

THE CITY OF SPRUCE GROVE

BYLAW C-957-16

EMERGENCY MANAGEMENT BYLAW

WHEREAS, pursuant to the *Emergency Management Act*, R.S.A. 2000, c.E-6.8, Spruce Grove City Council is responsible for the direction and control of all the City of Spruce Grove's emergency responses.

AND WHEREAS, pursuant to the *Emergency Management Act*, Spruce Grove City Council is required to appoint an emergency advisory committee consisting of a member or members of Spruce Grove City Council, to advise on the development of emergency plans and programs;

AND WHEREAS, pursuant to the *Emergency Management Act*, Spruce Grove City Council is required to establish and maintain an emergency management agency to act as the agent of Spruce Grove City Council in exercising its powers and duties under the *Emergency Management Act*;

AND WHEREAS, pursuant to the *Emergency Management Act*, there shall be appointed a director of the emergency management agency;

NOW THEREFORE, Spruce Grove City Council hereby enacts as follows:

1. BYLAW TITLE

1.1 This bylaw shall be known as the *Emergency Management Bylaw*.

2. DEFINITIONS

2.1 In this bylaw, words which are italicized are defined within this section and shall have the following meanings:

- a. "**Act**" means the Emergency Management Act, R.S.A. 2000, e-E-6.8.
- b. "**City Manager**" means the person appointed by council as the Chief Administrative Officer for the City of Spruce Grove or designate.
- c. "**Council**" means the Council of the City of Spruce Grove.
- d. "**Director Emergency Management**" means the Director of the *Emergency Management Agency*.
- e. "**Disaster**" means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property, and

is further defined within the *MEP*.

- f. “**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 limit damage to property and is further defined within the *MEP*.
- g. “**Emergency Advisory Committee**” means the *Committee* appointed by *Council* consisting of a member or members of *Council*.
- h. “**Emergency Management Agency**” means the agency established by *Council*, under this bylaw to act as the agent of *Council* in exercising those powers and duties of *Council* which are granted by the *Act* and assigned to the *Emergency Management Agency* under this bylaw.
- i. “**Emergency Manager(s)**” means the *Director Emergency Management*, Deputy Director Emergency Management, Information Officer, Safety Officer, Liaison Officer, Operations Section Chief, Planning Section Chief Logistics Section Chief, Finance/Administration Section Chief.
- j. “**Emergency Operations Centre**” means a site from where *Emergency Manager(s)* support the requirements and anticipate the needs of actual or potential *Disaster(s)*, disseminate required information to the *Agency*, *City Manager*, and/or *Council*, and coordinate recovery efforts.
- k. “**Fire Chief**” means the manager of Fire Services for the City of Spruce Grove and performs the duties and responsibilities as assigned by the Spruce Grove Fire Services Bylaw.
- l. “**MEP**” means the Municipal Emergency Plan.

3. **EMERGENCY ADVISORY COMMITTEE**

- 3.1 The *Emergency Advisory Committee* is hereby established for the City of Spruce Grove.
- 3.2 All *Council* members are members of the *Emergency Advisory Committee*.
- 3.3 The Mayor is the Chair of the Committee. If the Mayor is absent, the Deputy Mayor will chair the Committee, and in the absence of the Deputy Mayor, the *Council* member present who is next scheduled in the roster as Deputy Mayor shall chair, in the event there are no *Council* members present who are scheduled to be Deputy Mayor, then the last *Council* member to fulfil the role of Deputy Mayor shall chair.

- 3.4 The *Emergency Advisory Committee* shall meet annually, or more frequently as required, and may meet on less than twenty-four (24) hours' notice. Where meetings in person are not feasible, the Committee may convene by electronic means of communication.
- 3.5 The *City Manager* may call an emergency meeting of the Committee where he or the *Director Emergency Management*, considers that a *Disaster* exists or may exist that affects the city.
- 3.6 The *City Manager* must give a minimum of one (1) hour notice of the time and place of an emergency meeting to as many members of *Council* as possible in the circumstances.
- 3.7 Those members of *Council* attending an emergency meeting of the Committee constitute a quorum.
- 3.8 *Council* delegates the power to declare, renew or terminate a State of Local Emergency to the Mayor or in the Mayor's absence the Deputy Mayor or in the Deputy Mayor's absence any two members of *Council*.

