

**BYLAW # 731/14**  
**REGIONAL EMERGENCY MANAGEMENT BYLAW**

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**A Bylaw of Town of Elk Point in the Province of Alberta to establish an Emergency Advisory Committee, and Regional Emergency Management Agency**

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WHEREAS the Council of Town of Elk Point is responsible under the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000 ("the Act"), for the direction and control of the local authority's emergency response and is required to prepare and approve an emergency plan and program; and

WHEREAS the Council of Town of Elk Point is also required under the Act, to appoint an emergency advisory committee and to establish and maintain a municipal emergency management agency to carry out Council's statutory powers and obligations under the Act; and

WHEREAS it is permissible under the Act, that an emergency management agency be maintained by and act as the agent of more than one local authority; and

WHEREAS the County of St. Paul, Town of St. Paul, Town of Elk Point, and Summer Village of Horseshoe Bay ("the St. Paul Region") have agreed to work together through a regional emergency management plan and programs to carry out emergency management activities;

NOW THEREFORE, THE COUNCIL OF TOWN OF ELK POINT, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Regional Emergency Management Bylaw.
2. In this Bylaw:
  - a. "Act" means the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000;
  - b. "CEO" means the Chief Elected Official as defined within the *Municipal Government Act*, Chapter M-26, Revised Statutes of Alberta 2000;
  - c. "Council" means the council of a city, town, village, summer village, municipal district or specialized municipality, as defined in the *Municipal Government Act*;
  - d. "Director of the Regional Emergency Management Agency" means the same as the "director of the emergency management agency", as defined in the *Emergency Management Act*, with responsibility for the Regional Emergency Management Agency;
  - e. "Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or widespread damage to property;
  - f. "Emergency" means a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
  - g. "Emergency Advisory Committee" means the committee established for the local authority under this Bylaw, as defined in the *Emergency Management Act*;
  - h. "Local Authority" means, where a municipality has a council within the meaning of the *Municipal Government Act*, that council;
  - i. "Minister" means the Minister charged with the administration of the Act;



- j. "Regional Emergency Management Agency" means the agency established under this Bylaw, and means the same as the "emergency management agency" as defined in the *Emergency Management Act*;
  - k. "Regional Emergency Management Plan" means the emergency plan prepared by the Regional Emergency Management Agency; and
  - l. "State of Local Emergency" means the declaration made by a local authority, as defined in the *Emergency Management Act*.
3. The Council of Town of Elk Point hereby establishes an Emergency Advisory Committee, comprised of two (2) members of Council, to ensure that an emergency plan and program are prepared to address potential emergencies or disasters affecting Town of Elk Point.
4. The Council of Town of Elk Point hereby supports establishment of a Regional Emergency Management Agency to carry out emergency management activities on behalf of the Town of Elk Point.
5. The Council may:
  - a. By bylaw that is not advertised borrow, levy, appropriate and expend all sums required for the operation of the regional 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.
6. The Emergency Advisory Committee shall:
  - a. Review the status of the Regional Emergency Management Plan and related plans and programs at least once each year; and
  - b. Advise the Council, duly assembled, on the status of the Regional Emergency Management Plan and related plans and programs at least once each year.
7. The Director of the Regional Emergency Management Agency shall:
  - a. Act as Director of emergency operations, or ensure that someone is designated as a Deputy Director under the Regional Emergency Management Plan to so act, on behalf of the St. Paul Region;
  - b. Coordinate all emergency services and other resources used in an emergency;
  - c. Prepare, co-ordinate and review the Regional Emergency Management Plan and related plans and programs on a regular basis with assistance from any person or agency who/which might serve a useful purpose in the preparation or implementation of the Regional Emergency Management Plan;
  - d. Revise and update the Regional Emergency Management Plan, upon authority of the Emergency Advisory Committee for each of the County of St. Paul, Town of St. Paul, Town of Elk Point, and Summer Village of Horseshoe Bay; and
  - e. Delegate duties and tasks as necessary to ensure conformance with paragraphs (a), (b), (c) and (d).
8. The power to declare, renew or terminate a state of local emergency under the Act is hereby delegated to the CEO of Town of Elk Point, relating to all or any part of that specific municipality.



