



BYLAW NO. 442

BEING A BYLAW OF THE VILLAGE OF NAMPA IN THE PROVINCE OF ALBERTA TO ESTABLISH A MUNICIPAL EMERGENCY MANAGEMENT AGENCY

WHEREAS the Council of The Village of Nampa 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, to appoint an Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency;

AND WHEREAS 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;

NOW, THEREFORE, the Council for The Village of Nampa, duly assembled, hereby enacts as follows:

PURPOSE AND CITATION

The purpose of this Bylaw is to establish an Emergency Management Committee to advise Council on the development of emergency plans and programs and to establish 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, or the powers contained in Section 8 of this Bylaw. This Bylaw will be cited as the "Municipal Emergency Management Bylaw".

DEFINITIONS

- "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
- "Council" means the Village of Nampa Council;
- "Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;
- "Emergency Management Committee" means the committee established under this bylaw by the Director of Emergency Management;
- "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;

- "Minister" means the Minister charged with administration of the Act;
- "Municipal Emergency Management Agency" means the agency established under this bylaw
- "Municipal Emergency Management Plan" means the emergency plan prepared by the Director of Emergency Management to coordinate the management of an emergency or disaster;

1. Council shall

- (a) by resolution, appoint the Chief Administrative Officer of the County, or designate, as the Director of Emergency Management;
- (b) provide for the payment of expenses of the members of the Emergency Management Committee;
- (c) ensure that an emergency management plan is prepared to address potential emergencies or disasters in the County;
- (d) approve the County's emergency management plan; and
- (e) review the status of the Municipal Emergency Management Plan on a regular basis.

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 emergency plans or programs, including mutual aid agreements.

3. The Emergency Management Committee shall review the Municipal Emergency Management Plan on a regular basis.

4. The Municipal Emergency Management Agency shall be comprised of one or more of the following and may include subsections of each:

- (a) the Director of Emergency Management;
- (b) the Deputy Director of Emergency Management;
- (c) the Emergency Coordination Center Director;
- (d) the Information Officer;
- (e) the Liaison Officer;
- (f) the Safety Management Officer;
- (g) the Operations Section Chief;
- (h) the Finance Section Chief;

- (i) the Logistics Section Chief;
- (j) the Planning Section Chief;
- (k) the Council Representative;
- (l) representative(s) from assisting and/or cooperating agencies; and
- (m) representative(s) from emergency service agencies.

5. The Director of Emergency Management shall

- (a) prepare and coordinate the Municipal Emergency Management Plan for the County;
- (b) act as Director of Emergency Management, or ensure that someone is designated under the Municipal Emergency Management Plan to so act, on behalf of the Municipal 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); and
- (e) advise Council on the status of the Municipal Emergency Management Plan on a regular basis
- (f) appoint a Deputy Director of Emergency Management and other members as needed to serve on the Emergency Management Committee.

6. The power to declare or renew a state of local emergency under the Act, the powers specified in Section 12 of this by-law, and the requirement specified in Section 15 of this bylaw, are hereby delegated to a committee comprised of the Reeve, or the Deputy Reeve, alone, or in their absence, any two members of Council. This committee 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.

7. 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 Village 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 Alberta Emergency Management Agency, as soon as is reasonably practicable; and
- (d) forward a copy of the declaration to the Minister forthwith.

8. Subject to section 15, when a state of local emergency is declared, the person or persons making the declaration may

- (a) cause the Municipal Emergency Management Plan 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 Village;
 - (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate essential services in any part of the Village;
 - (f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Village 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;
 - (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, or other essential supplies and the use of any property, services, resources or equipment within the Village for the duration of the state of 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 Management Plan, 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.
9. When a state of local emergency is declared, neither Council nor any member of Council, and no person appointed by Council to carry out measures relating to emergencies or 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.
10. Notwithstanding Section 13, Council and any member of Council, and any person acting under the direction or authorization of Council is liable for gross negligence in carrying out their duties under this bylaw.
11. 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.

12. 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 15;
 - (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.

13. 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.

SEVERABILITY PROVISION

Should any provision of this Bylaw be invalid then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

REPEAL

This Bylaw repeals Bylaw No. 297

EFFECTIVE DATE

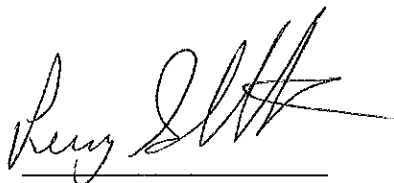
This Bylaw shall come into force and effect when it receives third reading and is duly signed.

First reading given on the 27th day of March, 2018

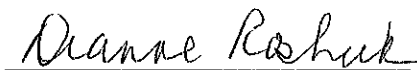
Second reading given on the 27th day of March, 2018

Third reading given on the 20th day of April, 2018

Signed this 20th day of April, 2018



Perry Skrlik, Mayor



Dianne Roshuk, Chief Administrative Officer