

CITY OF ST. ALBERT

CONSOLIDATION OF EMERGENCY RESPONSE BYLAW 28/1999

Consolidated by Bylaw 22/2007

Being a bylaw to establish a Municipal Emergency Operation.

NOW THEREFORE the Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

Name

1. This bylaw shall be known as the Emergency Response Bylaw.

Declaration of a State of Local Emergency

2. The Council delegates its power under the Act to declare a state of local emergency relating to all or part of the City of St. Albert to the Mayor. **(BL 22/2007)**
3. At any time when the Mayor is satisfied that an emergency exists or may exist, the Mayor may make a declaration of a state of local emergency relating to all or part of the City of St. Albert. **(BL 22/2007)**
4. For the purposes of section 3, the declaration may but need not be in writing. **(BL 22/2007)**
5. If the Mayor declares a state of local emergency under section 3, the Mayor must:
 - a. Identify the nature of the emergency,
 - b. Identify the area of the City of St. Albert where the emergency exists,
 - c. Immediately, cause the details of the declaration to be published by such means of communication as the Mayor considers is most likely to make it known to the population that is affected by the declaration, and
 - d. Forthwith, forward a copy of the declaration to the Minister.
6.
 - a. In the event the Mayor is unable to exercise the powers under sections 2 and 3, the Deputy Mayor shall act.
 - b. In the event the Deputy Mayor is unable to act, the next scheduled councillor on the Deputy Mayor roster shall act and this line of delegation shall continue through the order of the Deputy Mayor roster until a councillor is available who can act.
 - c. In the event that the Mayor, the Deputy Mayor and all other councillors are unable to act, the City Manager shall act."
7. Subject to the Act, the Mayor may renew the declaration of a state of local emergency every 7 days until the emergency has passed.

Disaster Services Committee

8. There is hereby established a Committee, to be called the Disaster Services Committee.

9. Membership of the Committee shall consist of three members of Council to be appointed by resolution of Council.

10. The City Manager shall be an ex officio member of the Committee.

11. The Committee shall advise on the development of emergency plans and programs.

Municipal Disaster Services Agency

12. There is hereby established a Municipal Disaster Services Agency to be called the Emergency Response Organization.

13. Membership of the ERO shall be:

- a. the Director;
- b. a representative of the St. Albert Fire Services Department;
- c. the City Manager;
- d. the St. Albert General Manager of Planning and Engineering Services;
- e. the St. Albert R.C.M.P. Inspector;
- f. the Sturgeon Hospital's Physician in charge of Emergency Services; and
- g. any other staff member of the City as appointed by the ERO."

14. For the purposes of section 12, an appointment may but need not be in writing.

15.
 - a. In the event a member of the ERO is unable to act, the person occupying the next position in the chain of command in which the member works shall act.
 - b. In the event that there is no chain of command, the member's delegate shall act.
 - c. In the event that there is no chain of command and a member has not named a delegate, the Director shall appoint a person to act in that member's place.

16. Subject to section 17, the quorum of the ERO is five members, and shall include at least:

- a. the Director or a person acting for the Director;
- b. a representative of the St. Albert Fire Services Department;
- c. the Inspector of the R.C.M.P. or a person acting for the Inspector;
- d. the General Manager of Planning and Engineering Services or a person acting for the General Manager of Planning and Engineering; and
- e. the City Manager or a person acting for the City Manager.

17.

- a. If a state of local emergency has been declared and the circumstances of the emergency prevent the quorum required under section 16 from being established,

- i. the Director, or
- ii. a delegate of the Director, to whom the Director has specifically given the powers under this section.

has all the powers, duties and responsibilities of the ERO under this Bylaw and the Act until a quorum can be established.

