

**TOWN OF SMOKY LAKE
IN THE PROVINCE OF ALBERTA
BYLAW NO. 011-19**

A BYLAW OF THE MUNICIPALITY OF TOWN OF SMOKY LAKE IN THE PROVINCE OF ALBERTA
BEING A BYLAW TO ESTABLISH A REGIONAL EMERGENCY MANAGEMENT.

SMOKY LAKE COUNTY – Bylaw No. 1353-19
a Municipal Corporation, in the Province of Alberta
Box 310
4612 McDougall Drive
Smoky Lake, Alberta T0A 3C0

OF THE FIRST PART

AND

TOWN OF SMOKY LAKE – Bylaw No. 011-19
a Municipal Corporation, in the Province of Alberta
Box 460
56 Wheatland Avenue
Smoky Lake, Alberta T0A 3C0

OF THE SECOND PART

AND

VILLAGE OF WASKATENAU – Bylaw No. 676-2019
a Municipal Corporation, in the Province of Alberta
Box 99
Waskatenau, Alberta T0A 3P0

OF THE THIRD PART

AND

VILLAGE OF VILNA – Bylaw No. 549-20
a Municipal Corporation, in the Province of Alberta
Box 10
Vilna, Alberta T0A 3L0

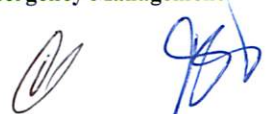
OF THE FOURTH PART

WHEREAS, the Municipal Corporations of **Smoky Lake County, Town of Smoky Lake, Village of Waskatenau, and Village of Vilna** (referred to hereinafter as “the Parties”) are local authorities situated within the Smoky Lake Region, in the Province of Alberta;

WHEREAS, each of the Parties have appointed a Director of Emergency Management pursuant to the provisions set out in the *Emergency Management Act*.

WHEREAS, the Parties recognize that many of the local resources controlled by each of the Parties could be required by more than one municipality in order to cope with a Disaster or Emergency that affects one or more of the Parties;

WHEREAS, the Parties desire to form an **Emergency Management Region** for the purposes of emergency planning, preparedness, mitigation, response and recovery; and




3. **Establishment of Smoky Lake Regional Emergency Advisory Committee**

- 3.1 The Municipal Councils of the Parties have passed bylaws authorizing their participation in the Smoky Lake Regional Emergency Management Plan and the establishment of the Advisory Committee who will fulfill the Parties' responsibilities under the Act, and as outlined in this Bylaw and under the scope of the Annual Operating Budget as per **Schedule "B"**.
- 3.2 The Advisory Committee shall consist of municipal Councillor(s) appointed by each of the Parties, with each municipality having one vote regarding any matters coming before the Advisory Committee. Each party shall also appoint at least one alternate Council member to the Advisory Committee to attend and vote when the serving member is unable to do so.
- 3.3 A majority of members shall constitute a quorum of the Advisory Committee and a motion or resolution of the Advisory Committee may only be passed by an affirmation vote of the majority of the members voting on the motion or resolution.
- 3.4 The Advisory Committee shall be considered as non-operational and will act in an Advisory Capacity.
- 3.5 The Advisory Committee shall ensure the development of a Regional Emergency Management Plan which shall meet the requirements of the Act.
- 3.6 The Advisory Committee shall meet at a minimum of once per year and the Chairperson of the Advisory Committee shall be chosen annually from the membership of the Advisory Committee.

