

**MUNICIPALITY OF JASPER
BYLAW #162
BEING A BYLAW OF THE SPECIALIZED MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA
TO PROVIDE FOR EMERGENCY RESPONSE**

Contents

- 1.0 Citation
- 2.0 Definitions
- 3.0 Emergency Advisory Committee
- 4.0 Financial
- 5.0 Municipal Emergency Management Agency
- 6.0 State of Local Emergency
- 7.0 Termination of State of Local Emergency
- 8.0 Offence
- 9.0 Severance

WHEREAS, pursuant to the provisions of the Agreement for the Establishment of Local Government in Jasper dated June 13th, 2001, the Agreement for the Provision of Interim Municipal Services and Functions between the Municipality of Jasper and Her Majesty the Queen in Right of Canada dated 1 April 2002 and to the Emergency Management Act, RSA 2000, c E-6.8, the municipality is responsible for the direction and control of emergency response in the Town of Jasper; and

AND WHEREAS, the Act requires Council to appoint an emergency advisory committee to advise on the development of emergency plans and programs;

AND WHEREAS, the Act requires Council to maintain an emergency management agency to act as the agent of Council to carry out its statutory powers and obligations under the Act;

NOW THEREFORE, the Council of the Specialized Municipality of Jasper in the Province of Alberta, duly assembled, enacts:

1.0 Citation

- 1.1 This Bylaw may be called the "Emergency Management Bylaw".

2.0 Definitions

2.1 In this Bylaw:

- 2.1.1 "Act" means the Emergency Management Act RSA 2000, Chapter E-6.8
- 2.1.2 "chief administrative officer" (CAO) means the chief administrative officer of the Municipality of Jasper or designate;
- 2.1.3 "Council" means the Council of the Specialized Municipality of Jasper;
- 2.1.4 "disaster" means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property;
- 2.1.5 "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;
- 2.1.6 "Emergency Advisory Committee" (committee) means the committee established under this bylaw.
- 2.1.7 "Emergency Management Agency" (agency) means the agency established under this bylaw.
- 2.1.8 "Minister" means the Minister responsible for the Act
- 2.1.9 "Municipal Emergency Plan" (plan) means the emergency plan prepared and maintained by the agency to coordinate a response to an emergency event.
- 2.1.10 "Municipality" means the Municipality of Jasper in Jasper National Park in the Province of Alberta;
- 2.1.11 "person" means an individual and includes a firm, partnership, joint venture, proprietorship, corporation, department, board, agency, association, society or any other legal entity.

3.0 Emergency Advisory Committee

- 3.1 The Emergency Advisory Committee is hereby established.
- 3.2 All councillors are members of the committee chaired by the Mayor.

- 3.3 The committee will review the plan and related plans and programs on a regular basis and shall be responsible to advise the municipality on the development of those emergency management plans and programs.
- 3.4 The committee shall meet annually, or more frequently as required, and may meet on less than twenty-four hours' notice. Where meetings in person are not feasible, the committee may convene by electronic means of communication.
- 3.5 The members of the committee, including the chair, will be entitled to expenses in accordance with Council policy.
- 3.6 Council hereby delegates to the committee the power to declare, renew or terminate a State of Local Emergency.
- 3.7 The CAO may call an emergency meeting of the committee where a member or the CAO considers that an emergency exists or may exist in the municipality.
- 3.8 The CAO shall give a minimum of one hour's notice of the time and place of an emergency meeting to as many members as possible in the circumstances.
- 3.9 The notice required in section 3.8 will be by such means of communications considered by the CAO to be most likely to be effective.
- 3.10 In the event an emergency meeting of the committee cannot be convened in a timely manner or is inquorate the Mayor, Deputy Mayor or Acting Mayor acting alone or any two members may take any decision falling to the committee.

4.0 Financial

- 4.1 Subject to section 4.2, Council may by bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the agency.
- 4.2 Council may, during or within 60 days after the state of local emergency, by bylaw that is not advertised but is approved by the Minister, borrow any money necessary to pay expenses caused by the emergency.
- 4.3 Council may 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 and programs.
- 4.4 Council may, in accordance with section 4.2, expend all sums required for the response to and recovery from an emergency event.

