



**BYLAW NO. 12-2024
OF THE TOWN OF SMOKY LAKE
IN THE PROVINCE OF ALBERTA**

**A BYLAW OF THE MUNICIPALITY OF TOWN OF SMOKY LAKE IN THE PROVINCE OF ALBERTA
BEING A BYLAW TO ESTABLISH AND MAINTAIN A REGIONAL EMERGENCY MANAGEMENT
AGENCY AND EMERGENCY ADVISORY COMMITTEE**

SMOKY LAKE COUNTY – Bylaw No. 1466-24
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. 12-2024
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. 706-2024
a Municipal Corporation, in the Province of Alberta
Box 99
Waskatenau, Alberta T0A 3P0

OF THE THIRD PART

AND

VILLAGE OF VILNA – Bylaw No. ____
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;

AND WHEREAS, *the Emergency Management Act and the Local Authority Emergency Management Regulations*, as amended from time to time, allow the parties to pass bylaws authorizing the establishment and maintenance of a Regional Emergency Management Agency and Emergency Advisory Committee,

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

AND 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;

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

NOW THEREFORE the Parties hereto agree as follows.

1. **Title:**

1.1 This Bylaw may be cited as the **Regional Emergency Management Bylaw.**

2 **Definitions:**

For the purpose of this **Agreement**, the following words and terms shall have the following meanings:

2.1 “**Act**” means *The Emergency Management Act* of Alberta.

2.2 “**Agency**” means the Emergency Management Agency (EMA) established under this bylaw.

2.3 “**Committee**” means the committee of appointed elected officials from the partner municipalities.

2.4 “**Declaration of a State of Local Emergency**” means a resolution or order of a local authority under the current Act.

2.5 “**DEM**” means the person designated by each of the Parties as the Director of Emergency Management, responsible for emergency preparedness and response, within their respective municipalities.

2.6 “**Disaster**” means an event that results in serious harm to the safety, health or welfare of people, widespread damage to property, or a disaster as defined by the Act, or the regulations passed thereunder.

- 2.7 **“Emergency Social Services (ESS)”** means Registration and Inquiry, Emergency food services, Emergency lodging, Emergency clothing and Personal services.
- 2.8 **“Emergency Coordination Centre (ECC)”** means a site designated to receive and process requests for emergency assistance, to coordinate, monitor and direct emergency response and recovery activities during an emergency.
- 2.9 **“Emergency”** means an event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.
- 2.10 **“ICP”** means Incident Command Post.
- 2.11 **“ICS”** means Incident Command System Model
- 2.12 **“NGO”** means a Non-Governmental Organization.
- 2.13 **“REP”** means Regional Emergency Plan, an application for evaluation of regional municipal emergency preparedness and the development of regional emergency preparedness plans.
- 2.14 **“Regional Emergency Manager”** means the person appointed by the Smoky Lake County who is delegated the responsibility for planning, preparedness, and mitigation on behalf of the regions Director(s) of Emergency Management and who shall facilitate coordination of planning for response to regional or inter-municipal disasters or emergencies.

3 Establishment of Smoky Lake Regional Emergency Management Plan

- 3.1 The Municipal Councils of each of the Parties to this Bylaw have resolved to enter such an Agreement as may be required to establish a Regional Emergency Management Plan.
- 3.2 The Governance structure shall be referred to as outlined in **Schedule “A”: Governance Structure.**

4 Establishment of Smoky Lake Regional Emergency Advisory Committee

- 4.1 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 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”: Budget.**
- 4.2 The 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

Committee. Each party shall also appoint at least one alternate Council member to the Committee to attend and vote when the serving member is unable to do so.

- 4.3 The Elected Official appointed from Smoky Lake County shall be the Chairperson. *(in reference to LEMA: Section 2(2)(e))*
- 4.4 A majority of members shall constitute a quorum of the Committee and a motion or resolution of the Committee may only be passed by an affirmation vote of the majority of the members voting on the motion or resolution.
- 4.5 The Committee shall be considered non-operational and will act in an Advisory Capacity and provide guidance and direction to the Regional Emergency Management Agency.
- 4.6 The Committee shall ensure the development of a Regional Emergency Management Plan which shall meet the requirements of the Act.
- 4.7 The Committee shall meet at a minimum of once per year, and additional meetings may be called by the Chairperson or Regional Emergency Manager as required.

