VILLAGE OF ROSEMARY
In the Province of Alberta

Bylaw No. 531-26

Regional Emergency Management

A BYLAW OF THE VILLAGE OF ROSEMARY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A REGIONAL EMERGENCY ADVISORY COMMITTEE AND A REGIONAL EMERGENCY MANAGEMENT AGENCY THAT INCLUDES THE COUNTY OF NEWELL, THE TOWN OF BASSANO, THE VILLAGE OF DUCHESS, THE VILLAGE OF ROSEMARY AND THE CITY OF BROOKS:

WHEREAS:

A. The Village of Rosemary 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, and the Local Authority Emergency Management Regulation (203/2018) to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency.

B. It is desirable and 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.*

C. It is desirable, and in the interests of public safety that a regional emergency management partnership be formed to coordinate a regional emergency approach and programs.

D. The municipalities of the Newell Region wish to establish a Regional Emergency Advisory Committee, and a Regional Emergency Management Agency under section 11.3(1)(b) of the Act and delegate their powers and duties under the Act to a joint committee representing two or more local authorities.

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

1. This Bylaw may be cited as the "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 and the Local Authority Emergency Management Regulation.

(b) “Chief Administrative Officer” (CAO) means a person appointed to that position by the Village of Rosemary Council as per section 205 of the *Municipal Government Act,*RSA,2000,cM-26.

(c) "Council" means the Council of the Village of Rosemary.

(d) "Deputy Director of Emergency Management" (DDEM) means the person responsible for the duties of the Director of Emergency Management (DEM) in the absence of the DEM.

(e) "Director of Emergency Management" (DEM) means an individual appointed by resolution of Council, responsible for the preparation and coordination of emergency plans and programs for the municipality and occupies the position of CAO for the Village of Rosemary.

(f) "Disaster" means an event that results in serious harm to the safety, health or welfare of people, and/or in widespread damage to property or the environment.

(g) "Emergency" means a sudden and temporary 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 or the environment.

(h) "Emergency Coordination Centre" (ECC) means the location (including virtual based meeting applications) that functions as a point of coordination, addressing the needs of the municipality or the Newell 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.

(i) "Local Authority" means, where a municipality has a council within the meaning of the *Municipal Government Act, Chapter M-26, RSA 2000*, that council.

(j) "Minister" means the Minister charged with administration of the Act.

(k) “Newell Region” means the geographic area encompassed by the boundaries of The Village of Rosemary and includes The Town of Bassano, The Village of Duchess, County of Newell, and The City of Brooks.

(l) "Newell Regional Emergency Partnership" (NREP) means the Newell Regional Emergency Partnership established by agreement that has been adopted and is attached as Schedule “A” to the approving bylaws passed by the respective municipal councils of the Parties.

(m) "Parties" means the Village of Rosemary, The Town of Bassano, The Village of Duchess, County of Newell and The City of Brooks.

(n) Regional Director of Emergency Management (RDEM) means the person responsible to lead the Regional Emergency Management Agency in the preparation for, response to, and recovery from a disaster or emergency.

(o) "Regional Emergency Advisory Committee" (REAC) means the Advisory Committee of the Newell Regional Emergency Partnership as established by agreement which has been authorized through bylaws approved by the Parties.

(p) "Regional Emergency Management Agency" (the Agency) means the Newell Regional Emergency Agency as established by Agreement between and the bylaws of the respective municipal councils of the Parties.

(q) "Regional Emergency Management Plan" (REMP) means the Newell Regional Emergency Management Plan that has been prepared and updated from time to time for managing potential emergencies or disasters within the Newell Region.

3. ESTABLISHMENT OF REGIONAL EMERGENCY MANAGEMENT

(a) In accordance with the authority granted under the Act to establish a Regional Emergency Advisory Committee (REAC) to advise Council on the development of emergency plans and programs, this bylaw in conjunction with other related bylaws approved by the Parties establishes the Regional Emergency Advisory Committee.

(b) In accordance with the authority granted under the Act to establish a Regional Agency to act as the agent of Council in exercising its statutory powers and obligation under the Act, but not including the power to declare, renew or terminate a state of local emergency, nor the powers contained throughout Section 9.2 of this Bylaw, this bylaw, in conjunction with other related bylaws approved by the Parties, establishes the Regional Emergency Management Agency.

(c) Council agrees that the Regional Emergency Management Agency may act as the agent of each Regional Partner to create, implement, and evaluate the Newell Regional Emergency Management Plans and Programs. This does not include the power to declare, renew or terminate a state of local emergency.

