

THE CITY OF SPRUCE GROVE

BYLAW C-1082-19

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, the Council for the City of Spruce Grove, duly assembled hereby enacts as follows:

1. BYLAW TITLE

1.1 This bylaw is called "the Emergency Management Bylaw".

2. DEFINITIONS

2.1 "Act" means the *Emergency Management Act*, R.S.A. 2000, E-6.8 and amendments thereto.

2.2 "City Manager" means the person appointed by Council as the Chief Administrative Officer for the City of Spruce Grove or designate.

2.3 "Council" means the Mayor and Councillors duly elected pursuant to the provisions of the *Local Authorities Election Act*, R.S.A., 2000, c.L-21.

2.4 "Director Emergency Management" means the Director of the Emergency Management Agency.

- 2.5 “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 Municipal Emergency Plan.
- 2.6 “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 with the Municipal Emergency Plan.
- 2.7 “Emergency Advisory Committee” means the Committee appointed by Council consisting of a member of members of Council.
- 2.8 “Emergency Coordination 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.
- 2.9 “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.
- 2.10 “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.
- 2.11 “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.
- 2.12 “MEP” means the Municipal Emergency Plan, also known as the emergency management program.
- 2.13 “RCMP Officer-in-Charge” means the Detachment Commander as defined in the Municipality of Spruce Grove Municipal Police Services Agreement.

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 A quorum for any meeting, other than an Emergency meeting or a meeting for the purpose of declaring or renewing a state of local emergency, shall

meet the quorum requirements as set out in the City of Spruce Grove Council Procedure Bylaw.

- 3.4 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.
- 3.5 The Emergency Advisory Committee shall meet annually, or more frequently as required, and may in the event of an Emergency or Disaster 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.
- 3.6 The City Manager may call an Emergency meeting of the Committee where he/she, or the Director Emergency Management, considers that a Disaster exists or may exist that affects the city.
- 3.7 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.
- 3.8 A quorum of an Emergency meeting of the Emergency Advisory Committee shall consist of those members of Council who attend that meeting.
- 3.9 A quorum of an Emergency Advisory Committee meeting held for the purpose of passing a resolution to declare or renew a State of Local Emergency shall consist of either the Mayor or in the Mayor's absence the Deputy Mayor or in the Deputy Mayor's absence any two members of Council. Such a meeting may be held without notice.
- 3.10 The purpose of the Emergency Advisory Committee is to, within the parameters of the Act, provide guidance and direction to the Emergency Management Agency, discuss proposed amendments to the Emergency Management Bylaw, ensure all members of Council have taken the prescribed training, and to fulfill any requirements of the MEP during an Emergency.

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 is responsible for the administration of the MEP. 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 Manager of Corporate Services,
- e. General Manager of Community and Protective Services,
- f. General Manager of 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 to update the Emergency Advisory Committee on agency activities at least annually or more often as required;

- c. Review, amend, and approve mutual aid agreements;
- d. Approve the appointment of the Deputy Director Emergency Management; and
- e. Ensuring that the command, control, and coordination system prescribed by the Managing Director of Alberta Emergency Management Agency is used by the Emergency Management Agency.

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;
 - d. Recommend to the Emergency Management Agency, a Deputy Director Emergency Management as required;
 - e. Be responsible for advising/recommending the declaration or termination of a state of local emergency; and
 - f. Perform other duties as required by the Emergency Advisory Committee.
- 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 its authority to pass a resolution to declare or renew a State of Local Emergency to the Emergency Advisory Committee.

- 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 recommended by the Director Emergency Management and 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, Council 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 and 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 Information Management 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*, SC 2007, c 15 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.

5. **REPEAL OF BYLAW C-957-16**

5.1 Bylaw C-957-16 is hereby repealed.

First Reading Carried 24 June 2019

Second Reading Carried 24 June 2019

Third Reading Carried 12 November 2019

Date Signed

Mayor

City Clerk