- b. If the Director has not named a delegate under section 17.a.ii. the highest ranking person available in the chain of command at the St. Albert Fire Department, is deemed to be the delegate of the Director for the purposes of 17.a. until,
 - i. the Director can act,
 - ii. the Director expressly names another person as his delegate for the purpose of section 17.a., or
 - iii. a quorum can be established under section 16,whichever comes first.
18. The ERO shall have the following powers, duties and responsibilities:
- a. To act as the agent of Council to carry out Council's statutory powers and obligations under the Act, except the power to declare a state of local emergency,
 - b. To direct and control the City of St. Albert's emergency response,
 - c. To prepare and co-ordinate emergency plans and programs for the municipality,
 - d. To co-ordinate all emergency services and other resources used in an emergency or disaster,
 - e. To approve, by resolution, all expenditures of the ERO during an emergency or disaster, and
 - f. To enter into agreements and make payments for the provision of labour, services, equipment, or materials or whatever else is necessary to respond to a disaster or emergency.

19. When a declaration of a state of local emergency is made respecting all or part of the City of St. Albert, and for the duration of the state of local emergency, the ERO may do all acts and take all necessary proceedings including:

- a. To put into operation an emergency plan or program,
- b. To acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster,
- c. To authorize or require any qualified person to render aid of a type he is qualified to provide,
- d. To control or prohibit travel within the City of St. Albert,

- e. To 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,
 - f. To cause the evacuation of persons and the removal of livestock and personal property from any area of the City of St. Albert 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. To 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. To 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, and
 - i. To 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 any part of St. Albert.
20. In the event that a state of local emergency has been declared, the ERO may meet either in person or through any means of communication that enables a quorum to hear and speak with each other.

Director

21. The Director of Disaster Services is hereby appointed the director of the ERO.
22. The Director shall have the following duties and responsibilities:
- a. To prepare and co-ordinate emergency plans and programs for St. Albert,
 - b. To act as director of emergency operations on behalf of the ERO,
 - c. To co-ordinate all emergency services and other resources used in an emergency, and
 - d. To perform other duties as prescribed by City Council, the Committee or the Act.

Financial Accounting

23. The ERO shall forward copies of all resolutions passed under section 18 (e) and specifics of agreements or payments made under section 18 (f) to the St. Albert Director of Finance within five days of the termination of the state of local emergency.
24. The Director of Finance shall verify that each expenditure made in the state of local emergency was authorized by the ERO, and shall report to Council on the findings.

Cancellation of Declaration of State of Local Emergency

25. At any time when the Mayor is satisfied that the state of local emergency ceases to exist, the Mayor may, by declaration, terminate the state of local emergency.
26. A declaration of a state of local emergency lapses 7 days after it is made unless:

- a. It is earlier cancelled by the Minister,
- b. It is earlier terminated by the Mayor, or
- c. It is renewed by the Mayor.

Definitions

27. In this bylaw the following terms shall have the following meanings:
- a. "Act" means the Emergency Management Act, S.A. 2007, c. E-6-8, including all amendments, regulations and any successor legislation;
 - b. "City" means the City of St. Albert, a municipal corporation of the Province of Alberta, and includes, where the context so requires, the area contained within the boundaries of the City of St. Albert;
 - c. "City Manager" means the City's chief administrative officer;
 - d. "Committee" means the Disaster Services Committee established pursuant to section 8 of this bylaw;
 - e. "Council" means the City's municipal council;
 - f. "Director" means the individual designated by the City Manager as the Director of Disaster Services and Emergency Management, and if no one is so designated, the City Manager;
 - g. "Director of Finance" means the individual designated by the City Manager as the Director of Finance, and if no one is so designated, the City Manager;
 - h. "Disaster" means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property;
 - i. "Emergency" means a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect health, safety or welfare of people or to limit damage to property;
 - j. "ERO" means the Emergency Response Organization being the City of St. Albert's emergency management agency established pursuant to section 12 of this bylaw;
 - k. "Fire Chief" means the Member appointed by the City Manager as head of the St. Albert Fire Department or the Member acting in place of the Member appointed by the City Manager; and
 - l. "Minister" means the provincial Minister charged with the administration of the Act.

Repeal

28. Bylaw 27/85 is hereby repealed.