

## Bylaw No. 134-17

### **A BYLAW OF THE SUMMER VILLAGE OF BIRCH COVE IN THE PROVINCE OF ALBERTA TO ESTABLISH THE FOLLOWING: A REGIONAL EMERGENCY ADVISORY COMMITTEE AND A REGIONAL EMERGENCY MANAGEMENT AGENCY TO PROVIDE FOR EMERGENCY MANAGEMENT FOR THE SUMMER VILLAGE OF BIRCH COVE AND SUMMER VILLAGES THAT ARE PARTNER OF THIS BYLAW.**

WHEREAS the Council of the Summer Village of Birch Cove is responsible for the direction and control of its emergency response and is required, under the *Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8*, (hereinafter referred to as the "Act") to appoint an Emergency Advisory Committee and to establish and maintain an Emergency Management Agency;

AND WHEREAS it is recognized that an emergency or disaster of a jurisdictional or multi-jurisdictional nature could affect any or all of the Summer Villages that are partner of this Bylaw to such a degree that local resources would be inadequate to cope with the situation;

AND WHEREAS the Ste. Anne Summer Villages Councils wish to enter into a regional emergency management partnership with each other for the purpose of integrated emergency management planning and operations;

NOW THEREFORE, the Councils of the Ste. Anne Summer Villages, in the province of Alberta, duly assembled enacts as follows:

1. This Bylaw may be cited as the Ste. Anne Summer Villages Regional Emergency Management Bylaw.
2. In this Bylaw:
  - (a) "Act" means the *Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8*.
  - (b) "Councils" means the Council of all partner Ste. Anne Summer Villages.
  - (c) "Municipality" means Birch Cove as referenced in this Bylaw.
  - (d) "Municipalities" means Summer Villages as referenced in this Bylaw.
  - (e) "Commissioner" means the Chief Administrative Officer or designate, of each Ste. Anne Summer Village.
  - (f) "Disaster" means an event that may result in serious harm to the safety, health or welfare of people or widespread damage to property.
  - (g) "Director of Emergency Management" means an individual appointed by resolution of Council responsible for the preparation and coordination of emergency plans and programs for the Municipality.

- (h) “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 minimize damage to property.
  - (i) “Ste. Anne Summer Villages” refers to the following municipalities:
    - i. Summer Village of Southview
    - ii. Summer Village of Silver Sands
    - iii. Summer Village of Nakamun
    - iv. Summer Village of Yellowstone
    - v. Summer Village of Ross Haven
    - vi. Summer Village of West Cove
    - vii. Summer Village of Sunrise Beach
    - viii. Summer Village of Sunset Point
    - ix. Summer Village of Val Quentin
    - x. Summer Village of Sandy Beach
    - xi. Summer Village of Castle Island
    - xii. Summer Village of Birch Cove
  - (j) “Ste. Anne Summer Villages Regional Emergency Advisory Committee” means the committee established under this Bylaw and comprised of a member of Council, or designate, from each of the partnering municipalities of the Ste. Anne Summer Villages Regional Emergency Management Partnership.
  - (k) “Ste. Anne Summer Villages Regional Emergency Management Agency” means the agency established under this Bylaw and comprised of the Directors of Emergency Management, or designate, from each of the partnering municipalities of the Ste. Anne Summer Villages Regional Emergency Management Partnership.
  - (l) “Ste. Anne Summer Villages Regional Emergency Management Partnership” means those municipalities who have entered into a joint agreement for the purpose of organizing integrated emergency planning, training, assistance and emergency operations programs.
  - (m) “Ste. Anne Summer Villages Regional Emergency Management Plan” means the integrated emergency management plan prepared by the Ste. Anne Summer Villages Regional Emergency Management Agency to coordinate response to an emergency or disaster within the combined geographic boundaries of the Summer Villages that are partner of this Bylaw.
  - (n) “Minister” means the Minister responsible for the Emergency Management Act.
3. There is hereby established a Ste. Anne Summer Villages Regional Emergency Advisory Committee to advise the Council of the Summer Village of Birch Cove on the development of emergency plans and programs.
  4. There is hereby established a Ste. Anne Summer Villages Regional Emergency Management Agency to act as the agent of the Council of the Summer Village of Birch Cove to carry out its statutory powers and obligations under the Act.

