the Municipal Emergency Plan and related plans and programs:
- (a) put into operation an emergency plan or program;
  - (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) order 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, 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 scene or 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 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 Municipal Emergency Plan and related plans or programs, any power specified in Section 6.3, clauses (a) through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.
- 6.4 When, in the opinion of Council 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.
- 6.5 A declaration of a state of local emergency is also considered terminated and ceases to be of any force when:
- (a) a resolution is passed under section 6.4;
  - (b) a period of seven (7) days has lapsed since it was declared, unless it is renewed by resolution or in the case of the SOLE being declared for a pandemic, a period of ninety (90) days;
  - (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.

- 6.6 When a declaration for a state of local emergency has been terminated, Council shall cause the details of the termination to be published immediately by such means of communication considered likely to notify the population of the affected area.

## 7.0 TRAINING AND EXERCISE

- 7.1 All members of Council must, within ninety (90) days of taking an official oath, complete:
- (a) Incident Command System 100 level training;
  - (b) the AEMA Municipal Elected Officials course;
  - (c) any other courses prescribed by the Managing Director of the Alberta Emergency Management Agency.
- 7.2 The Director of Emergency Management must, within eighteen (18) months of appointment complete:
- (a) the Basic Emergency Management Course;
  - (b) Incident Command System 100, 200 and 300 level training;
  - (c) The Director of Emergency Management course;
  - (d) Any other courses prescribed by the Managing Director of the Alberta Emergency Management Agency.
- 7.3 Diamond Valley employees who have been assigned responsibilities respecting the implementation of the emergency plan must, within six months of being identified for a role complete:
- (a) the Basic Emergency Management course;
  - (b) Incident Command System 100 level training;
  - (c) any other courses prescribed by the Managing Director of the Alberta Emergency Management Agency.
- 7.4 In addition to the requirements of Sections 7.1, 7.2, and 7.3, Council, the Director of Emergency Management, and Diamond Valley employees may from time to time engage in additional training as feasible to enhance preparedness and response capacity for the Town.
- 7.5 The Emergency Management Agency must engage in at least one exercise each year to discuss the manner in which the Agency would respond to and resolve the issues arising from a possible Emergency or Disaster scenario.
- 7.6 The Emergency Management Agency shall engage in at least one exercise every four years in which they carry out actions as if a possible Emergency or Disaster scenario was actually occurring, but without deploying personnel or other resources.
- 7.7 Section 7.6 does not apply if the Emergency Management Agency has implemented the emergency plan within the previous four years.

**8.0 GENERAL PROVISIONS AND COMING INTO FORCE**

- 8.1 If any term, clause or condition of this bylaw or the application thereof is found to be invalid or unenforceable, the remainder of this bylaw or application of such term, clause or condition shall not be affected and shall remain in force and effect.
- 8.2 Nothing in this bylaw relieves any person from compliance with any other bylaw or any applicable federal or provincial law, regulation or enactment.
- 8.3 In the event of a conflict between this bylaw and any other bylaw or any applicable federal or provincial law, regulation or enactment respecting public health and safety, the other bylaw, law, regulation or enactment shall prevail to the extent of the conflict.
- 8.4 This bylaw repeals Town of Black Diamond Bylaw 2022-17 in its entirety and all amendments thereto and this bylaw repeals Town of Turner Valley Bylaw 22-1133 in its entirety and all amendments thereto.
- 8.5 This bylaw shall come into force and effect on the date of third and final reading.

**READ A FIRST TIME** on the 15 day of May, 2024

**READ A SECOND TIME** on the 15 day of May, 2024

**READ A THIRD AND FINAL TIME** on the 15 day of May, 2024

  
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Mayor  
\_\_\_\_\_  
Chief Administrative Officer

Elected Official Initial ne

CAO Initial AD