5.0 Municipal Emergency Management Agency

- 5.1 The Municipal Emergency Management Agency is hereby established.
- 5.2 The agency is responsible for:
 - 5.2.1 The development, maintenance and implementation of the plan;
 - 5.2.2 The maintenance, establishment and operation of the emergency operations centre;
 - 5.2.3 The provision of emergency management advice to the director of emergency management (DEM) and the Committee as required;
 - 5.2.4 Conduct of all coordination and liaison with the Alberta Emergency Management Agency;
 - 5.2.5 Conduct appropriate training to ensure effective operation of the emergency operations centre.
- 5.3 The CAO shall act as director of emergency operations centre.
- 5.4 The CAO is authorized to designate the DEM.
- 5.5 The DEM shall:
 - 5.5.1 Ensure that all emergency plans are prepared and coordinated as required by the Act.
 - 5.5.2 Co-ordinate all emergency operations within the municipality

- 5.5.3 Perform other duties as required by the municipality during an emergency.
- 5.5.4 Appoint a Deputy Director or Directors as required.
- 5.6 The DEM is authorized to delegate and authorize further delegations of any powers, duties, and functions delegated to the DEM under this bylaw.
- 5.7 Organizations located in or operating in Jasper may be invited to nominate representatives to serve as members of the agency or as partners in the activation of the emergency operations centre. Such organizations include, but are not limited to government agencies, law enforcement and health services, utility and transport providers and commercial entities or representative associations.

6.0 State of Local Emergency

- 6.1 The committee or its designate may, at any time when it is satisfied that an emergency exists or may exist, make a declaration of a state of local emergency relating to all or any part of the municipality.
- 6.2 The committee or its designate shall ensure that the declaration identifies the nature of the emergency and the area of the municipality in which it exists.
- 6.3 When a State of Local Emergency is declared, the DEM shall:
 - 6.3.1 Cause the details of the declaration to be published immediately by such means of communication considered most likely to make known to the majority of the population of the area affected the contents of the declaration.
 - 6.3.2 Forward a copy of the declaration to the Minister.
- 6.4 When a state of local emergency is declared, the DEM may at any time, in accordance with the plan and related plans or programs:
 - 6.4.1 Cause the plan or any related plans or programs to be put into operation, if not already in operation.
 - 6.4.2 Acquire or utilize any personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster.
 - 6.4.3 Request the Superintendent of Jasper National Park acquire or utilize any real property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster.
 - 6.4.4 Authorize or require any qualified person to render aid of a type he or she is qualified to provide.
 - 6.4.5 Control or prohibit travel to and from any area of the municipality.
 - 6.4.6 Provide for the restoration of essential services and the distribution of essential supplies, and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the municipality.
 - 6.4.7 Cause the evacuation of persons and the removal of livestock, domestic animals and personal property from any area of the municipality that is or may be affected by a disaster, and make arrangements for the adequate care and protection of those persons, animals and their personal property.
 - 6.4.8 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.
 - 6.4.9 Cause the demolition or removal of any trees or structures if the demolition or removal is necessary or appropriate in order to reach the scene of a disaster, to attempt to forestall its occurrence or to combat its progress.
 - 6.4.10 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.
 - 6.4.11 Authorize the conscription of persons needed to meet an emergency.

6.5 No action lies against Council or a person acting under the direction or authorization of Council for anything done or omitted to be done in good faith while carrying out a power or duty under the Act or this bylaw.

7.0 Termination of State of Local Emergency

7.1 When, in the opinion of the committee or designate, the emergency no longer exists in relation to which the declaration was made, it shall, by resolution, terminate the declaration of a state of local emergency.

7.2 A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:

7.2.1 A period of seven days has lapsed since a state of local emergency was declared, unless it is renewed by resolution.

7.2.2 The Lieutenant Governor in Council makes an order for a state of local emergency under the Act, relating to the same area; or

7.2.3 The Minister cancels the state of local emergency.

7.3 When a declaration of a state of local emergency has been terminated, the DEM shall:

7.3.1 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.

7.3.2 Forward notice of termination to the Minister.

8.0 Offence

8.1 Any person who violates any provision of this bylaw or interferes with or obstructs any person in the exercise of any power or the performance of any duty conferred or imposed by this bylaw is guilty of an offence and is liable upon conviction to a maximum fine of \$10,000 or in default of payment of the fine to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts.

9.0 Severance

9.1 If any section in this by law is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

COMING INTO FORCE AND REPEAL

That bylaw #24 is hereby rescinded.

This bylaw shall come into effect on the date of final passing thereof.

GIVEN FIRST READING THIS 18th DAY OF SEPTEMBER, 2012

GIVEN SECOND READING THIS 4th DAY OF DECEMBER, 2012

GIVEN THIRD AND FINAL READING THIS 21st DAY OF MAY, 2013

Mayor

Chief Administrative Officer