5 Establishment of Smoky Lake Regional Emergency Management Agency

- 5.1 The Councils of all Parties have agreed to create the Smoky Lake Regional Emergency Management Agency to act as the agent of the local authorities in exercising the local authorities' powers and duties under the Emergency Management Act.
- 5.2 The Chair of the Agency shall be the Regional Emergency Manager who shall be an employee of Smoky Lake County. Further details regarding the Regional Emergency Manager position are set out and incorporated in **Schedule "C": Regional Emergency Manager**, attached hereto.
- 5.3 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.
- 5.4 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.
- 5.5 The Agency will consist of the Directors of Emergency Management (DEM), Chief Administrative Officers (CAO), identified Staff and any other organization, as required, as referred to in **Schedule "E": Support Resources**, who shall utilize resources needed to exercise the local authority's power and duties under the Act; and be funded as per **Schedule "B": Budget**.

- 5.6 The Agency will utilize the command, control, and coordination system as prescribed by the Managing Director of Alberta Emergency Management Agency as set out in **Schedule “D”: Incident Command System (ICS) Model**, during times of activation.
- 5.7 Smoky Lake Regional Emergency Management Agency shall meet annually, at a minimum to review the Regional Emergency Plan and make the plan available for Alberta Emergency Management Agency to review and report to the Emergency Advisory Committee.
- 5.8 Smoky Lake Regional Emergency Management Agency is responsible for the administration of the local Emergency Management Program.

6 **Director of Emergency Management**

- 6.1 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”.
- 6.2 The Director of Emergency Management will prepare and co-ordinate emergency plans and programs for the municipalities; act as a director of emergency operations on behalf of the emergency management agency; co-ordinate all emergency services and other resources used in an emergency; and perform other duties as prescribed by the local authority.
- 6.3 During activation, the DEM will have the authority to transfer responsibility for the incident to another regional DEM or Alternate

7 **Regional Emergency Manager**

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

8 **Preparedness**

- 8.1 Multiple Regional Incident Command Posts (ICPs) may be established and maintained as identified in the Smoky Lake Region Emergency Management Plan.
- 8.2 Public education or public awareness programs may be undertaken within the Region.
- 8.3 Personnel will be provided with training as required by the Local Authority Emergency Management Regulation to fulfill their designated Emergency operations role.

- 8.4 A list of all personnel assigned / trained for each Emergency operations role shall be maintained within the Regional Emergency Management Plan.
- 8.5 Complete a minimum of one (1) tabletop exercise annually and one functional exercise at least every four (4) years.

9 **Mitigation of Risk**

- 9.1 In response to a risk the Council of any one of the Parties may direct that:
 - 9.1.1 A program is established to mitigate the risk within their boundaries.
 - 9.1.2 A program is jointly undertaken with one or more of the Parties to mitigate the risk.
 - 9.1.3 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.

10 **Declaration of a State of Local Emergency**

- 10.1 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 as recommended by the DEM or Deputy DEM and shall put into operation the Regional Emergency Management Plan.
- 10.2 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.
- 10.3 When a state of local emergency is declared, the person or persons making the declaration shall:
 - 10.3.1 Ensure that the declaration identifies the nature of the emergency and the area of the Smoky Lake region in which it exists.
 - 10.3.2 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.
 - 10.3.3 Forward a copy of the declaration to the Minister.

11 **Termination of a State of Local Emergency**

- 11.1 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;
- 11.2 Or the declaration may be cancelled by the Minister;
- 11.3 Or the declaration may terminate based on time as described within the EMA.

12 **Liability Protection for Local Authority**

- 12.1 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.

13 **Recovery**

- 13.1 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.

14 **Insurance & Indemnity**

- 14.1 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.
- 14.2 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.
- 14.3 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.

15 **Termination**

- 15.1 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.

16 **Severability Provision**

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

17 **Repeal**

17.1 Bylaw No. 011-19, known as the “Regional Emergency Management Region” 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: _____

Original Signed
Reeve
Smoky Lake County

Original Signed
Chief Administrative Officer
Smoky Lake County

TOWN OF SMOKY LAKE

DATE: _____

Original Signed
Mayor
Town of Smoky Lake

Original Signed
Chief Administrative Officer
Town of Smoky Lake

VILLAGE OF WASKATENAU

DATE: _____

Original Signed
Mayor
Village of Waskatenau

Original Signed
Chief Administrative Officer
Village of Waskatenau

VILLAGE OF VILNA

DATE: _____

Original Signed
Mayor
Village of Vilna

Original Signed
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 23rd Day of September, 2024.

