



CITY OF EDMONTON

BYLAW 14737

EMERGENCY MANAGEMENT BYLAW

(CONSOLIDATED ON NOVEMBER 14, 2012)

THE CITY OF EDMONTON
BYLAW 14737
EMERGENCY MANAGEMENT BYLAW

Whereas, pursuant to the *Emergency Management Act*, R.S.A. 2000, c.E-6.8, Edmonton City Council is responsible for the direction and control of the City of Edmonton's response in the event of a major emergency;

And Whereas, pursuant to section 11.1(1) of the *Emergency Management Act*, Edmonton City Council is required to appoint a committee consisting of a member or members of Edmonton City Council, to advise on the development of emergency plans and programs;

And Whereas, pursuant to section 11.2 of the *Emergency Management Act*, Edmonton City Council is required to establish and maintain a municipal emergency management agency to act as the agent of Edmonton City Council in exercising its powers and duties under the Act;

And Whereas, pursuant to section 145 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, Edmonton City Council may pass bylaws in relation to the establishment and functions of council committees;

And Whereas, pursuant to section 203 of the *Municipal Government Act*, R.S.A. 2000, Edmonton City Council 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;

(S.2-S.5, Bylaw 16221, November 14, 2012)

Edmonton City Council enacts:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

- PURPOSE** 1 The purpose of this bylaw is to provide for the direction and control of the City of Edmonton’s emergency operations under the *Emergency Management Act*.
- DEFINITIONS** 2 In this bylaw, unless the context otherwise requires:
- (a) “**Act**” means the *Emergency Management Act*, R.S.A. 2000, c.E-6.8;
 - (b) “**Agency**” means the Emergency Management Agency established under this bylaw;
 - (c) “**City**” means the municipal corporation of the City of Edmonton;
 - (d) “**City Manager**” means the Chief Administrative Officer of the City within the meaning of the Municipal Government Act, or his delegate;
 - (e) “**Committee**” means the Emergency Management Advisory Committee established under this bylaw;
 - (f) “**Council**” means the municipal council of the City of Edmonton;
 - (g) “**Councillor**” includes the Mayor;
 - (h) “**Director**” means the person appointed Director of the Emergency Management Agency under this bylaw;
 - (i) “**Disaster**” means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;
 - (j) “**Emergency**” means a present or imminent event that requires prompt co-ordination of action, or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
 - (k) “**Emergency Operations Centre**” means a designated site within the City of Edmonton from which civic officials monitor, coordinate and support the emergency response and recovery activities during an emergency or disaster;
 - (l) “**Minister**” means the minister charged with the

administration of the Act;

- (m) **“Municipal Emergency Plan”** means the emergency plan prepared by the Director of the Emergency Management Agency to coordinate response to an emergency or disaster.
- (n) **“Office of Emergency Preparedness”** means the organization within the City responsible for managing the City’s Emergency Management Program.

(S.6-S.9, Bylaw 16221, November 14, 2012)

RULES FOR INTEPRETATION

- 3 The marginal notes and headings in this bylaw are for reference purposes only.

PART II - EMERGENCY MANAGEMENT AGENCY

ESTABLISHMENT

- 4 (1) The Agency is hereby established.
- (2) The City Manager is hereby appointed Director of the Agency.
- (3) In the absence of the City Manager, the Acting City Manager will act as Director of the Agency.

MEMBERS OF AGENCY

- 5 (1) The Agency will consist of:
 - (a) the Director;
 - (b) the director, Office of Emergency Preparedness;
 - (c) the members of the City’s Corporate Leadership Team;
 - (d) the Chief of Police;
 - (e) the Fire Chief; and
 - (f) Deleted
- (2) In addition to the members appointed under subsection (1) other organizations may be invited by the Director to nominate representatives to serve as members of the Agency, including:
 - (a) utility companies;
 - (b) health agencies;

- (c) service organizations; and
- (d) any other agency or organization that, in the opinion of the Director, may assist in the preparation or implementation of the Municipal Emergency Plan.

DUTIES OF DIRECTOR

- 6 The Director of the Agency will:
- (a) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the City;
 - (b) act as Director of the Emergency Operations Centre, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Agency; and
 - (c) co-ordinate all emergency services and other resources used in an emergency.
 - (d) ensure that the Municipal Emergency Plan is reviewed at least annually by the Office of Emergency Preparedness and any time conditions arise or opportunities for improvement occur;
 - (e) ensure that the Committee is briefed annually on the City's emergency management program and the Municipal Emergency Plan; and
 - (f) ensure that the Agency is briefed bi-annually on the City's emergency management program and the Municipal Emergency Plan.

FUNCTIONS

- 7 The Agency will act as the agency for Council to carry out all statutory powers and obligations of Council under the Act, except for those powers and duties delegated by this bylaw to the Emergency Management Committee.

