

**TOWN OF MAGRATH BYLAW NO. 1280 BEING A BYLAW OF THE TOWN OF MAGRATH
IN THE PROVINCE OF ALBERTA TO ESTABLISH THE CARDSTON COUNTY REGIONAL
EMERGENCY MANAGEMENT PARTNERSHIP ORGANIZATION.**

WHEREAS the Town of Magrath is responsible for the direction and control of its emergency response and is required under the Emergency Management Act, Chapter E-6.8, RSA 2000, to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency.

AND WHEREAS it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed, and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said Emergency Management Act.

AND WHEREAS it is desirable in the public interest, and in the interests of public safety that a regional emergency management organization be formed to coordinate a regional emergency approach and programs.

AND WHEREAS the municipalities of the Towns of Magrath and Cardston, the Villages of Glenwood and Hill Spring and Cardston County wish to establish a Regional Emergency Advisory Committee, and a Regional Emergency Management Agency, led by a Regional Director of Emergency Management.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF CARDSTON IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Cardston County Regional Emergency Management Bylaw".
2. In this Bylaw the following words and terms shall have the following meanings:
 - a. **"Act"** means the Emergency Management Act, Chapter E-6.8, RSA 2000;
 - b. **"Agency"** means the Regional Emergency Management Agency;
 - c. **"Council"** means the Council of The Town of Magrath;
 - d. **"Cardston County Regional Emergency Advisory Committee"**, (the Committee) means the Regional Emergency Advisory Committee of the Cardston County Regional Emergency Management Partnership as established by an agreement between and the bylaws of the Parties;
 - e. **"Cardston County Regional Emergency Coordination Centre"** (the Centre) means the primary and backup Regional Emergency Coordination Centre as established and maintained in accordance with the Regional Emergency Management Plan;
 - f. **"Cardston County Regional Emergency Management Agency"**, (the Agency) means the Cardston County Regional Emergency Management Agency as established by an agreement between and the bylaws of the respective municipal councils of the Parties;
 - g. **"Cardston County Regional Director of Emergency Management"** (the Regional Director) means as per the Alberta Emergency Management Act, November 2018. The Regional Director is responsible to lead the Agency in the preparation for, response to and recovery from a disaster or emergency;

- h. **“Cardston County Regional Emergency Management Partnership”** (the Partnership) means the Cardston County Regional Emergency Management Partnership as established by agreement between and the bylaws of the respective municipal councils of the Parties;
 - i. **“Cardston County Regional Emergency Management Plan”**, (the Plan) means the Cardston County Regional Emergency Management Plan to coordinate the preparation for, response to and recovery from an emergency or disaster.
 - j. **“CAO”** means the Chief Administrative Officer or their designate as appointed by Council.
 - k. **“Deputy Director of Emergency Management”** (DDEM) means the person responsible for the duties of the Director of Emergency Management in their absence;
 - l. **“Director of Emergency Management”** (DEM) means the Chief Administrative Officer or other person appointed by resolution of Council, who shall be responsible for the municipality’s Emergency Management Program;
 - m. **“Disaster”** means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property;
 - n. **“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;
 - o. **“Emergency Coordination Centre”** (ECC) means the location that functions as a point of coordination, addressing the needs of the municipality or the Cardston County Regional Emergency Management Partnership Region as a whole, exercising the authority of the local officials, as well as anticipating and supporting the needs of one (1) or more incident sites;
 - p. **“Local Authority”** means, where a municipality has a council within the meaning of the Municipal Government Act, Chapter M-26, RSA 2000, that council;
 - q. **“Minister”** means the Minister charged with administration of the Act; and
 - r. **“Parties”** means the Villages of Glenwood and Hill Spring, Cardston County, and the Towns of Cardston and Magrath.
3. Council agrees through the Partnership, to establish the Committee as the agent of Council, to carry out its statutory powers and obligation under the Act.
 4. Council agrees through the Partnership, to establish the Committee to guide the creation, implementation and evaluation of the regional emergency management program and the Plan, related plans and programs, and to advise Council on the development of the aforementioned plans and programs.
 5. Council will retain the power to declare, renew or terminate a State of Local Emergency (SOLE) for any incident that is occurring or may occur within the jurisdiction of the Town of Cardston.
 6. The Committee shall:
 - a. act as the Committee for all parties to the Partnership;
 - b. consist of municipal councillors appointed by each of the Parties, with each municipality appointing one (1) primary member, each of whom shall have one (1) vote regarding any matter coming before the committee;
 - c. each municipality shall also appoint one (1) alternate member to the committee who shall be permitted to vote in the absence or in place of the primary member;
 - d. elect from the membership, a Chairperson. The Chairperson’s term will be two years;

