



TOWN OF COCHRANE

Bylaw 18/2019

Being a bylaw of the Town of Cochrane in the Province of Alberta, Canada with respect to Emergency Management.

WHEREAS: Pursuant to *Emergency Management Act, RSA 2000 c. E-6.8* the Town of Cochrane is responsible for the direction and control of the Town's response in the event of a major emergency;

WHEREAS: Pursuant to section 11 of the Emergency Management Act, the Council of the Town of Cochrane is required to appoint a committee consisting of a member or members of Council to advise on the development of emergency plans and programs, to appoint a director of emergency management, and to establish and maintain a municipal emergency management agency to act as the agent of the Council of the Town of Cochrane in exercising its powers and duties under the Act;

AND WHEREAS It is in the public interest that such an agency be established and maintained and that such a committee be appointed to carry out Council's statutory powers and obligations under the Emergency Management Act;

AND WHEREAS Pursuant to section 203 of the *Municipal Government Act, R.S.A. 2000*, the Council of the Town of Cochrane may by bylaw delegate any of its powers, duties or functions under the Municipal Government Act or any other enactment or bylaw to a council committee, the chief administrative officer or a designated officer, unless the Municipal Government Act or other enactment or bylaw provides otherwise;

NOW THEREFORE: Council of the Town of Cochrane, in the Province of Alberta, duly assembled enacts as follows:

TITLE

1. This bylaw shall be known as the "Emergency Management Bylaw"

DEFINITIONS

2. For the purpose of this bylaw:
 - a) "Act" means the *Emergency Management Act, RSA 2000, c. E-6.8*, as amended, or any legislation substituted for it;
 - b) " Agency" means the Emergency Management Agency established under this Bylaw;
 - c) "Chief Administrative Officer" or "CAO" means the individual appointed by Council pursuant to the Designated Officer Bylaw, or any successor legislation, who is responsible for the overall coordination, direction and administration of all policies of Council;
 - d) "Committee" means the Emergency Advisory Committee established under this bylaw;
 - e) "Council" means the municipal Council of the Town of Cochrane;
 - f) "Director" means the person appointed Director of Emergency Management under this bylaw;
 - g) "Disaster" shall have the same meaning given to it by the Act;
 - h) "Emergency" shall have the same meaning given to it by the Act;
 - i) "Emergency Management Program" means the development, coordination, and execution of plans, measures, and programs pertaining to the mitigation, preparedness, response, and recovery before, during, and after an emergency event;
 - j) "Minister" means the Minister charged with administration of the Act;
 - k) "Municipal Emergency Management Plan" means the plan prepared and maintained by the Emergency Management Agency to govern the emergency management program for the Town of Cochrane; and
 - l) "State of Local Emergency" shall have the same meaning given to it by the Act.

EMERGENCY ADVISORY COMMITTEE

3. There is hereby established an Emergency Advisory Committee, with the function being to advise on the development of emergency plans and programs. The membership of which shall be the Mayor and Deputy Mayor.
 - 3.1. The Committee shall meet annually or more frequently as required.
 - 3.2. The Committee shall:
 - 3.2.1. Review the Municipal Emergency Management Plan and related plans and programs; and

- 3.2.2. Be responsible to advise Council on the development of those emergency management plans and programs at least annually.

STATE OF LOCAL EMERGENCY (SOLE)

