

CITY OF SPRUCE GROVE

BYLAW NO. C-595-06

DISASTER SERVICES BYLAW

Being a Bylaw of the City of Spruce Grove in the Province of Alberta to establish and maintain the Spruce Grove Disaster Services Agency.

WHEREAS the Council of the City of Spruce Grove is responsible for the direction and control of its emergency response and is required, under the *Disaster Services Act*, Chapter D-13, Revised Statutes of Alberta 2000, to appoint a Disaster Services Committee, to establish and maintain a Municipal Disaster Services Agency and appoint a director of Disaster Services; and

WHEREAS it is desirable in the public interest, and in the interests of public safety, that a Disaster Committee be appointed, that a Director of Disaster Services be appointed and that a Disaster Services Agency be established and maintained to carry out Council's statutory powers and obligations under the *Disaster Services Act* (Alberta); and

WHEREAS, Council deems it in public interest to maintain disaster services as part of a safe and viable City of Spruce Grove;

NOW THEREFORE, the Municipal Council of the City of Spruce Grove duly assembled hereby enacts as follows:

TITLE

1. This Bylaw shall be cited as the "Spruce Grove Disaster Services Bylaw".

DEFINITIONS

2. In this Bylaw:
 - a) "Chief Administrative Officer" means the City Manager for the City of Spruce Grove or his designate;
 - b) "Council" means the Mayor and elected members of the Council of the City of Spruce Grove;
 - c) "Director" means the person appointed by Council as the Director of the Disaster Services Agency;

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- d) “Disaster” means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property;
- e) “Act” means the Disaster Services Act, Chapter D-13, Revised Statutes of Alberta 2000, as amended from time to time;
- f) “Disaster Services Committee” means the committee established under this Bylaw pursuant to the Act;
- g) “Emergency” means an event that requires 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;
- h) “Minister” means the Minister responsible for the Act;
- i) “Municipal Emergency Plan” means the emergency plans and programs to co-ordinate response to an emergency or disaster;
- j) “Municipality” means City of Spruce Grove.
- k) “Spruce Grove Disaster Services Agency” means the agency established under this Bylaw pursuant to the Act.

DISASTER SERVICES COMMITTEE & COUNCIL

- 3. There is hereby established a Disaster Services Committee, comprised of two or more councillors as determined by Council to advise Council on the development of emergency plans and programs for the municipality.
- 4. Council may,
 - a) by Bylaw that is not advertised borrow, levy, appropriate and expend all sums required for the operation of the Spruce Grove Disaster Services Agency; and
 - b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of such

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services in the development or implementation of emergency plans or programs, including mutual aid plans and programs.

5. Council shall
 - a) by resolution, appoint a minimum of 2 of its members to serve on the Disaster Services Committee,
 - b) provide for the payment of expenses of the members of the Disaster Services Committee,
 - c) ensure that emergency plans and programs are prepared and approved by Council to address potential emergencies or disasters in the City of Spruce Grove,
 - d) approve the City of Spruce Grove's Municipal Emergency Plan, and
 - e) review the status of the Municipal Emergency Plan and related plans and programs at least once in each calendar year.

SPRUCE GROVE DISASTER SERVICES AGENCY

6. There is hereby established the Spruce Grove Disaster Services Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act and this Bylaw.
7. The Spruce Grove Disaster Services Agency shall be comprised of one or more of the following as approved by the Chief Administrative Officer:
 - a) the Director of Disaster Services,
 - b) the Deputy Director of Disaster Services,
 - c) the Chief Administrative Officer,
 - d) the Senior Member of the Spruce Grove R.C.M. Police, or designate,
 - e) the Public Information Officer or designate,
 - f) the Public Works Superintendent or designate,
 - g) the Fire Chief or designate,
 - h) the General Manager of Community Services,