- e. provide guidance, direction and approve the activities of the Agency and the Regional Director with regards to the development and implementation of the Partnership;
 - f. use consensus decision making wherever possible. A minimum of four (4) members from five (5) partner municipalities shall constitute a quorum;
 - g. meet one to two times per year;
 - h. review the regional emergency management program and the Plan and related plans and programs on an annual basis; and
 - i. advise Council, duly assembled, on the status of the Regional Emergency Management Program and related plans and programs at least once each year.
7. Council shall:
- a. by resolution, appoint one (1) of its members to serve on the Committee and at least one (1) member as an alternate;
 - b. provide for the payment of expenses of its member(s) of the Committee;
 - c. ensure that emergency plans and programs are prepared to address potential emergencies or disasters within Cardston County and the Partnership Region;
 - d. approve the Plan, the regional emergency plans and programs as they relate to the Town of Magrath and the Partnership Region;
 - e. review the status of the Regional Emergency Management Plan and related plans and programs at least once a year; and
 - f. by resolution appoint the CAO or other person as the DEM for the Town of Magrath.
 - g. by resolution appoint someone as the DDEM for the Town of Magrath.
8. Council agrees through the Partnership, to establish the Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act.
9. Council may:
- a. by bylaw that is not advertised, borrow, levy, appropriate and expend all sums required for its share of the operation of the Committee and the 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.
10. Council agrees through the Partnership to have a Regional Director. The Regional Director is responsible to lead the Agency in the preparation for, response to and recovery from a disaster or emergency.
11. The Agency shall be comprised of the following voting persons:
- a. the CAO of each municipality which is a member of the Partnership;
 - b. in the absence of the CAO, the DDEM of each municipality which is a member of the Partnership;
 - c. the Regional Director, if not one of the CAOs; and
 - d. in the event of a tie vote, the motion will be considered to be defeated.
12. The Agency may request that the following persons may join or advise the Agency for each period of time the Agency deems appropriate:
- a. Non-Commissioned Officer in charge of RCMP or designate;
 - b. Fire Chiefs or Designates;
 - c. Enforcement Services Manager or designate;
 - d. Emergency Public Information Officers or designates;
 - e. Alberta Health Services representatives or designates;

- f. School Superintendent or designate;
- g. Emergency Social Services Managers or designates;
- h. Representative(s) from adjacent municipalities which have entered in the Agency;
- i. Representatives from local business;
- j. Representatives from local industry or industrial associations;
- k. Representatives from Alberta Municipal Affairs;
- l. Representatives from local utility companies; and
- m. Anybody else who might serve as useful purpose in the preparation or implementation of the Plan.