4. **Establishment of Smoky Lake Regional Emergency Management Agency**

- 4.1 Each of the parties shall continue to have a "Director of Emergency Management (DEM)" who shall be responsible for performing those duties, powers and functions set out in the Act, with advice and assistance from the "Regional Emergency Manager".
- 4.2 The Regional Emergency Manager shall be an employee of the Smoky Lake County. The acting DEM will have the authority transfer command to another regional DEM or Alternate. Further details regarding the Regional Emergency Manager position are set out and incorporated in **Schedule "C"**, attached hereto.
- 4.3 The Agency shall also utilize key staff of the Parties to this Bylaw as well as partners identified in the Smoky Lake Regional Emergency Management Plan, or any other external agencies or services as may be deemed necessary at the time of an emergency.
- 4.4 Staff and resources of the Parties, as outlined in the Smoky Lake Regional Emergency Management Mutual Aid Agreement shall be available to the Agency during Emergency operations.
- 4.5 Smoky Lake Regional Emergency Management will be operated utilizing the Incident Command System Model (ICS) in the case of an emergency as set out in **Schedule "D"**.
- 4.6 The Agency shall consist of the Directors of Emergency Management, the Regional Emergency Manager and any other organization as referred to in **Schedule "E"** who shall utilize resources needed to exercise the local authorities power and duties under the Act; and be funded as per **Schedule "B"**.



5. **Regional Emergency Manager**

- 5.1 Smoky Lake County shall employ a Regional Emergency Manager who shall be responsible to advise and assist the Director(s) of Emergency Management for each of the Parties with fulfillment of their responsibilities under the Act.
- 5.2 The Regional Emergency Manager will be responsible for those matters set out in **Schedule "C"** to this Bylaw, or otherwise contemplated by the Act or the regulations passed thereunder.

6. **Preparedness**


- 6.1 Regional Emergency Coordination Centre (ECC) will be established and maintained as identified in the Smoky Lake Region Emergency Management Plan.
- 6.2 Public education or public awareness programs may be undertaken within the Region.
- 6.3 Personnel will be provided with training to fulfill their designated Emergency operations role.
- 6.4 A list of all personnel assigned / trained for each Emergency operations role shall be maintained within the Regional Emergency Management Plan.

7. **Mitigation of Risk**

- 7.1 In response to a risk the Council of any one of the Parties may direct that:
- 7.1.1 A program is established to mitigate the risk within their boundaries.
- 7.1.2 A program is jointly undertaken with one or more of the Parties to mitigate the risk.
- 7.1.3 No action be taken where the Council believes that the cost of mitigation is greater than the potential benefit, the benefit is not achievable, or such other reasons as the Council may deem appropriate.

8. **Declaration of a State of Local Emergency**

- 8.1 The local authority may, at any time when it is satisfied that an emergency exists or may exist in its municipality make a declaration of a state of local emergency relating to all or any part of the municipality.
- 8.2 The power to declare or renew a state of local emergency under the Act, is hereby delegated to the local authority from the municipality suffering the emergency or disaster, comprised of the following alone:
Smoky Lake County – Reeve or Deputy Reeve
Town of Smoky Lake – Mayor or Deputy Mayor
Village of Waskatenau – Mayor or Deputy Mayor
Village of Vilna – Mayor or Deputy Mayor
Or in their absence, any two members of Council.
- 8.3 When a state of local emergency is declared, the person or persons making the declaration shall:
- 8.3.1 Ensure that the declaration identifies the nature of the emergency and the area of the Smoky Lake region in which it exists.
- 8.3.2 Cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the majority of the population of the area affected.



8.3.3 Forward a copy of the declaration to the Minister.

9. **Termination of a State of Local Emergency**

9.1 When, in the opinion of the local authority, an emergency no longer exists in an area of the municipality in relation to which a declaration of a state of local emergency was made, it shall by resolution terminate the declaration of a state of local emergency in respect of that area.

10. **Liability Protection for Local Authority**

10.1 No action lies against a local authority or a 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 the Act or the regulations during a state of local emergency.

11. **Recovery**

11.1 Recovery programs and business continuity efforts undertaken by the Agency shall be prioritized to accomplish the greatest good for the most people utilizing criteria established by policy.

12. **Insurance & Indemnity**

12.1 The Parties each agree to obtain and maintain during the term of this Bylaw public liability and property damage insurance in the maximum amount normally offered by municipal insurers in the Province of Alberta. Each party shall give evidence of this insurance to the other party upon request.

12.2 Each Party agrees to forward a copy of this Bylaw to their municipal insurer and to absorb any decrease or increase in premiums which may result.

