BY-LAW NO. 370

A BY-LAW OF THE VILLAGE OF MORRIN

IN THE PROVINCE OF ALBERTA

"MUNICIPAL EMERGENCY MANAGEMENT BYLAW"

WHEREAS, the Council of the Village of Morrin of Morrin is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of March 25, 2010), 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;

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF MORRIN OF MORRIN, ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

I. This By-law may be cited as the Municipal Emergency Management By-law.

2. In this By-law,

a) "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;

b) "Council" means the Council of the Village of Morrin of Morrin, Alberta

c) "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 of property;

d) "Emergency Advisory Committee" means the committee established under this By-law;

e) "emergency" means a present or imminent 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;

f) "Municipal Emergency Management Agency" means the agency established under this By-law; and

g) "Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to coordinate response to an emergency of disaster.

3. There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.

4. There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, nor the powers contained in Section 12 of this By-law.

5. Council shall

(a) by resolution, appoint one member of Council to serve on the Emergency Advisory Committee;

(b) a member of Council and the CAO to serve on the Advisory Board

(c) provide for the payment of expenses of the members of the Emergency advisory Committee;

(d) By resolution, on the recommendation of the Emergency Advisory Committee, appoint a Director of Emergency Management

(e) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Village of Morrin of Morrin, Alberta;

(f) approve the Village of Morrin of Morrin, Alberta's emergency plans and programs; and

(g) review the status of the Municipal Emergency Management Program and related plans and programs at least once each year.

6. Council may

(a) by By-law borrow, levy, appropriate and expand, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management 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 implementations of emergency plans or programs, including mutual aid agreements and/or regional plans and programs.

(c) On the recommendation of the Emergency Advisory Committee, appoint one or more Deputy Director(s) of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence;

7. THE EMERGENCY ADVISORY COMMITTEE shall

(a) review the Municipal Emergency Management Program and related plans on a regular basis; and

(b) advise Council, duly assembled, on the status of the Municipal Emergency Management Program and related plans and at least once each year.

8. The Municipal Emergency Management Agency shall be comprised of one or more of the Following:

(a) the Director of Emergency Management CAO – Annette Plachner
(b) Deputy Mayor Edwards the Deputy Director of Emergency Management;
(c) Glen Riep – Starland County
(d) Darcy Davidson, Fire Chief – Morrin Volunteer Fire Department
(e) Dave Benci – Public Works – Village of Morrin

9. The Director of the Emergency Management Agency shall

(a) prepare and coordinate the Municipal Management Program and related plans for the Village of Morrin of Morrin, Alberta.

(b) act as director of emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and

(c) authorize and coordinate all emergency services and other resources required during and emergency; or

(d) delegate duties and tasks as necessary to ensure conformance with paragraphs (a), (b), and (c).

10. The power to declare or renew a state of local emergency, the powers specified in Section 12 of this By-law, and the requirement specified in Section 15 of this By-law, are hereby delegated to a committee comprised of the Director of Emergency Management and the Deputy Director of Emergency Management. This committee may, at any time when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a state of local emergency.

11. OPTIONAL, IF NO DELEGATION OF AUTHORITY Council may, at any time when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a state of local emergency.

12. When a state of local emergency is declared, the person(s) making the declaration shall

(a) ensure that the declaration identifies the nature of the emergency and the area of the Village of Morrin 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.

13. Subject to Section 15, when a state of local emergency is declared, the local authority making the declaration may do all acts and take all necessary proceedings including the following;

(a) cause the Municipal Emergency Plan or any related plans or programs to be put into operation.

(b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;

(c) authorize or require any qualified person to render aid of a type he or she is qualified to provide;

(d) control or prohibit travel to or from any area of the Village of Morrin.

(e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the Village of Morrin.

(f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Village of Morrin 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;

(g) authorize the entry into any building or on any land, without a warrant, by any person in the course of implementing an emergency plan or program;

(h) 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;

(i) 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 Village of Morrin for the duration of the state of emergency;

(j) authorize the conscription of persons needed to meet an emergency, and

(k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency Plan and related plans or programs, any power specified in Paragraphs (b) through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.

14. When a state of local emergency is declared,

(a) neither Council nor any member of Council, and

(b) no person appointed by Council to carry out measures relating to emergencies or disasters are liable for anything done or omitted to be done in good faith while carrying out a power or duty under this By-law, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

15. When, in the opinion of the local authority declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, the local authority 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 15;

(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 local authority who made the declaration shall cause the details of the termination to be published by such means of communication considered most likely to notify the population of the area affected.

18. Bylaw No. 340 passed on January 18, 2012 dealing with Disaster Services or Emergency Management is hereby rescinded.

This Bylaw comes into force on the day it is finally passed.

Read a first time this 20 day of November A.D. 2019

Read a second time this 20 day of November A.D. 2019

Read a third time and finally passed this 20 day of November A.D. 2019

VILLAGE OF MORRIN OF MORRIN, ALBERTA

Howard Helton
MAYOR

Annette Plachner
CAO

Schedule “A”
Minimum and Specified Penalties

Section	Action (done without authorization)	Specified Penalty
3.1(a)	Planting a tree on Village lands	$100
3.1(b)	Removing, moving, or pruning a Public tree	$500
3.1(c)	Injuring the bark of a Public tree	$300
3.1(d)	Attaching an object to a Public tree	$100
3.1(e)	Spraying a Public tree or allowing a harmful substance to come in contact with a Public Tree	$300
3.1(f)	Excavating within a Public tree’s drip line	$300

3.1(g)	Impeding the passage of water to a Public tree	$100
3.2	Failing to install a protective fence or installing a protective fence within the drip line	$100
3.3	Removal of a protective barrier	$100
5.3, 5.4	Failure to Comply with an Enforcement Order	$500