13. The Agency shall:

- a. act as the Agency for all parties to the Partnership program;
- b. use the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency at all times;
- c. guide the creation, implementation and evaluation of the regional emergency management plans and programs for the Partnership Region;
- d. meet on a quarterly basis;
- e. provide an update on the agency's review of the emergency plan to the Committee on a yearly basis;
- f. determine the direction of the Agency and any of its sub groups;
- g. coordinate all emergency services and other resources used in an emergency;
- h. ensure that in the event of an emergency, an individual or group of individuals is designated under the Plan to act, on behalf of the Agency. The designation of an individual or group of individuals to act on behalf of the Agency shall be guided by the following:
 - i. In the event of an emergency/incident affecting only one municipality, the local DEM will serve as the local Emergency Coordination Centre (ECC) Manager in the local ECC. This ECC will be supported by resources of the Agency as required including the activation of the Centre; and
 - ii. In the event of an emergency/incident, resulting in the activation of the Centre within or affecting more than one municipality within the Partnership Region, the Regional Director will serve as ECC Manager for the emergency/incident. As the DEMs from the affected municipalities arrive at the Centre, the Regional Director and local DEMs will jointly decide who will take the lead role in the Centre.
- i. ensure someone is designated to discharge the responsibilities specified in paragraphs e, f, and g of this Section.

14. In the event of an emergency entirely within the boundaries of and only affecting the Town of Magrath, the authority and powers to declare or renew a state of local emergency under the Act, the authority and powers specified in Section 15 of this Bylaw, and the requirement specified in Section 19 of this Bylaw are hereby designated to:

- a. The Mayor
- b. When the Mayor is unable to act pursuant to subsection (a.) the first member of Council described in the following, who is present and able to act, shall act in the place and stead of the Mayor pursuant to subsection (a.) during the absence of the Mayor or his/her inability to act;
 - i. The Deputy Mayor


- ii. A Town Council Member assigned to the Magrath and District Emergency Services Board,
 - iii. Any member thereafter of the Magrath Town Council as established at the latest organizational meeting following a regular election.
15. When a State of Local Emergency is declared, the Town of Magrath shall:
 - a. ensure that the declaration identifies the nature of the emergency and the area 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. forward a copy of the declaration to the Minister forthwith.
 16. When Town of Magrath has declared a State of Local Emergency, the county may, for the duration of that State of Local Emergency, do all acts and take all necessary proceedings including those in Section 19 of the Act.
 17. During the response to an emergency and if the municipal DEM or DDEM is not available, the Regional Director will assume the role of the municipal DEM and will have the same emergency financial spending powers as the municipal DEM.
 18. In accordance with Section 28 of the Act, no action lies against a Local Authority or 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 Act or in the regulations during a state of local emergency.
 19. In accordance with Section 535(1)(2) of the *Municipal Government Act*, councillors, council committee members, municipal officers (CAO and employees) and volunteer workers are not liable for loss or damage caused by anything said or done or omitted to be done in good faith in the performance or intended performance of their functions, duties, or powers under the Municipal Government Act or any other enactment.
 20. When the Town of Cardston is of the opinion that an emergency no longer exists, the Town of Cardston, shall, by resolution of a quorum of council, terminate the declaration.
 21. A declaration of a State of Local Emergency (SOLE) is considered terminated and ceases to be of any force or effect when:
 - a. a resolution is passed under Section 20;
 - b. a period of seven (7) days has lapsed since it was declared, unless it is renewed by resolution;
 - c. at the end of 90 days if the declaration is in respect of a pandemic;
 - d. the Lieutenant Governor in Council makes and order for a state of emergency for the same area; or
 - e. the Minister cancels the state of local emergency for the affected area.
 22. When a declaration of a State of Local Emergency (SOLE) has been terminated, the Town of Cardston 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.

23. Should any provisions of this Bylaw become invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the bylaw and the remainder shall remain in force and be binding as though such provision had not been invalid.


24. Bylaw No. 1255 is hereby repealed.

25. This Bylaw shall come into force and take effect upon passing of third reading.

Received first reading this 13th day of April, 2021




Russ Barnett, Mayor




James Suffredine, CAO

Received second reading this 27 day of April, 2021

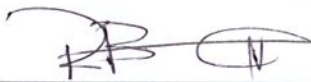


Russ Barnett, Mayor

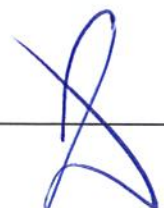


James Suffredine, CAO

Received third reading and finally passed this 27 day of April, 2021



Russ Barnett, Mayor



James Suffredine, CAO