12.3 The Party within whose jurisdiction an Emergency occurs shall indemnify and save harmless any other party to this Bylaw responding to that Emergency from and against any and all claims, demands, losses, costs, damages, actions, suits and proceedings arising out of the performance of that party's obligations under this Bylaw.

13. **Termination**

13.1 This Bylaw shall come into force when it has been signed by all of the Municipalities hereto. Any Municipality may withdraw from this Bylaw by giving not less than ninety (90) days written notice to all other Municipalities within this Bylaw.

14. **Severability Provision**

14.1 Should any provision of this bylaw be invalid, then such provisions shall be severed, and the remaining Bylaw shall be maintained.

15. **Repeal**

Town of Smoky Lake Bylaw No. 008-16 known as the "Regional Emergency Management Bylaw" shall be repealed upon the passing of this Bylaw.



IN WITNESS WHEREOF this Agreement is executed on behalf of the participating Municipalities, by the hands of their officers duly authorized in that behalf and under each municipal seal affixed:

SMOKY LAKE COUNTY


DATE: _____


Reeve
Smoky Lake County


Chief Administrative Officer
Smoky Lake County

TOWN OF SMOKY LAKE

DATE: _____


Mayor
Town of Smoky Lake


Chief Administrative Officer
Town of Smoky Lake

VILLAGE OF WASKATENAU


DATE: _____


Mayor
Village of Waskatenau


Chief Administrative Officer
Village of Waskatenau

VILLAGE OF VILNA

DATE: _____


Mayor
Village of Vilna


Chief Administrative Officer
Village of Vilna

EFFECTIVE DATE

This Bylaw shall come into force and effect on the final date of passing thereof.

READ A FIRST TIME IN COUNCIL THIS 1st day of October, AD 2019.

READ A SECOND TIME IN COUNCIL THIS 19th day of November, AD 2019.

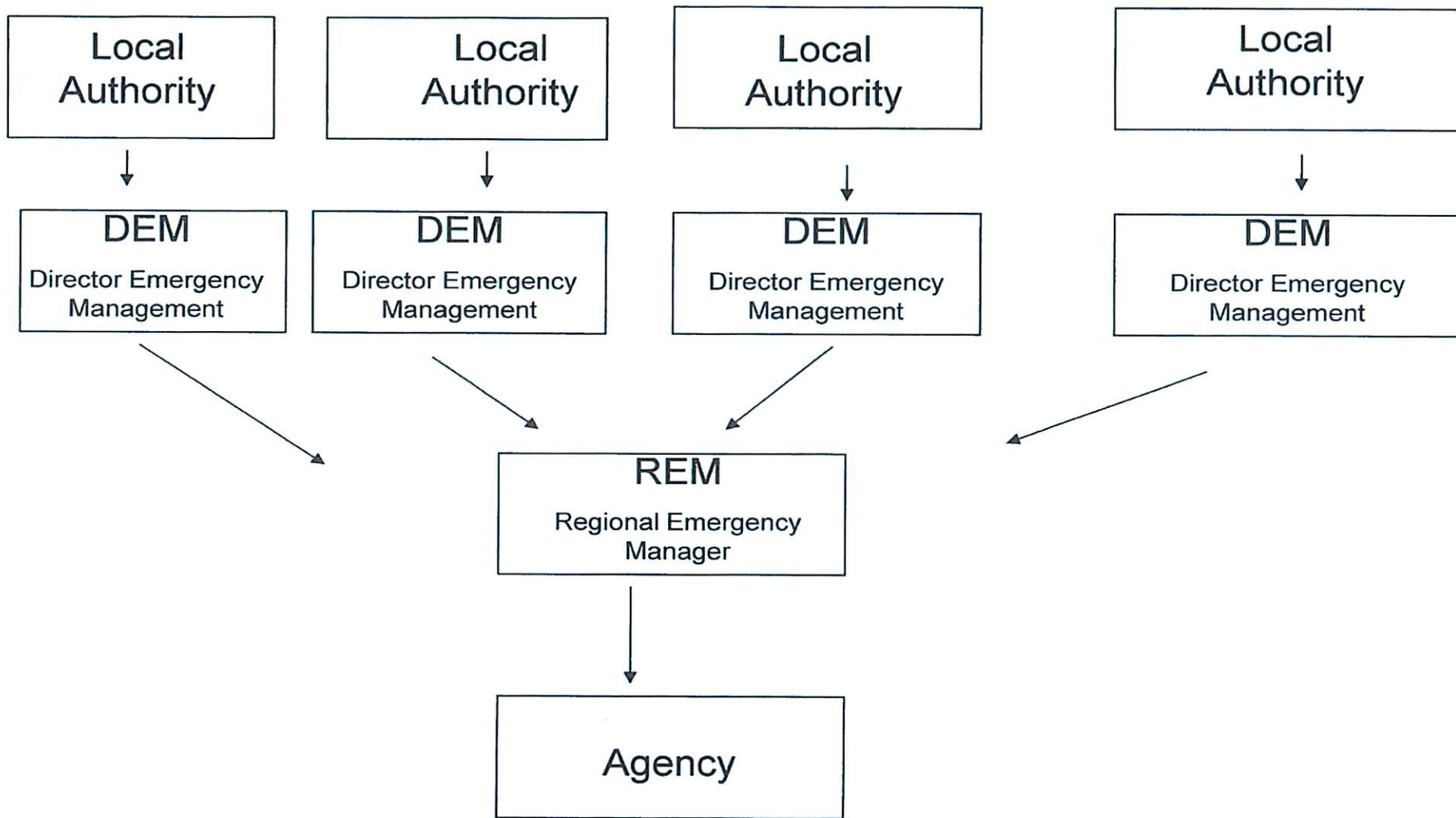
READ A THIRD AND FINAL TIME THIS 19th day of November, AD 2019.