4. The power to declare, renew, or terminate a state of local emergency in accordance with the Act is hereby delegated to the Committee, the membership of which shall be
 - 4.1. the Mayor; or
 - 4.2. if the Mayor is unavailable, the Deputy Mayor; or
 - 4.3. if both the Mayor and the Deputy Mayor are unavailable, the first member of council who is present and able to act is considered a member of the Committee.
5. The Committee may, at any time when it is satisfied that an emergency exists or may exist, can declare a state of local emergency.
6. When a state of local emergency is declared, the Committee shall:
 - 6.1. ensure that the declaration identifies the nature of the emergency and the area(s) of the Municipality in which it exists;
 - 6.2. immediately cause the details of the declaration to be published by any means of communication considered most likely to make known to the population of the area(s) affected by the contents of the declaration;
 - 6.3. forward a copy of the declaration to the Minister forthwith; and
 - 6.4. advise all members of Council of the declared state of local emergency forthwith.
7. When, in the opinion of the Committee, an emergency no longer exists in relation to which the declaration was made, they shall terminate the declaration.
8. When a declaration of a state of local emergency has been terminated, the Committee shall immediately cause the details of the declaration to be published by any means of communication considered most likely to make know to the population of the area affected by the contents of the declaration.

EMERGENCY MANAGEMENT AGENCY

9. There is hereby established an Emergency Management Agency.
10. The Agency will act as the agent of Council to carry out all statutory powers and obligations under the Act, except for those powers and duties delegated by the bylaw to the Committee.

11. The Chief Administrative Officer (CAO) shall be the Director of Emergency Management. (DEM)
12. The Director is authorized to appoint other Deputy Directors of the Emergency Management Agency. (DDEM)
13. The Emergency Management Agency will consist of:
 - 13.1. The Director of Emergency Management (DEM)
 - 13.2. The Deputy Directors of Emergency Management (DDEM)
 - 13.3. The officer in charge of the Royal Canadian Mounted Police (RCMP) detachment; and
 - 13.4. Members of the Town of Cochrane's administration as required by the Director of Emergency Management.
14. The Agency is responsible for:
 - 14.1. The development, maintenance and implementation of the Municipal Emergency Management Plan and related plans and programs;
 - 14.2. The establishment, maintenance, and operation of the Emergency Coordination Centre;
 - 14.3. The provision of assistance and guidance to the Director and, as requested by the Director, to the Committee;
 - 14.4. The conduct of appropriate training to facilitate the effective operation of the Emergency Coordination Centre.

EMERGENCY COORDINATION CENTRE

15. Designated employees from the following departments, divisions, and business units shall form an Emergency Coordination Centre (ECC);
 - Communications
 - Community Services
 - Development Services
 - Information Services
 - Legislative and Protective Services
 - Infrastructure Services
 - Corporate Services
 - Human Resources
 - Additional members of the Town of Cochrane Administration as required.
 - Outside agencies or individuals deemed necessary by the Director.

FINANCIAL

16. Council may:
 - 16.1. By Bylaw, that is not advertised but is approved by the Minister responsible for the Municipal Government Act, during or within 60 days after the state of local emergency borrow, levy, appropriate and expend, all sums required for the operation of the Agency; and
 - 16.2. 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 management plans or programs, including mutual aid plans and programs.
17. Where possible, the Agency shall forward copies of all resolutions passed under the State of Local Emergency and specifics of agreements or payments made during this period to the General Manager, Corporate Services, or designate, within fourteen days of the termination of the State of Local Emergency.
18. The General Manager, Corporate Services, or designate, shall verify that each expenditure made under the State of Local Emergency was authorized by the Agency and shall report to Council on the findings.

PROTECTION FROM LIABILITY


19. No action lies against the Committee, the Agency or any member of the Committee or Agency or any person acting under the Committee's or Agency'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 during a State of Local Emergency.

GENERAL PROVISIONS AND COMING INTO FORCE

20. Where a bylaw references a Town staff position, department or committee, the reference is deemed to be to the current name of the staff position, department or committee is known by.
21. If any term, clause or condition of this Bylaw or application thereof is found to be invalid or unenforceable, the remainder of this Bylaw or the application of such term, clause or condition shall not be affected and shall remain in force and effect.

This Bylaw shall come into full force and effect upon the date of third and final reading.

Read a first time March 25, 2019
Read a second time March 25, 2019
Unanimous consent March 25, 2019
Read a third time March 25, 2019



Mayor



Manager, Legislative Services