

VILLAGE OF HALKIRK
BYLAW NO. 2024-005
EMERGENCY MANAGEMENT

A BYLAW OF THE VILLAGE OF HALKIRK IN THE PROVINCE OF ALBERTA TO PROVIDE FOR EMERGENCY MANAGEMENT.

WHEREAS the Council of Village of Halkirk is responsible for the direction and control of its emergency response and is required, under the *Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8*, (hereinafter referred to as the "Act") to appoint a Village of Halkirk Emergency Advisory Committee and to establish and maintain a Village of Halkirk Emergency Management Agency;

AND WHEREAS it is recognized that an emergency or disaster of a jurisdictional or multi-jurisdictional nature could affect any or all of the municipalities within the geographical boundaries of Village of Halkirk to such a degree that local resources would be inadequate to cope with the situation; and

AND WHEREAS Council wishes to enter into a regional emergency management partnership with other municipalities within the geographical boundaries of Paintearth County for the purpose of integrated emergency management planning and operations;

NOW THEREFORE, the Council of Village of Halkirk, in the province of Alberta, duly assembled enacts as follows:

1. This Bylaw may be cited as the Village of Halkirk Emergency Management Bylaw.
2. In this Bylaw:
 - (a) "Act" means the Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8.
 - (b) "Council" means the Council of Village of Halkirk.
 - (c) "Village" means Village of Halkirk.
 - (d) "Village Manager" means the Chief Administrative Office of Village of Halkirk, or his designate.
 - (e) "Disaster" means an event that may result in serious harm to the safety, health or welfare of people or widespread damage to property.
 - (f) "Director of Emergency Management" means an individual appointed by the Village Manager and is responsible for the preparation and coordination of emergency plans and programs for the Village.
 - (g) "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.
 - (h) "Village of Halkirk Emergency Advisory Committee" means the committee established under this Bylaw.
 - (i) "Village of Halkirk Emergency Management Agency" means the agency established under this Bylaw.
 - U) "Paintearth Regional Emergency Management Partnership" means those municipalities who have entered into a joint agreement for the purpose of organizing integrated emergency planning, training, assistance and emergency operations programs.

- (k) "Paintearth Regional Emergency Advisory Committee" means a regional committee comprised of a Councillor, or designate, from each of the partnering municipalities of the Paintearth Regional Emergency Management Partnership.
 - (l) "Paintearth Regional Emergency Management Agency" means the Directors of Emergency Management, or designate, from each of the partnering municipalities of the Paintearth Regional Emergency Management Partnership.
 - (m) "Paintearth Regional Emergency Management Plan" means the integrated emergency management plan prepared by the Castor Regional Emergency Management Agency to coordinate response to an emergency or disaster within the geographic boundaries of Village of Halkirk.
 - (n) "Minister" means the Minister responsible for the Emergency Management Act.
3. There is hereby established a Village of Halkirk Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
 4. There is hereby established a Village of Halkirk Emergency 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, or the powers contained in Section 13 of this Bylaw.
 5. The Village Manager shall appoint as per powers assigned to him in this bylaw a Director of Emergency Management and a sufficient number of Deputy Directors of Emergency Management fulfil the duties required of Village of Halkirk as stated in the Provincial Emergency Management Act
 6. Council shall:
 - (a) by resolution, appoint three (3) of its members to serve on the Village of Halkirk Emergency Advisory Committee;
 - (b) provide for the payment of expenses of the members of the Village of Halkirk Emergency Advisory Committee;
 7. Council may:
 - (a) by Bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Village of Halkirk Emergency 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.
 8. The Village of Halkirk Emergency Advisory Committee shall:
 - (a) review the Paintearth Regional Emergency Management Plan and related plans and programs on a regular basis;
 - (b) Advise Council on the status of the Paintearth Regional Emergency Management Plan and related plans and programs at least once each year;
 - (c) Meet at least once each year, or by special request of the Chair; and
 - (d) Quorum of the Committee shall be 2 of 3 appointed Council members

9. The Village of Halkirk Emergency Management Agency shall be comprised of one or more of the following:

- (a) the Director of Emergency Management;
- (b) the Deputy Director(s) of Emergency Management;
- (c) the Village Manager;
- (d) the Village of Halkirk Fire Chief, or designate;
- (e) the Communications Officer (Public Information Officer), or designate;
- (f) the Village's Director of Operations, or designate;
- (g) the Village's Director of Planning Services, or designate;
- (h) the Village's Director of Community Services, or designate.

10. In addition, the following public and private organizations may be invited to provide representative(s) to the Village of Halkirk Emergency Management Agency:

- (a) the NCO in Charge, Local RCMP Detachment, or designate;
- (b) the School Division Superintendent, or designate;
- (c) representative(s) from Alberta Health Services;
- (d) representative(s) from adjacent municipalities which have entered into mutual aid agreements with the Village;
- (e) representative(s) from local industry or industrial associations;
- (f) representative(s) from Public Safety and Emergency Services, Alberta Municipal Affairs, Alberta Emergency Management Agency; and
- (g) anybody else who might serve a useful purpose in the preparation or implementation of the Castor Regional Emergency Management Plan.

11. The Village of Halkirk Emergency Management Agency shall be responsible for:

- (a) reviewing and updating the Castor Regional Emergency Management Plan;
- (b) recommending to the Village of Halkirk Emergency Management Advisory Committee changes or revisions to the plan;
- (c) reviewing and providing input to the DEM into the development of the Village of Halkirk Emergency Management Training and Exercising plan;
- (d) participating in exercises and training according to the establish exercise and training program;
- (e) meeting a minimum of two times per year.

12. The Director of Emergency Management shall:

- (a) assist in the preparation and coordination of the Paintearth Regional Emergency Management Plan and prepare and coordinate related plans and programs for the Village;
- (b) act as director of emergency operations, or ensure that someone is designated under the Paintearth Regional Emergency Management Plan to so act, on behalf of the Village of Halkirk Emergency Management Agency.

- (c) coordinate all emergency services and other resources used in an emergency;
 - (d) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c);
 - (e) ensure that the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency will be used by the agency.
13. The power to declare, terminate or renew a state of local emergency under the Act, the powers specified in Section 14 of this Bylaw, and the requirements specified in Section 14 of this Bylaw, are hereby delegated to a committee comprised of the Mayor, or the 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.
14. 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 Village of Halkirk 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) identify or list the anticipated powers that will be invoked in the State of Local Emergency Declaration
 - (d) forward a copy of the declaration to the Minister forthwith.
15. Subject to Section 14, when a state of local emergency is declared, the person or persons making the declaration may:
- (a) cause the Paintearth 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 the person is qualified to provide;
 - (d) control or prohibit travel to or from any area the Village;
 - (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 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 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 Village of Halkirk for the duration of the state of local emergency;

- o) 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 Paintearth 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 a declaration of a state of local emergency.
16. 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.
17. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:
- (a) a resolution is passed under Section 14;
 - (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.
18. 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.
19. No action lies against the Village or a person acting under the Village's direction or authorization for anything done or omitted to be done in good faith while carrying out a power under the Emergency Management Act or the regulations during a state of local emergency.
20. Bylaw No. is hereby repealed.
21. This Bylaw shall take effect on the day of final passing thereof.

Introduced and given first reading on this 11th day of July, 2024.

Read a second time on the 11th day of July, 2024.

And with unanimous consent of all Councilors present to proceed with third reading on this the 11th day of July, 2024;

Read a third and final reading on this 11th day of July, 2024.

J. Koenaedt
Mayor

Marcy Penschke
CAO