4. **FINANCIAL**

- 4.1 *Council* may, during or within 60 days after the state of local emergency, by bylaw that is not advertised but is approved by the Minister responsible for the Municipal Government Act, borrow any money necessary to pay expenses caused by the emergency including payment for services provided by the Government of Alberta or by the Government of Canada when the services were provided at the request of the city.
- 4.2 The *City Manager*, in accordance with the *Act*, may apply to the Director of the Disaster Recovery Branch of the Alberta Public Safety Services Agency for compensation for costs incurred in conducting *Emergency/Disaster* operations.

5. **EMERGENCY MANAGEMENT AGENCY**

- 5.1 The *Emergency Management Agency* is hereby established and members shall include the persons in the following positions:
 - a. The *City Manager*,
 - b. Director Emergency Management,
 - c. Deputy Director of Emergency Management,
 - d. General Manger Corporate Services,
 - e. General Manager Community and Protective Services,
 - f. General Manager Planning and Infrastructure,
 - g. Manager of Corporate Communications, and

- h. RCMP Officer-in-Charge.
- 5.2 In the event that the person identified in 5.1 as identified as a member of the *Emergency Management Agency* is unavailable for any reason the person assigned as acting shall attend any meetings whether scheduled or unscheduled.
- 5.3 Decisions of the *Emergency Management Agency* will be made by consensus with the *City Manager* having final say.
- 5.4 The *Emergency Management Agency* is responsible for:
- a. The development, maintenance, approval, and implementation of the *MEP*;
 - b. Advise the *Director Emergency Management* and the *Emergency Advisory Committee* as required;
 - c. Review, amend, and approve mutual aid agreements; and
 - d. Approve the appointment of the *Deputy Director Emergency Management*.

6. DIRECTOR EMERGENCY MANAGEMENT

- 6.1 The *Fire Chief* is hereby appointed as the *Director Emergency Management*.
- 6.2 The *Director Emergency Management* shall:
- a. Ensure that all emergency plans are prepared and coordinated as required by the *MEP*,
 - b. Act as *Director*, in accordance with the *MEP*, of *emergency and disaster* operations on behalf of the *Emergency Management Agency*.
 - c. Co-ordinate all emergency services and other resources used in an *Emergency* or *Disaster*, and,
 - d. Perform other duties as required by the *Emergency Advisory Committee*.
 - e. Recommend to the *Emergency Management Agency*, a *Deputy Director Emergency Management* as required.
- 6.3 The *Deputy Director Emergency Management* shall assist the *Director Emergency Management* and in the absence of the *Director Emergency Management* perform the duties of the *Director Emergency Management*.
- 6.4 In the event that both the *Director Emergency Management* and the *Deputy Director Emergency Management* are unavailable the *City Manager* is authorized to appoint a temporary *Director Emergency Management*. The *City Manager* shall, in accordance with section 3 of this bylaw advise the *Emergency Advisory Committee* of the appointment.

7. STATE OF LOCAL EMERGENCY

- 7.1 *Council* delegates the power to declare, renew or terminate a State of Local Emergency to the Mayor or in the Mayor's absence the Deputy Mayor or in the Deputy Mayor's absence any two members of *Council*.
- 7.2 When a State of Local Emergency is declared, the Committee or its designate shall:
- a. Ensure that the declaration identifies the nature of the State of Local Emergency and the area of the city in which it exists,
 - b. 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,
 - c. Forthwith forward a copy of the declaration to the Minister responsible for the Emergency Management Act of Alberta, and
 - d. Renew or terminate the declaration within 7 days of making the declaration.
- 7.3 When in the opinion of *Council*, the need for the declaration of a local emergency no longer exists in relation to which the declaration of a local emergency was made, it shall by resolution terminate the declaration of local emergency and immediately:
- a. Cause the details of the termination to be published 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 termination,
 - b. Forthwith forward a copy of the declaration to the Minister responsible for the Emergency Management Act of Alberta.
- 7.4 When a State of Local Emergency is declared, the *Director Emergency Management* is authorized by *Council* to exercise those powers granted within the *Act* including:
- a. Cause the Municipal Emergency Plan or any related plans or programs to be put into operation, if not already in 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 and from any area of the city.
 - e. 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 city.