TOWN OF SMOKY LAKE


Mayor


Chief Administrative Officer





Creating single Agency, Regional Director, multiple DDEMs

Schedule "A"

Chief Administrative Officer

Schedule "B"

Scope of Annual Operating Budget

1. Regional Emergency Advisory Committee
 - Regular meetings with the Committee and the Agency.
 - Plan preparation and distribution.
 - Advertising.
 - Miscellaneous.

2. Preparedness
 - Training course costs Councillors/staff/volunteers (wages, tuition and travel expenses for regular staff members, volunteer firefighters and medical co-responders attending training will be the responsibility of the respective party).
 - ECC equipment/supplies.
 - Regional exercises.

3. Regional Emergency Manager
 - As per **Schedule "C"**

Outside Scope of Annual Operating Budget

1. Regional Emergency Management Agency
 - Costs of Emergency operations will be the responsibility of the municipality(ies) where the Emergency is occurring.
 - Regional Emergency Manager shall be funded by the Smoky Lake County.

2. Mitigation of Risk
 - Costs of mitigation programs will be the responsibility of the municipality(ies) where the work is occurring.

3. Recovery
 - Costs of recovery operations will be the responsibility of the municipality(ies) who have ordered the work which is occurring within their boundaries. Many aspects of disaster recovery work will be the responsibility of property owners or their insurer. Some specific recovery work may be funded by a provincial disaster recovery program or NGO agency.

4. Funding Formula
 - Direct costs budgeted for operations of the Smoky Lake Emergency Management Region will be divided as per the Trider Formula:
 - 50% Smoky Lake County
 - 25% Town of Smoky Lake
 - 12.5% Village of Vilna
 - 12.5% Village of Waskatenau



Schedule "C"