4. ROLE OF COUNCIL

4.1 Council shall:

(a) by resolution, appoint the Mayor to serve on the REAC and at least one (1) other member as an alternate;

(b) provide for the payment of expenses of its member(s) of the REAC;

(c) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Village of Rosemary;

(d) approve the Regional Emergency Management Plan and Programs as they relate to the Village of Rosemary;

(e) receive updates of the Regional Emergency Management Plan and related programs at least once a year;

(f) by resolution appoint as the DEM the person that occupies the position of Newell Regional Fire Chief, or equivalent position as may be revised from time to time;

(g) by resolution appoint one (1) or more DDEM.

4.2 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 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.

5. REAC STRUCTURE AND ROLE

5.1 REAC Structure:

(a) The REAC shall be comprised collectively of Mayors / Reeve, each serving as the primary member for their municipality with each having one (1) vote regarding any matter coming before the REAC.

(b) Each municipality shall also appoint one (1) alternate member to the REAC who shall be permitted to vote in absence or in place of the primary member.

(c) The Chair of the REAC shall be elected annually by the members of the REAC after the annual organizational meetings of the Parties have been held.

(d) Unless otherwise specified in this bylaw, decisions are based on simple majority of members present.

(e) Meetings of the REAC may be held at the call of the chair and must be held at least twice annually.

5.2. REAC Role:

(a) In accordance with the *Emergency Management Act* and the *Local Emergency Management Regulation, a*dvise on the development of Emergency Plans and programs on a regular basis.

(b) Provide guidance and direction to the Agency.

6. AGENCY STRUCTURE AND ROLE

The Agency established in section 3 of this bylaw shall administer the preparation and implementation of the NREP and programs within the Newell Region.

6.1 The Agency structure is intended to provide flexibility and may be adapted to manage the needs of disaster events that range from an event contained within the boundaries of one of the Local Authorities to larger events that may impact more than one, or all of the Local Authorities. Members of the Agency shall include those listed in (a) through (c) below and may include others referenced paragraph (d) below

(a) The RDEM (appointed by the virtue of holding the position or title of Newell Regional Fire Chief).

(b) The individual DEM's and DDEM's that have been appointed by each municipality that is a member of NREP.

(c) If the DDEM appointed is not the CAO, then the CAO is a member of the Agency.

(d) The Agency may request that the following persons advise the Agency on either a standing or as needed basis for each period of time that the Agency deems appropriate:

i. The Chief Elected Official of each of the Parties,

ii. RCMP Detachment Commander or designate,

iii. Fire Chiefs or designates for department providing service for the Local Authority or the affected area,

iv. Newell and District Emergency Medical Services Association Manager or designate,

v. Enforcement Services Supervisor or designate,

vi. The Family and Community Support Services Director having responsibility for the affected Local Authority or their designate,

vii. Public Works Supervisor that has responsibility for the affected Local Authority or their designate,

viii. Utility Manager that has responsibility for the affected Local Authority or their designate,

ix. Emergency Public Information Officers that has responsibility for the affected Local Authority or their designates,

x. Emergency Social Services Manager that has responsibility for the affected Local Authority or their designate,

xi. Alberta Health Services representatives or designates,

xii. School Superintendent or designate,

xiii. Disaster Social Services Managers or designates,

xiv. Representative(s) from adjacent municipalities or First Nations,

xv. Representatives from local business,

xvi. Representatives from local industry or industrial associations,

xvii. Representatives from the Alberta Emergency Management Agency,

xviii. Representatives from local utility companies; and

xix. Anybody else who might serve a useful purpose in the preparation or implementation of the Regional Emergency Management Plan.

6.2 The Agency role is as follows:

(a) The Agency shall meet a minimum of once per year for the purpose of reviewing the emergency management plan and thereafter report to the REAC for the purpose of providing an update on the Regional Plan.

(b) The Agency shall also be convened on an as need basis to assist with and manage the response to major emergency events that may exceed readily available resources.

(c) The Agency shall ensure that the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency will be used by the local authority's Agency in the event of an Emergency.

7. AUTHORITY AND POWERS

7.1. In the event of an Emergency within the Newell Region, the authority and powers to declare or renew a state of local emergency under the Act, the authority and powers specified throughout Section 9.2 of this Bylaw, and the requirements specified throughout Section 9.1 and in section 9.6 of this Bylaw are hereby delegated to the REAC. The REAC 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 specific to one of the Local Authorities or areas within a Local Authority. In the event that more than one Local Authority requires a state of local emergency, the REAC may by resolution declare a state of local emergency for each affected Local Authority. Whenever possible, this resolution should be made by the REAC which includes at least one (1) member or alternate from each municipality affected.

