

**Village of Mannville – Bylaw 2012-772 – Municipal Emergency Management Agency**

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**VILLAGE OF MANNVILLE  
BYLAW #2012-772  
Emergency Management Agency**

**BEING A BY-LAW OF THE VILLAGE OF MANNVILLE IN THE PROVINCE OF ALBERTA TO ESTABLISH A EMERGENCY MANAGEMENT AGENCY**

**Whereas**, the Council of the Village of Mannville is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, RSA 2000, c.E-6. And amendments thereto, to appoint an Emergency Management Committee and to establish and maintain an 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 of the Village of Mannville in the Province of Alberta, duly assembled, hereby enacts as follows:

1. This Bylaw may be cited as the Emergency Management Agency Bylaw.
2. In this By-law,
  - (a) "Act" means the Emergency Management Act RSA 2000, c.E-6.8 and amendments thereto;
  - (b) "Council" means the Council of The Village of Mannville;
  - (c) "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;
  - (d) "Emergency Management Committee" means that the committee established under this Bylaw;
  - (e) "Emergency" means a present or imminent event that requires prompt co-ordination of action or special regulations of persons or property to protect the health, safety or welfare of people or to limit damage to property;
  - (f) "Minister" means the Minister charged with administration of the Act;
  - (g) "Emergency Management Agency" means the agency established under this By-law; and
  - (h) "Emergency Management Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to any emergency or disaster.
3. There is hereby established an Emergency Management Committee to advise Council on the development of municipal emergency plan and programs.
4. There is hereby established an 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, nor the powers contained in Section 12 of this Bylaw.
5. Council shall
  - (a) By resolution, appoint two of its members to serve on the Emergency Management Committee;
  - (b) Provide for the payment of expenses of the members of the Emergency Management Committee;
  - (c) By Resolution, on the recommendation of the Emergency Management 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 persons absence;
  - (d) Ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Village of Mannville;
  - (e) Approve the Village of Mannville's emergency plans and programs; and
  - (f) Review the status of the Emergency Management Plan and related plans and programs at least once a year.

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6. Council may;
  - (a) by Bylaw, borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the 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.
  
7. The Emergency Management Committee shall
  - (a) review the Emergency Management Plan and related plans and programs on a regular basis; and
  - (b) advise Council, duly assembled, on the status of the Emergency Management Plan and related plans and programs at least once a year.
  
8. The Emergency Management Agency shall be comprised of one or more of the following:
  - (a) The Director of Emergency Management;
  - (b) The Deputy Director of Emergency Management;
  - (c) The Manager, Administrator, Clerk or other administrative staff member(s) of the municipality;
  - (d) The Police Chief or designate or the N.C.O. in Charge, R.C.M.P. or designate;
  - (e) The Fire Chief or designate;
  - (f) The Public Information Officer or designate;
  - (g) The Public Works Foreman or designate;
  - (h) The Community Development Manager or designate
  - (i) The Health Care Centre Manager or designate;
  - (j) The Public Health representative or designate;
  - (k) The Recreational Director or designate;
  - (l) The School Division Superintendent or designate;
  - (m) The Director of Family & Community Social Services or designate;
  - (n) Representative(s) from adjacent communities which have entered into mutual aid agreements;
  - (o) Representative(s) from local business or business associates (e.g. Chamber of Commerce, Board of Trade);
  - (p) Representative(s) from local industry or industrial associations;
  - (q) Representative(s) from telecommunication industry (e.g. phone, internet, ham radio);
  - (r) Representative(s) from Alberta Agriculture, Food and Rural Development;
  - (s) Representative(s) from Alberta Environmental Protection;
  - (t) Representative(s) from Alberta Transportation or designate;
  - (u) Anybody else who might serve a useful purpose in the preparation or implementation of the Emergency Management Plan.
  
9. The Director of Emergency Management shall,
  - (a) prepare and co-ordinate the Emergency Management Plan and related plans and programs for the Village of Mannville;
  - (b) act as director of emergency operations, or ensure that someone is designated under the Emergency Management Plan to so act, on behalf of the Emergency Management Agency; and
  - (c) co-ordinate all emergency services and other sources used in an emergency; or
  - (d) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).
  
10. The power to declare or renew a state of local emergency under the Act, the powers specified in Section 12 of the Bylaw, and the requirement specified in Section 15 of the Bylaw, are hereby delegated to a committee comprised of the Mayor, or Deputy Mayor, 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.
  
11. 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; and
  - (c) forward a copy of the declaration to the Minister forthwith.

12. Subject to Section 15, when a state of local emergency is declared, the person or persons making the declaration may,
  - (a) cause the 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 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 emergency medical, welfare and other 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 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 the 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 Village for the duration of the state of emergency;
  - (j) authorize the conscription of persons needed to meet any emergency; and
  - (k) authorize any persons at any time to exercise, in the operation of the 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.
  
13. When a state of local emergency is declared,
  - (a) neither Council nor any member of Council, and
  - (b) 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 By-law, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
  
14. Notwithstanding Section 13,
  - (a) Council and any member of Council, and
  - (b) Any person acting under the direction or authorization of Council is liable for gross negligence in carrying out their duties under this By-law.
  
15. When, in the opinion of the person or persons declaring the state of local emergency, any emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.
  
16. A declaration of 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.
  
17. 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.

18. Bylaw # 716-01 is hereby rescinded.

**This By-law comes into force on the day it is finally passed.**

**Read the first time this 13<sup>th</sup> day of March, 2012, A.D.**

**Read a second time this 13<sup>th</sup> day of March, 2012, A.D.**

**Read a third time and finally passed this 13<sup>th</sup> day of March, 2012 A.D.**

VILLAGE OF MANNVILLE

*“Al Good”*

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Mayor Al Good

*“Thelma Rogers”*

Thelma Rogers, CAO