READ A **SECOND TIME** IN COUNCIL THIS 23rd Day of September, 2024.

READ A **THIRD AND FINAL TIME, WITH THE UNANIMOUS CONSENT OF ALL COUNCILLORS PRESENT**, THIS 23rd Day of September, 2024.

Town of Smoky Lake

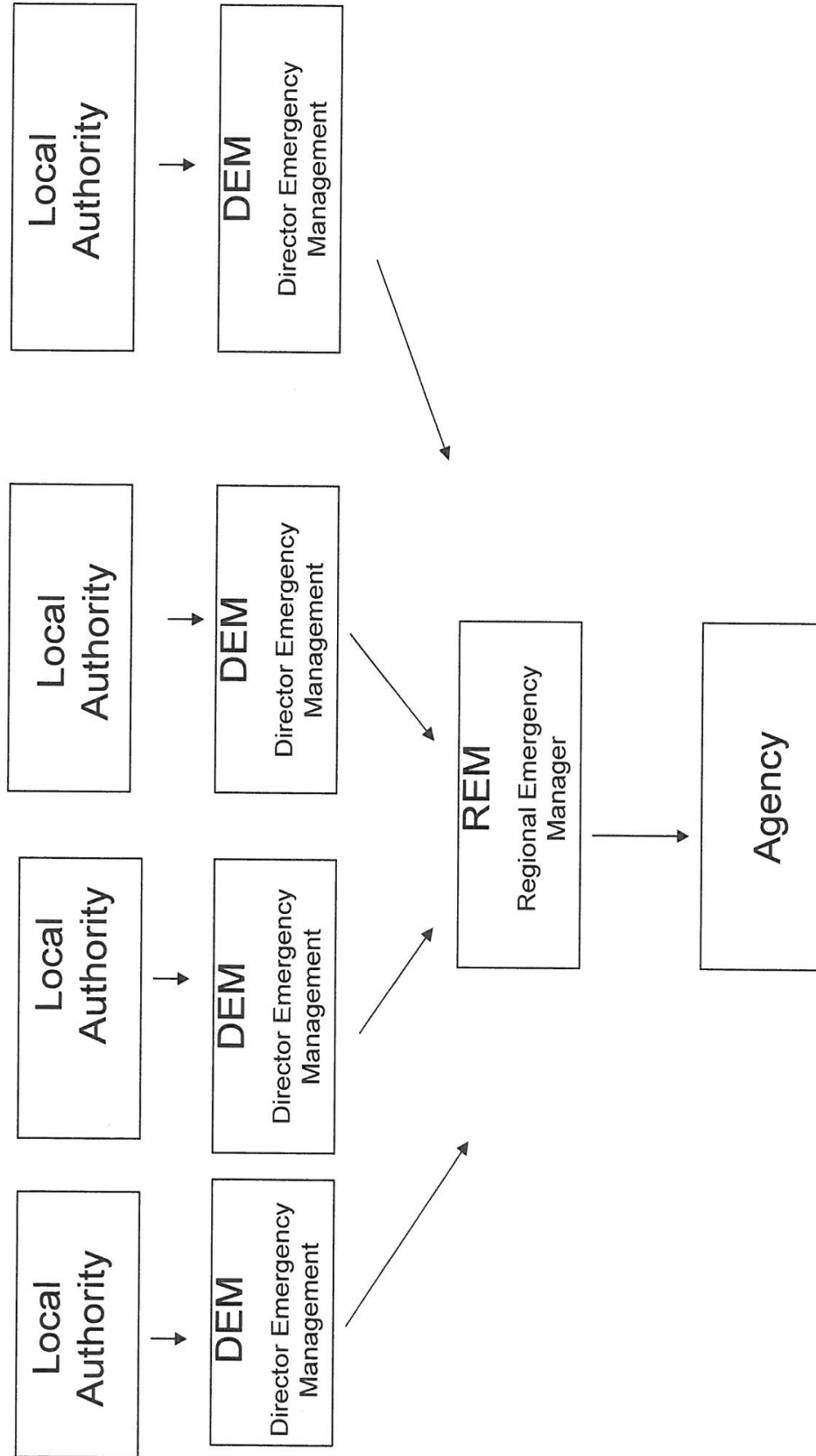
Original Signed _____

Amy Cherniwchan
Mayor

Original Signed _____

Dawn Phillips
Chief Administrative Officer

Schedule "A"
Governance Structure



Creating single Agency, Regional Director, multiple DDEMs

Schedule “B” Budget

Scope of Annual Operating Budget

1. Regional Emergency Committee
 - Regular meetings between 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/ICP/ESS 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” Regional Emergency Manager Position

