

**CORPORATION OF THE VILLAGE OF BARNWELL  
IN THE  
PROVINCE OF ALBERTA**

**BYLAW NO. 02-20**

**A BYLAW OF THE VILLAGE OF BARNWELL TO ESTABLISH AN EMERGENCY ADVISORY  
COMMITTEE AND EMERGENCY MANAGEMENT AGENCY**

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**WHEREAS** pursuant to the *Emergency Management Act*, R.S.A. 2000, c.E-6.8, Council is responsible for the direction and control of the Village's emergency response, the preparation and approval of emergency plans and programs, and is required to appoint an Emergency Advisory Committee, maintain an Emergency Management Agency and appoint a Director of Emergency Management;

**AND WHEREAS** the Village has prepared a Municipal Emergency Management Plan which will be regularly reviewed, and revised and approved when necessary.

**NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF BARNWELL, DULY ASSEMBLED,  
ENACTS AS FOLLOWS:**

**PART I**

**CITATION, PURPOSE AND DEFINITIONS**

**Citation**

1. This Bylaw may be cited as the "Emergency Management Bylaw".

**Purpose**

2. The purposes of this Bylaw is to provide for the direction and control of emergency operations under the *Emergency Management Act* in the Village of Barnwell.

**Definitions**

3. In this Bylaw, unless the context otherwise requires:
  - (a) "**Act**" means the *Emergency Management Act*, R.S.A. 2000, c.E-6.8;
  - (b) "**Agency**" means the Barnwell Emergency Management Agency appointed under this Bylaw.
  - (c) "**Committee**" means the Barnwell Emergency Advisory Committee established under this Bylaw;
  - (d) "**Council**" means the municipal Council of the Village of Barnwell;
  - (e) "**Councilor**" means the members of Council and includes the Mayor;
  - (f) "**Director**" means the person appointed Director of the Agency under this Bylaw;

- (g) “**Disaster**” means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property or the environment;
- (h) “**Emergency**” means an event that requires prompt 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 or the environment;
- (i) “**Mayor**” means the chief elected official of the Village as defined in the Municipal Government Act;
- (j) “**MGA**” means the *Municipal Government Act* R.S.A., c. M-26 and the regulations thereto, as amended or replaced from time to time.
- (k) “**Minister**” means the minister charged with the administration of the *Act*;
- (l) “**Municipal Emergency Management Plan (MEMP)**” means the Village’s emergency plan prepared to coordinate response to an Emergency or Disaster.
- (m) “**State of Local Emergency (SOLE)**” means a state of local emergency declared in accordance with the *Act* and this Bylaw.
- (n) “**Village**” means the municipal corporation of the Village of Barnwell;
- (o) “**Village Manager**” means the Chief Administrative Officer of the Village within the meaning of the *Municipal Government Act*, or designate;

## PART II

### BARNWELL EMERGENCY ADVISORY COMMITTEE

#### **Establishment**

- 4. There is hereby established the Barnwell Emergency Advisory Committee.

#### **Membership and Quorum**

- 5. All Councilors are members of the Committee.
- 6. Quorum for the committee is 5 (five) members.

#### **Functions and Duties**

- 7. The Committee will:
  - (a) Advise Village Council on the development and status of plans and programs on an annual basis;
  - (b) Perform some or all of the local authority’s powers or duties as described in the *Emergency Management Act*; and

- (c) Perform any other functions and duties as required by this bylaw.

### **Committee Chair**

8. The Mayor is the chair of the Committee and will preside at all meetings.
  - (a) If the Mayor is unable to perform the chair's duties, the Councilor holding the position of Deputy Mayor at the time of the meeting will act as chair.
  - (b) If the Councilor holding the position of Deputy Mayor is unable to perform the chair's duties, the Councilor holding the position of Acting Mayor at the time of the meeting will act as chair.

### **Meetings**

9. The Committee will meet at least once annually.

### **Special Meetings**

10. The Chair of the Committee may call a special meeting of the Committee where a Councilor considers that an emergency exists, or may exist impacting the Village.
11. The Chair of the Committee or the Village Manager must give at least 1-hour notice of the special meeting to as many members of the Committee as possible in the circumstances.
12. The method of giving the notice required by section 10 will be by such means of communication considered by the Chair of the Committee to be most likely to notify the members of the Committee.
13. Those members of the Committee in attendance at a special meeting shall constitute a quorum.