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- i) General Manager Corporate Services,
 - j) Any other person or persons who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan.
8. The limits of the jurisdiction of Spruce Grove Disaster Services Agency will extend to the jurisdictional area and boundaries of the City of Spruce Grove. Spruce Grove Disaster Services Agency shall not operate outside of this area except to fulfil agreements and contracts with other municipalities or in accordance with the Municipal Emergency Plan.
9. Spruce Grove Disaster Service Agency shall:
- a) Prepare and coordinate the preparation of the Municipal Emergency Plan,
 - b) Direct disaster operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Spruce Grove Disaster Services Agency,
 - c) Co-ordinate all emergency services and other resources used in a disaster, and
 - d) Provide such other services as may be directed by Council.
10. Preservation of human life and property shall be the primary responsibility of Spruce Grove Disaster Services Agency in all disasters.
11. If a state of emergency is declared to exist by the Government of Canada, the Lieutenant Governor in Council or if a local state of emergency is declared to exist, the Municipality shall indemnify and save harmless the members of Council, the members of the Spruce Grove Disaster Services Agency, the Director and any other person or persons appointed by Council to carry out measures relating to emergencies or disasters from all costs and expenses relating to any action or proceeding taken by a third party as a result of damage caused through any action taken under the Act or this Bylaw. The indemnification provided for in this paragraph shall not apply to any damages or loss caused by gross negligence.

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DIRECTOR DISASTER SERVICES

12. The Director shall act as director of emergency operations on behalf of the Spruce Grove Disaster Services Agency subject to the direction and control of the Disaster Services Committee and Council.
13. The Director Disaster Services may:
 - a) investigate and recommend changes of service, mutual aid agreements, and service contracts for the Municipality as they pertain to Disasters and Emergencies; and
 - b) request assistance from other officials of the municipality as deemed necessary in order to discharge his duties and responsibilities under this Bylaw.
14. The Director Disaster Services shall:
 - a) prepare and co-ordinate the Municipal Emergency Plan,
 - b) appoint a Deputy Director Disaster Services in consultation with the Chief Administrative Officer,
 - c) act as director of emergency operations, or ensure someone is designated under the Municipal Emergency Plan to so act, on behalf of the Spruce Grove Disaster Services Agency,
 - d) co-ordinate all emergency services and other resources used in a disaster, and
 - e) ensure that someone is designated at all times to discharge the responsibilities specified in paragraphs (a), (b), (c) and (d).

STATE OF LOCAL EMERGENCY

15. The power to declare, renew or terminate a state of local emergency under the Act, the powers specified in Section 17 of this Bylaw, and the requirement specified in Section 18 of this Bylaw, are hereby delegated to a committee comprised of the Mayor, or the Deputy Mayor, alone, or in their absence, any two members of Council. This committee may, at any time when it is satisfied that a disaster or emergency exists or may exist, by order, make a declaration of a state of local emergency relating to all or any part of the Municipality.

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16. 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 or disaster and the area of the municipality 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.
17. Subject to Section 18, when a state of local emergency is declared, the person or persons 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 of a type he or she is qualified to provide;
 - d) control or prohibit travel to or from any area of the Municipality;
 - e) provide 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 Municipality;
 - f) cause 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) 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

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property, services, resources or equipment within the Municipality for the duration of the state of local emergency;

- j) authorize the conscription of persons needed to meet the emergency or disaster; and
 - k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency Plan any related plan or programs, any power specified in Paragraphs (a) through (j) in relation to any part of the Municipality affected by a declaration of a state of local emergency.
18. When, in the opinion of the person or persons declaring the state of local emergency, the disaster or emergency no longer exists in relation to which the declaration was made, they shall, by order, terminate the declaration.
19. A declaration of a state of local emergency is considered terminated and ceases to be of any force and effect when
- a) A resolution is passed or order issued under Section 18,
 - b) A period of seven days has lapsed since it was declared, unless it is renewed by resolution or order,
 - 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.

PROHIBITIONS

20. No person shall impede, obstruct or hinder a member of the Spruce Grove Disaster Services Agency or other person assisting or acting under the direction of the Director of Disaster Services.

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Bylaw C-256-95 is repealed with the coming into full force of this bylaw.

This Bylaw shall come into full force and effect on the date of the final passing hereof.

First Reading Carried 27 February 2006

Second Reading Carried 27 February 2006

Third Reading Carried 27 February 2006

Mayor

General Manager Corporate Services