Responsibilities, Costs and Funding for the Regional Emergency Manager Position

1. Employing Municipality:

- Smoky Lake County

2. Position Assigned to:

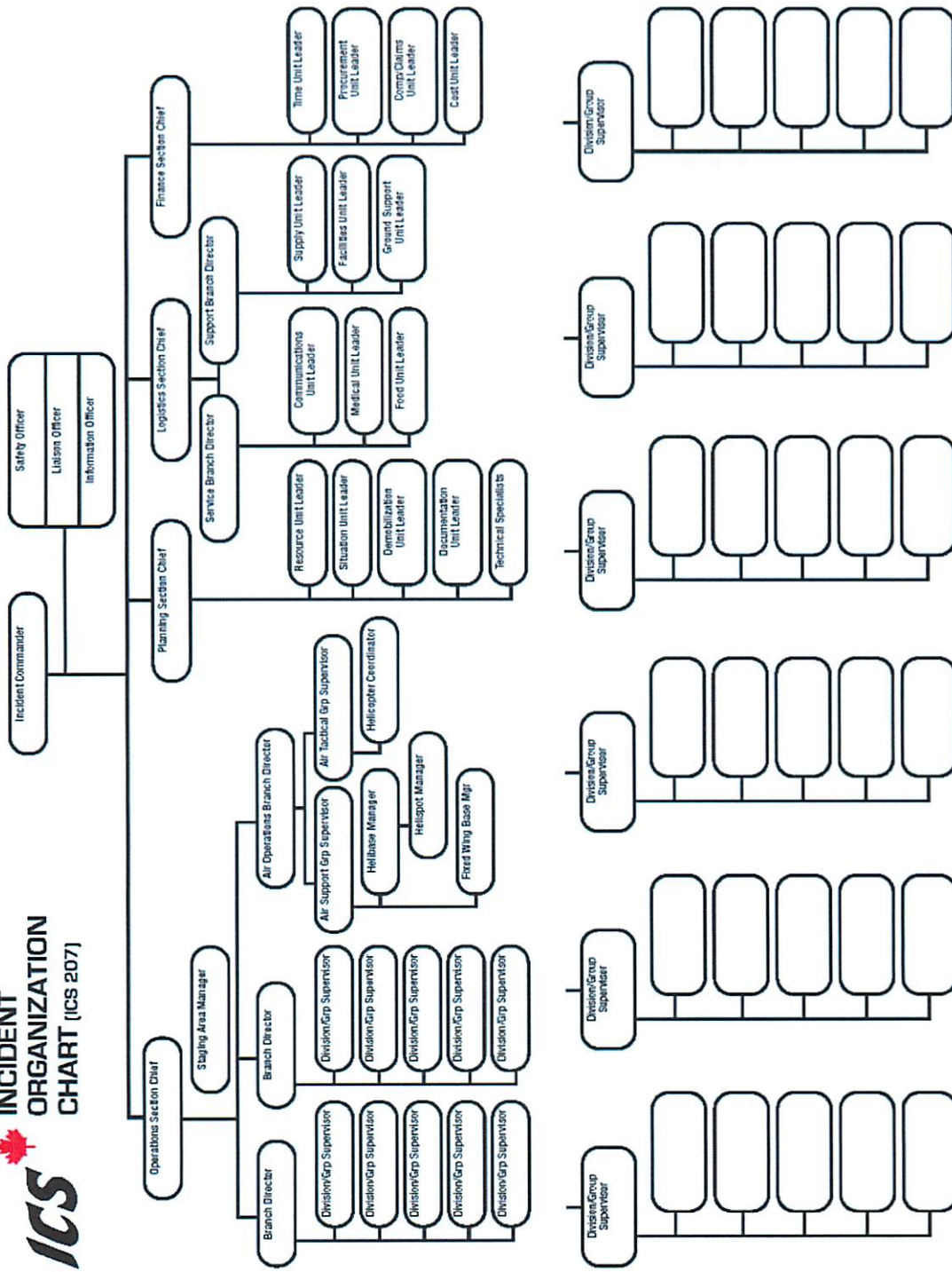
- Regional Emergency Manager

3. Duties of Position Related to Emergency Management:

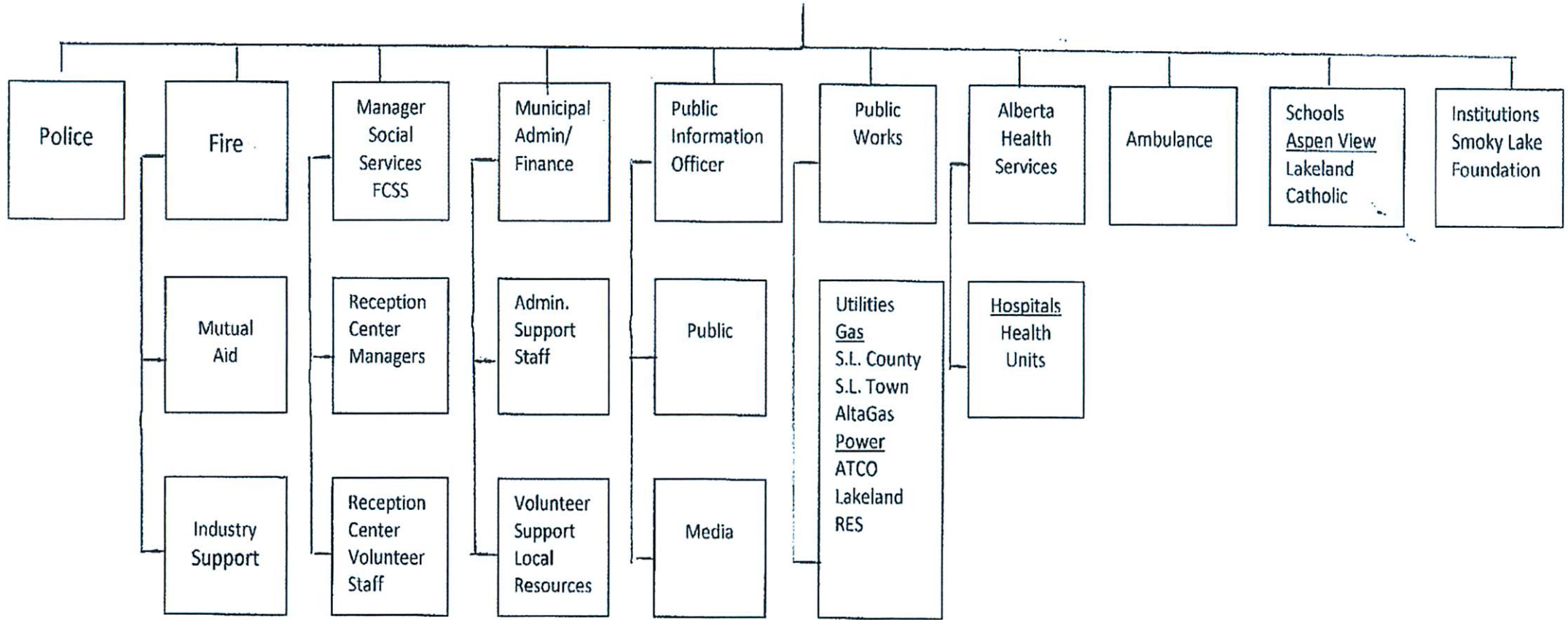
- Provide advice to each municipality through the advisory committee members
- Develop and maintain the Regional Emergency Management Plan and specific contingency plans in conjunction with the agency
- Develop and implement training programs for staff and volunteers relating to Emergency Management
- Liaison with federal, provincial, local and NGO agencies relating to Emergency Management
- Plan and coordinate exercises for ECC and volunteer staff
- Assist and advise the recruitment of volunteers and community groups
- Planning of Emergency Management Advisory Committee meetings
- Planning and chairing Emergency Management Agency meetings
- Liaison with industrial operators relating to municipal involvement in industrial Emergency Management plans.
- Attend industrial Emergency exercises and meetings to represent municipalities
- Facilitate Hazard Identification/Risk assessments for each municipality
- Manage mitigation programs (where appropriate) as necessitated due to risk assessments
- Advise and assist the DEM's to fulfill duties as required by the Act
- Act as Deputy DEM for other municipalities as per agreement



Schedule "D"



Emergency Management Agency



“Schedule E”