9. In the absence of the CEO, the power to declare, renew or terminate a state of local emergency is delegated to the Deputy CEO, or Acting CEO, or any two (2) Councillors.
10. 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 municipality in which it exists;
  - b. Cause the details of the declaration to be published immediately by such means of communications considered most likely to notify the population of the area affected; and
  - c. Forward a copy of the declaration to the Minister forthwith.
11. Subject to Section 13, when a state of local emergency is declared, the person or persons making the declaration may:
  - a. Cause the Regional 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 municipality;
  - e. Provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the municipality;
  - f. Cause the evacuation of persons and the removal of livestock and personal property from any area of the municipality that is or may be affected by the 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 a 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 municipality for the duration of the state of local 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 Regional 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 the declaration of a state of local emergency.
12. When a state of local emergency is declared,
  - a. No action lies against a local authority or a person acting under the local authority's direction or authorization for anything done or omitted to be done in good faith while carrying out a power or duty under this Bylaw or the Act or the regulations.
13. 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.



14. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:
  - a. Resolution is passed under Section 11;
  - 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.
15. 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 communications considered most likely to notify the majority of the population of the area affected.
16. This bylaw shall take effect on the date of the third and final reading.

READ A **FIRST** TIME IN COUNCIL THIS 14<sup>TH</sup> DAY OF OCTOBER, A.D. 2014

  
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MAYOR

  
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TOWN MANAGER

READ A **SECOND** TIME IN COUNCIL THIS 14<sup>TH</sup> DAY OF OCTOBER, A.D. 2014.

  
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MAYOR

  
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TOWN MANAGER

READ A **THIRD** TIME AND FINALLY PASSED BY A MAJORITY OF THOSE PRESENT THIS 14<sup>TH</sup> DAY OF OCTOBER, A.D. 2014.

  
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MAYOR

  
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TOWN MANAGER

BYLAW NO. 729/14

LOAN GUARANTEE ON BEHALF OF THE  
ELK POINT REGIONAL ALLIED ARTS SOCIETY

A BYLAW OF THE TOWN OF ELK POINT IN THE PROVINCE OF ALBERTA

WHEREAS the Town of Elk Point agrees to guarantee a line of credit on behalf of the Elk Point Regional Allied Arts Society ( hereafter called the "Corporation") jointly with the County of St. Paul No. 19. The Corporation considers it necessary to borrow certain sums of money from time to time to meet current expenditures of the Corporation for its financial year commencing January 1, 2014.

NOW THEREFORE, pursuant to the provisions of the Municipal Government Act and/or the County Act, it is hereby enacted by the Council of the Corporation as a Bylaw that:

1. The corporation with the guarantee of the Town of Elk Point and the County of St. Paul No. 19 do borrow from Servus Credit Union sums of money from time to time in the said financial year as required to meet current expenditures of the Corporation, provided that the total principal amount owed to Servus Credit Union at any one time hereunder shall not exceed the sum of **THREE HUNDRED THOUSAND DOLLARS (300,000.00)**.
2. **Only Fifty percent (50%) of the money borrowed hereunder will become the responsibility of the Town of Elk Point and shall come from taxes collected for the current fiscal year and will be repaid to Servus Credit Union upon requisition from the Town of Elk Point Regional Allied Arts Society.**
3. This Bylaw comes into force on the final passing thereof.

WE HEREBY CERTIFY that the foregoing Bylaw was duly passed and enacted by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 28<sup>th</sup> day of July, 2014 at which a quorum was presented, as entered in the minutes of the said Council, and the said Bylaw is in full force and effect.

WITNESS our hands and the seal of Corporation this 28<sup>th</sup> day of July, 2014.


Read a first time in Council this 28<sup>th</sup> day of July, A.D. 2014.

Read a second time in Council this 28<sup>th</sup> day of July, A.D. 2014.

Unanimous consent for third reading this 28<sup>th</sup> day of July, A.D. 2014.

Read a third time in Council this 28<sup>th</sup> day of July, A.D. 2014 and duly passed this 28<sup>th</sup> day of July, A.D. 2014.

  
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Mayor

  
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Town Manager