5. The Council of the Summer Village of Birch Cove shall:
  - (a) by resolution, appoint one (1) of its members to serve on the Ste. Anne Summer Village Regional Emergency Advisory Committee;
  - (b) provide for the payment of expenses of the Summer Village of Birch Cove member in the Ste. Anne Summer Village Regional Emergency Advisory Committee;
  - (c) advise the Ste. Anne Summer Villages Regional Emergency Advisory Committee, of the appointed Director of Emergency Management for the Summer Village of Birch Cove;
  - (d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters within the geographical regions of the partners of this Bylaw;
  - (e) endorse Ste. Anne Summer Village's emergency plans and programs, that are approved by the Ste. Anne Summer Village Regional Emergency Advisory Committee; and
  - (f) review the status of the Ste. Anne Summer Villages Regional Emergency Management Plan and related plans and programs at least once each year.
6. Each partner Summer Village Council may:
  - (a) by Bylaw borrow, levy, expropriate and expend, without the consent of the electors, the required sums (as determined by the Ste. Anne Summer Villages Regional Emergency Management Agency) for the operation of the Ste. Anne Summer Villages Regional Emergency Management Agency; and approved by the Ste. Anne Summer Villages Regional Emergency Advisory Committee; 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.
7. The Ste. Anne Summer Villages Regional Emergency Advisory Committee shall:
  - (a) review the Ste. Anne Summer Villages Regional Emergency Management Plan and related plans and programs on a regular basis; and
  - (b) advise each partner Summer Village Council on the status of the Ste. Anne Summer Villages Regional Emergency Management Plan and related plans and programs at least once each year.
8. The Ste. Anne Summer Villages Regional Emergency Management Agency shall be comprised of one or more of the following as designated by the partnership for representation:
  - (a) a Director of Emergency from each partner Summer Village; or
  - (b) a Deputy Director of Emergency Management; or

- (c) a Chief Administration Officer
9. In addition, the following public and private organizations, that may assist in the preparation or implementation of the Ste. Anne Summer Villages Regional Emergency Management Plan, may be invited to provide representative(s) to the Ste. Anne Summer Villages Regional Emergency Management Agency:
- (a) the Fire Chief, or designate;
  - (b) the Summer Village's Communications Officer (Information Officer), or designate;
  - (c) the Summer Village's Operations Department Manager, or designate;
  - (d) the Summer Village's Planning and Development Manager, or designate;
  - (e) representative(s) from law enforcement;
  - (f) the School Division Superintendent, or designate;
  - (g) representative(s) from Alberta Health Services;
  - (h) representative(s) from adjacent municipalities which have entered into mutual aid agreements with the Municipality;
  - (i) representative(s) from local industry or industrial associations;
  - (j) representative(s) from Alberta Municipal Affairs, Alberta Emergency Management Agency; and
  - (k) any other agency or organization that, in the opinion of the Ste. Anne Summer Villages Regional Emergency Management Agency may provide assistance.
10. The Ste. Anne Summer Villages Regional Emergency Management Agency shall:
- (a) assist in the preparation and coordination of the Ste. Anne Summer Villages Regional Emergency Management Plan and prepare and coordinate related plans and programs for the Partnership;
  - (b) ensure that someone is designated under the Ste. Anne Summer Villages Regional Emergency Management Plan to so act, on behalf of the Ste. Anne Summer Villages Regional Emergency Management Agency;
  - (c) coordinate all emergency services and other resources used in an emergency; and/or
  - (d) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).
11. The Summer Village of Birch Cove's power to declare, terminate or renew a state of local emergency under the Act, the powers specified in Section 13 of this Bylaw, and the requirements specified in Section 16 of this Bylaw, are hereby delegated to

the Ste. Anne Summer Villages Regional Emergency Advisory Committee. The Ste. Anne Summer Villages Regional Emergency Advisory Committee (minimum two representatives) may, at any time when it is satisfied that an emergency exists or may exist (as defined within the Terms of Reference and the Ste. Anne Summer Villages Regional Emergency Management Plan), by resolution, make a declaration of a state of local emergency within the geographic boundaries of the partners in this Bylaw.

12. When a state of local emergency is declared, the person or persons making the declaration shall:
  - (a) ensure that the declaration identifies the nature of the emergency and the area of the Ste. Anne Summer Villages 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.
  
13. Subject to Section 14, when a state of local emergency is declared, the person or persons making the declaration may:
  - (a) cause the Ste. Anne Summer Villages 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) recommend control or prohibition of travel to or from any area within the Municipality;
  - (e) authorize for the restoration of essential facilities and the distribution of essential supplies and provision, maintenance and coordination of emergency medical, welfare and other essential services in any part of the Municipality;
  - (f) authorize the evacuation of persons and the removal of livestock and personal property from any area of the Municipality 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) authorize 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) authorize the procurement or fixing of prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within Ste. Anne Summer Villages for the duration of the state of local emergency;
  - (j) authorize the conscription of persons needed to support an emergency; and
  - (k) authorize any persons at any time to exercise in the operation of the Ste. Anne Summer Villages Regional Emergency Management 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.
14. When, in the opinion of the person or persons 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. 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 by the Ste. Anne Summer Villages Regional Emergency Advisory Committee;
  - (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; or
  - (d) the Minister cancels the state of local emergency.
16. When a declaration of a state of local emergency has been terminated, the person or persons 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. No action lies against the Municipality or a person acting under the Municipality's direction or authorization for anything done or omitted to be done in good faith while carrying out a power under the Emergency Management Act or the regulations during a state of local emergency.
18. This Bylaw shall take effect on the day of final passing thereof and repeals Bylaw No. 132-17.

Introduced and given first reading on this 8<sup>th</sup> day of July, 2017.

Given second reading on this 8<sup>th</sup> day of July, 2017.

Given third and final reading on this 8<sup>th</sup> day of July, 2017.

---

**Summer Village of Birch Cove**  
**Mayor Eugene Dugan**

---

Date

---

**Summer Village of Birch Cove  
CAO Dennis Evans**

Date