- f. Cause the evacuation of persons and the removal of livestock and personal property from any area of the city 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 their 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, 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 city for the duration of the State of Local Emergency.
- j. Authorize the conscription of persons needed to meet an emergency.

8. ACCESS TO INFORMATION

- 8.1 Pursuant to the City's Records & Information Management Bylaw C-639-07, as amended or replaced from time to time, the Director Emergency Management for the City is appointed as a head of the local public body for the purposes of authorizing the disclosure of personal information when the said Director has reasonable grounds to believe the disclosure will avert or minimize a risk of harm to the health or safety of a minor or an imminent danger to the health or safety of any person.
- 8.2 In accordance with the Health Information Act RSA 2000, c H-5 the Director Emergency Management as Fire Chief is authorized by the Health Information Act RSA 2000, c H-5 to disclose to any person personal information if he believes on reasonable grounds, that the disclosure will avert or minimize a risk of harm to the health or safety of a minor or an imminent danger to the health or safety of any person.
- 8.3 A detail account of any information, including to whom the information was released pursuant to section 8.1, shall be made by the Director of Emergency Management to the City Manager and the City Clerk's Office as soon as practical after a disclosure of personal information pursuant to section 8.1.
- 8.4 A report regarding the disclosure of information pursuant to section 8.2 shall be made by the Director of Emergency Management to the City Manager and to the Privacy Commissioner as soon as practical. The report will include what information was released, to whom was the information disclosed, and the

circumstances justifying the disclosure.

9. CONTINUITY OF ESSENTIAL SERVICES

- 9.1 The *City Manager* is responsible for ensuring those areas of the city which are deemed to be essential have business continuity plans that ensure no unreasonable interruption in the delivery of their core services as identified in the continuity plans.
- 9.2 For the purpose of section 9 of this bylaw the following services are deemed to be essential:
- a. Fire Services,
 - b. Police Services,
 - c. Corporate Communications,
 - d. Roads and Drainage,
 - e. Utilities and Solid Waste,
 - f. Information Services, and
 - g. Any other service provided by the city deemed essential by the *City Manager*.
- 9.3 Business continuity plans may form part of the *MEP* or be separate plans.

10. POLICE

- 10.1 For the purposes of clarity, the following pertains to the Memorandum of Agreement dated April 1, 2012 between Canada and the Municipality of Spruce Grove for the provision of policing within Spruce Grove.
- a. The *City Manager* is hereby designated to fulfill the duties, responsibilities, and exercise the authorities of the CEO as defined within the Memorandum of Agreement.
 - b. For the purposes of the agreement the Member in Charge will act under the direction of the *City Manager* in aiding the administration of justice in the municipality and in carrying into effect the laws in force in Alberta and Spruce Grove.
 - c. The Member in Charge may, for up to 30 days, withdraw up to ten percent of the municipal members contracted to Spruce Grove to respond to a Alberta Provincial State of Emergency, Alberta Special Event, or in accordance with the agreement; in the opinion of the Commissioner of the RCMP a federal Emergency, Major Event or a provincial or territorial emergency outside Alberta exists or is likely to exist.

d. With regard to section 10.1 c. any time municipal resources are redeployed from Spruce Grove the Member in Charge will advise the *City Manager*

10.2 In accordance with the Emergencies Act of Canada, if a declaration of a Public Welfare Emergency, Public Order Emergency, or International Emergency under the Emergencies Act, is declared nothing in the declaration or any order or regulation made pursuant thereto shall be construed or applied so as to derogate from or to authorize the derogation from the control or direction of Spruce Grove over the RCMP, subject to the terms and conditions of the agreement.

11. EFFECTIVE DATE

11.1 This bylaw shall come into force and effect when it receives third reading and is duly signed.

12. REPEAL OF BYLAW C-595-06

12.1 Bylaw C-595-06 is hereby repealed.

First Reading Carried 11 September 2017

Second Reading Carried 11 September 2017

Third Reading Carried 25 September 2017

Date Signed 03 October 2017

Mayor

City Clerk