(S.10-S.13, Bylaw 16221, November 14, 2012)

PART III - EMERGENCY MANAGEMENT ADVISORY COMMITTEE**ESTABLISHMENT**

- 8
- (1) The Committee is hereby established.
 - (2) All Councillors are members of the Committee.
 - (3) The Mayor is the Chair of the Committee. If the Mayor is absent, the Deputy Mayor will chair the Committee and in the absence of the Deputy Mayor, the Acting Mayor will chair the Committee.

- (4) The members of the Committee, including the Chair, will be entitled to reasonable expenses in accordance with Council policy.
- (5) Subject to section 10 of this bylaw, the Committee will follow the procedures governing Council committees prescribed by Bylaw 12300, the Procedures and Committees Bylaw, as amended.

FUNCTIONS

- 9 (1) The Committee will review the Municipal Emergency Plan and related plans and programs on a regular basis.
- (2) The power to declare or renew a state of local emergency under the Act, the power to terminate a state of local emergency, and the power to put emergency plans into operations as specified in section 12 of this bylaw are hereby delegated to the Committee.
- (3) Subject to (4), the Committee may by bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Agency.
- (4) The Committee 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, including payment for services provided by the Government of Alberta or by the Government of Canada, when the services were provided at the request of the City.

EMERGENCY MEETING

- 10 (1) The City Manager may call an emergency meeting of the Committee where a Councillor or the City Manager considers that a major emergency exists or may exist in the City.
- (2) The City Manager must give a minimum of one (1) hour notice of the time and place of an emergency meeting to as many Councillors as possible in the circumstances.
- (3) The notice required in subsection (2) will be by such means of communication considered by the City Manager to be most likely to notify the Councillors and the public.
- (4) Those Councillors in attendance at any particular time during an emergency meeting of the Committee constitute a quorum.

(S.14-S.17, Bylaw 16221, November 14, 2012)

PART IV - STATE OF LOCAL EMERGENCY**DECLARATION OF STATE OF EMERGENCY**

- 11 (1) The Committee may, at any time when it is satisfied that a major emergency exists or may exist, by resolution declare a state of

local emergency.

- (2) The Committee must ensure that the declaration identifies the nature of the emergency and the area of the city of Edmonton in which it exists.
- (3) When a state of local emergency is declared, the Director will:
 - (a) 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
 - (b) forthwith forward a copy of the declaration to the Minister.

**MUNICIPAL
EMERGENCY PLAN
EXTRAORDINARY
EMERGENCY
POWERS**

12 Deleted

13 When a state of local emergency is declared, the Agency may at any time, in accordance with the Municipal Emergency Plan and related plans or programs:

- (a) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
- (b) authorize or require any qualified person to render aid of a type he or she is qualified to provide;
- (c) control or prohibit travel to or from any area of the city of Edmonton;
- (d) 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 in any part of the city of Edmonton;
- (e) cause the evacuation of person and the removal of livestock and personal property from any area of the city of Edmonton 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;
- (f) 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;
- (g) 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;

- (h) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property within the city of Edmonton for the duration of the state of emergency; and
- (i) authorize the conscription of persons needed to meet an emergency.

**PROTECTION
FROM LIABILITY**

- 14 No action lies against the Committee, the Agency, and 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.

**LIABILITY FOR
GROSS
NEGLIGENCE**

Deleted

**TERMINATION OF
LOCAL
EMERGENCY**

- 15 When, in the opinion of the Committee, a major emergency no longer exists in relation to which the declaration was made, the Committee shall, by resolution, terminate the declaration.
- 16 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 16;
 - (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.
- 17 When a declaration of a state of local emergency has been terminated, the City Manager 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.

(S.18-S.21, Bylaw 16221, November 14, 2012)

PART V – MUNICIPAL EMERGENCY PLAN

18 When a state of local emergency is declared, the Committee may cause the Municipal Emergency Plan or any related plans or programs to be put into operation, if not already in operation.

(S.22-S.23, Bylaw 16221, November 14, 2012)

PART VI - GENERAL

DELEGATION 19 The City Manager is authorized to delegate and authorize further delegations of any powers, duties and functions delegated to the City Manager under this bylaw.

NUMBER AND GENDER REFERENCES 20 All references in this bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

REPEALS 21 Bylaw 12151 is repealed.

(S.24, Bylaw 16221, November 14, 2012)

(NOTE: Consolidation made under Section 69 of the *Municipal Government Act*, R.S.A. 2000, c.L-21 and Bylaw No. 12005, and printed under the City Manager’s authority)

Bylaw No. 14737, passed by Council February 13, 2008

Amendments:

Bylaw 16221, November 14, 2012