### **Member Expenses**

14. The local authority shall provide for the payment of expenses of the members of the Committee.

**PART III**  
**STATE OF LOCAL EMERGENCY**

**Declaration of a SOLE**

15. The power to declare a SOLE in the Village is in accordance with Section 21 of the Act is hereby designated to:
  - (a) The Mayor
  - (b) When the Mayor is unable to act pursuant to subsection (a) or when the Mayor is unable to act, the first member of Council, described in the following list, who is present and able to act, shall act in the place and stead of the Mayor of the Village pursuant to subsection (a) during the absence of the Mayor or his inability to act;
    - i. The Deputy Mayor
    - ii. The Acting Mayor
    - iii. And every member thereafter of Village Council in priority according to the Deputy Mayor roster as established at the first organizational meeting after a regular election.
  - (c) The declaration of the SOLE under subsection (a) shall identify the nature of the emergency and the area of the Village in which it exists
  - (d) The Mayor or other party declaring shall forthwith forward a copy of the declaration to the Minister.
  - (e) Immediately after making the declaration, the Committee shall cause the details of the declaration to be published by such means of communication as it considers is most likely to make known to the population of the Village affected by the contents of the declaration.
  - (f) The Mayor declaring shall report to the next meeting of Council the nature of the emergency, the reasons for so declaring and the area of the Village in which it exists or existed.
16. Upon declaration of a SOLE and for the duration of the SOLE, the Director, may, in accordance with Section 24 of the Act, exercise and perform all of the powers and duties given to the Village by the Act.
17. At all other times, and except as otherwise provided in this Bylaw, the Committee shall exercise and perform all of the powers and duties given to the Village by the Act.

### **Termination of SOLE**

18. The power of Council to terminate a SOLE under the Act is hereby delegated to the Committee.
19. When the Committee is of the opinion that an emergency no longer exists in the Village, or the declaration has lapsed seven days without renewal, it will by resolution terminate the declaration of a SOLE.
20. Immediately after the passage of a resolution to terminate or a termination by lapse of time, the Agency will cause the details of the termination to be published by any means of communication that it considers is most likely to make known to the majority of the population of the Village.

## **PART IV**

### **BARNWELL EMERGENCY MANAGEMENT AGENCY**

#### **Establishment**

21. There is hereby established the Barnwell Emergency Management Agency.

#### **Membership and Participation**

22. The Agency shall consist of:
  - (a) The Village Manager or designate;
  - (b) The Director designate;
  - (c) The Emergency Preparedness Manager or designate;
  - (d) The Senior Management Team, or their designates;
23. The Director is authorized to invite the managers of Village business units or their identified designates to be members of the Agency.
24. The Director is authorized to invite representative's from external organizations to participate in meetings, emergency responses and recovery activities.

#### **Functions and Duties**

25. The Agency will:
  - (a) Act as the agent of Village Council to carry out all of the powers and duties of Council under the Act, except for the powers and duties delegated by this bylaw to the Committee;

- (b) Provide advice to the Committee as required;
- (c) Review all emergency management plans and programs for the Village on an annual basis;
- (d) Report to the Committee on all Agency activities and provide an update on the review of the MEMP on an annual basis;
- (e) Ensure all aspects of Village emergency management activities conform to the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency.
- (f) Cause the MEMP and related plans and programs to be activated when required;
- (g) Perform any other functions and duties as required by this bylaw or by Village Council.

### **Director of Emergency Management**

- 26. The Regional Fire Chief shall be the Director of Emergency Management and Chair of the Agency;
- 27. The Director is authorized to delegate and authorize further delegations of any powers, duties, and functions delegated to the Director of Emergency Management under this bylaw.
- 28. The Director shall;
  - (a) Prepare and coordinate emergency management related plans and programs for the Village;
  - (b) Act as the Director of the Emergency Coordination Center during activation;
  - (c) Submit to Village Council annually through the Committee, a report on the status of emergency management in the Village.
  - (d) Perform any other functions and duties as required by this bylaw or by Village Council.

### **Protection from Liability**

- 29. No action lies against Council, the Committee, the Agency and any person acting under the direction or authorization of these entities for anything done or omitted to be done in good faith while carrying out a power or duty under this bylaw during a SOLE.

**PART V**

**GENERAL PROVISIONS**

- 30. Bylaw 1-18 is amended and repealed.
- 31. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS 15 DAY OF October, 2020

READ A SECOND TIME THIS 15 DAY OF October, 2020

READ A THIRD TIME THIS 15 DAY OF October, 2020

SIGNED THIS 15 DAY OF October, 2020



MAYOR



CAO