7.2. In the event of an emergency entirely within the boundaries of and affecting only the Village of Rosemary and the REAC cannot be reached or convened in a timely manner, the authority and power to declare or renew a state of local emergency under the Act; the authority and powers specified throughout Section 9.2 of this Bylaw; and the requirements specified throughout Section 9.1 and in section 9.6 of this Bylaw are hereby delegated to a local municipal committee that is comprised of the Mayor, or anytwo (2) or more Councilors of the affected municipality. The local municipal 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 that is limited to that municipality.

8. STATE OF LOCAL EMERGENCY

8.1. When a state of local emergency is declared, the REAC or the Local Authority making the declaration shall:

(a) ensure that the declaration identifies the nature of the emergency, the area in which it exists, and powers which are intended to be exercised,

(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.

8.2. Subject to Section 9.1, when the REAC or Local Authority has declared a state of local emergency, the REAC or Local Authority may, for the duration of that State of Local Emergency, do all acts and take all necessary proceedings including the following:

(a) cause the Regional Emergency Management 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 the personis qualified to provide,

(d) control or prohibit travel to or from any area within the Newell Region,

(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 Newell Region,

(f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Newell Region 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 buildings or any land, without warrant, by any person in the course of implementing an emergency plan or program,

(h) cause the demolition of 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 Newell Region for the during of the state of local emergency,

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

(k) authorize any persons at any time to exercise, in the activation of the Regional Emergency Management Plan and related plans or programs, any power specified in paragraphs 9.2(a) through 9.2(j) of this Section in relation to any part of the

municipality affected by a declaration of a state of local emergency including as part of a Regional Emergency affecting more than one (1) municipality for which a declaration of State of Local Emergency was made under Sections 8.1 or 8.2 and,

(l) publicly communicate actions that may be taken under articles (d) (e) (f) and (i) above.

8.3 When a State of Local Emergency has been declared and the impact of an incident/event is contained within the boundaries of one Local Authority, all costs incurred that are outside the scope of the approved budget for the Local Authority will be funded by the Local Authority where the incident/event occurred. In cases where an event spreads beyond the Local Authority's boundary to encompass areas beyond, costs incurred will be shared on a proportionate basis that shall be determined by the REAC. The basis for the cost sharing determined by the REAC may include proportionate share of total geographic area involved, proportionate share of population impacted, proportionate share of the assessed value of property impacted, or some other to be determined factor or combination of factors agreed upon by the REAC.

8.4 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.

8.5 In accordance with Section 535(2) of the *Municipal Government Act*, Councilors, Council committee members, municipal officers 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.

8.6 When in the opinion of the REAC or Local Authority in which the state of local emergency was declared, the emergency no longer exists, either the REAC or the Local Authority which declared the state of local authority shall, by resolution, terminate the declaration.

8.7 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 9.6,

(b) a period of seven days has lapsed since it was declared, or 90 days if the declaration concerns a pandemic, unless it is renewed by resolution,

(c) the Lieutenant Governor in Council makes an order for a state of emergency for the same area; or

(d) the Minister cancels the state of local emergency for the affected area.

8.8 When a declaration of a state of local emergency has been terminated, the REAC or the Local Authority who made the declaration 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 and shall also notify the Minister after the termination of the SOLE.

9. AGREEMENTS & POLICIES

9.1 The REAC is delegated the authority to enter into an Emergency Management Mutual Aid Agreement with another regional group or single municipality. The decision for the REAC to enter into a mutual aid agreement must be approved by unanimous vote of all members of the REAC. The Parties shall be permitted to vote in person or by way of fax, conference call, email, or a virtual meeting system.

9.2 The REAC is delegated the authority to create policies relating to emergency preparedness, mitigation, response, recovery and the operation of the Regional Emergency Partnership and the Agency.

10. SEVERABILITY

If any section or sections of this Bylaw or parts thereof are found in any court or law to be illegal or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of the Bylaw shall be deemed separate and independent therefrom and to be enacted as such.

11. COMING INTO FORCE

This Bylaw hereby rescinds Bylaw 521-25 and shall come into force and effect upon third and final reading.

READ a first time this 30th day of April 2026.

READ a second time this 30th day of April 2026.

READ a third time and passed by unanimous consent this 30th day of April 2026.

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Yoko Fujimoto, Mayor

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Sharon Zacharias, CAO