Responsibilities, Costs and Funding for the

1. Employing Municipality:

- Smoky Lake County

2. Position Assigned to:

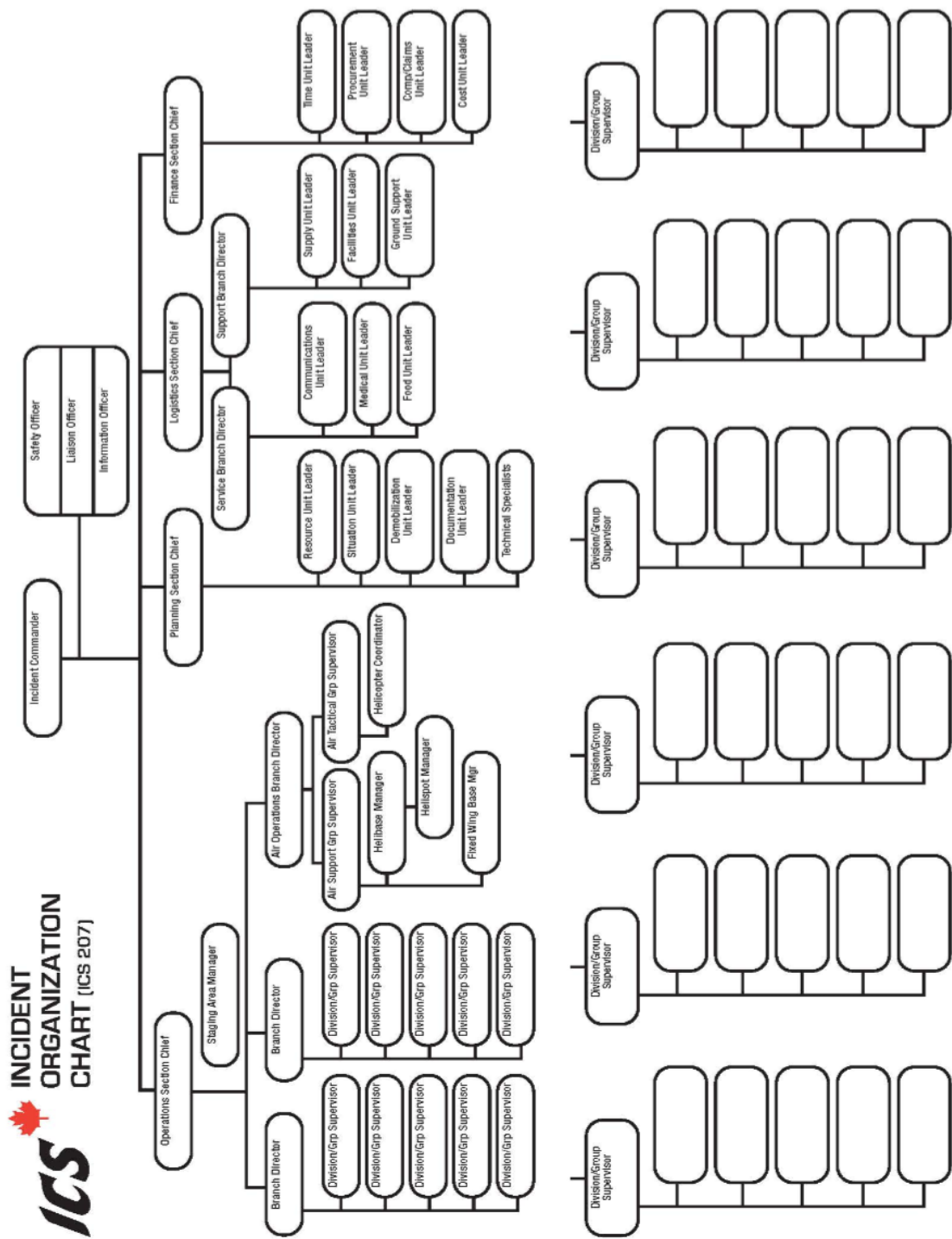
- County Director of Emergency Management

3. Duties of Position Related to Emergency Management:

- Provide advice to each municipality through the 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 ICP and volunteer staff
- Assist and advise the recruitment of volunteers and community groups
- Planning of Emergency 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" Incident Organization Chart



“Schedule E” Support Resources

