



BYLAW 2026-03

A Bylaw of *The MD of Opportunity*, in the Province of Alberta for the purpose of establishing an Emergency Advisory Committee and Emergency Management Agency.

WHEREAS the Council of the *MD of Opportunity* 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 a Director of Emergency Management, a Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency.

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

THEREFORE, be it resolved that the Council of the *MD of Opportunity* in the Province of Alberta, duly assembled hereby enacts as follows:

INTERPRETATION

1. Headings in this Bylaw are for reference purposes only.
2. Words in the masculine gender will include the feminine and other genders whenever the context so requires and vice versa.
3. Words in the singular shall include the plural or vice versa whenever the context so requires.

DEFINITIONS

1. This Bylaw shall be cited as the "Emergency Management Bylaw". In this Bylaw the following words and terms shall have the following meanings:
 - a. "**Act**" means the *Emergency Management Act*, RSA 2000, Chapter E6-8;
 - b. "**Council**" means the Council of the *MD of Opportunity*;
 - c. "**Deputy Director of Emergency Management**" (DDEM) means the person responsible for duties of the Director of Emergency Management in their absence;
 - d. "**Director of Emergency Management**" (DEM) means the person appointed by Council through this bylaw, who shall be responsible for the municipality's Emergency Management Program;
 - e. "**Disaster**" means an event that results in serious harm to the safety, health or welfare of people, or in widespread damage to property or the environment;

f. **“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 or the environment;

g. **“Emergency Advisory Committee”** (the Committee) means the whole of Council through this bylaw to advise the Emergency Management Agency and to report to Council on the state of *MD of Opportunity’s* Emergency Program;

h. **“Emergency Management Agency”** (the Agency) means the Emergency Management Agency as established by this bylaw;

i. **“Emergency Plan”** (the Plan) means the Emergency Plan prepared under the direction of the Director of Emergency Management to co-ordinate the response to an emergency or disaster

j. **“Evacuation Order”** means the order to evacuate persons, the removal of livestock and personal property from an identified area during a state of local emergency or state of emergency;

k. **“Incident Commander”** means the person appointed by the DEM to manage the response to an emergency or disaster;

l. **“Local Authority”** means Council, where a municipality has a council within the meaning of the *Municipal Government Act*, Chapter M-26, RSA 2000;

m. **“Minister”** means the Minister charged with administration of the Act; and

n. **“Municipality”** means *The MD of Opportunity*;

2. Council establishes the Emergency Advisory Committee to advise Council on the development of emergency plans and programs and to provide guidance and direction to *MD of Opportunity’s* Emergency Management Agency.

3. The Committee shall:

a. consist of all of Council. Quorum shall be six (6). Quorum during an Emergency six (6)

b. The Reeve or Deputy Reeve or delegate shall chair the committee;

c. advise on the development of emergency plans and programs to address potential emergencies or disasters in the *MD of Opportunity*;

d. advise Council, duly assembled, on the status of the emergency plans and programs at least once each year;

e. meet twice a year and shall have the option of calling special meetings on an as needed basis. The DEM or his/her alternate, as requested, shall attend all meetings. In the event of a pending or imminent emergency, no notice shall be required to call a special meeting of the Committee. All members shall use their best efforts to be present at all meetings despite no notice having been provided;

f. the agenda for all upcoming regular meetings of the Committee shall be distributed to all members a minimum of one (1) week prior to the scheduled date of the meeting. Minutes shall be kept at each of the Committee meeting and shall

- be circulated to all Committee members and the DEM within fourteen (14) days of the meeting;
- g. meetings may be held through the use of a conference telephone or similar communications equipment such as video conference mediums, email, or instant messaging so long as all members participating in such meeting can communicate with one another at the time of such meeting. Participation in such a meeting constitutes presence in person at such meeting. The Chair of the meeting shall sign the minutes thereof, which may be in counterparts. Approval of said meeting may be accomplished via email.
4. Outside of Emergency or Disaster events the purpose of the Committee is to:
- a. advise on the development of emergency plans and programs;
 - b. review Emergency Program progress annually and set priorities for the following year;
 - c. complete training as required;
 - d. recommend entering into agreements as appropriate to increase local capacity to respond to emergencies and disasters; and
 - e. provide guidance and direction to the Agency.
 - f. Appoint DDEMs, as necessary, to assist the DEM in the performance of their duties.
5. During an Emergency or Disaster, the purpose of the Committee is to:
- a. support the DEM, DDEM or alternate in the management of the emergency response and provide strategic direction as required;
 - b. in accordance with section 15 of this bylaw, declare, renew or terminate a state of local emergency;
 - c. in consultation and coordination with the Incident Commander, through the DEM, DDEM or alternate, Committee members may be requested to:
 - i. assist with keeping the community informed using established key messages;
 - ii. serve as a spokesperson if required;
 - iii. engage with other levels of government for financial and resource support;
 - iv. provide briefings to other levels of government; and
 - v. authorize major expenditures as required.
6. Council delegates the following powers and duties to the Committee:
- a. advise on the development of emergency plan and programs;
 - b. in accordance with section 15 of this bylaw, declare, renew or terminate a state of local emergency for part or all of *MD of Opportunity*
 - c. set priorities for the Emergency Program;

- d. enter into emergency management agreements with another regional group or single municipality.
 - e. create policies relating to the emergency preparedness, response, and the operation of the Agency.
- 7. Council maintains the authority to:
 - a. approve emergency plans and programs;
 - b. appoint the Chief Administrative Officer;
 - c. appoint the Director of Emergency Management;
 - d. set the budget for Emergency Management for the *MD of Opportunity*; and
 - e. approve this Bylaw.
- 8. 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.
- 9. Council establishes the Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligation under the Act. This does not include the power to declare, renew or terminate a state of local emergency.
- 10. Council appoints the Director of Corporate and Regulatory Services to be the Director of Emergency Management (DEM) for the *MD of Opportunity*.
- 11. The Municipality establishes that all salaried staff working for the Emergency Coordination Center (ECC) shall be paid overtime during emergency/disaster events that require a declaration of a State of Local Emergency (S.O.L.E), as per our standard overtime procedures under our Compensation Policy.
 - a. Records shall be kept of all overtime hours worked by each employee.
 - b. The salaried employee will be reimbursed at the rate of zero point five (0.5) times the number of hours worked during regular workdays/work hours and reimbursed one and one-half (1.5) times the number of hours worked for hours beyond regular workdays/work hours.
 - c. When a salaried employee is required to work on a Statutory Holiday, they will claim "stat holiday pay" on their regular timesheet and will be paid at the rate of one and one-half (1.5) times for hours worked on their Emergency Daily Time Ticket.
- 12. The Agency shall be comprised of the following persons:
 - a. The DEM and any DDEMs appointed;
 - b. The Regional Fire Chief;
 - c. the Northwest Alberta Field Officer(s) of the Alberta Emergency Management Agency;
 - d. The local RCMP Detachment Commander;

- e. The Director of Public Works;
- f. The Director of Utilities;
- g. The District Manager of EMS from Alberta Health Services;
- h. The Superintendent or their designate of the local School Division(s)
- i. the DEM or DDEMs may request any persons to join or advise the Agency at meetings, activities or in the preparing or implementation of the Emergency Plan for each period of time that the Agency deems appropriate.

13. The Agency will:

- a. prepare and administer the emergency plans and program for The *MD of Opportunity* and present them to the Emergency Advisory Committee at least annually for approval;
- b. review the plans and program on a regular basis;
- c. act as the appointed agent in exercising the Council's powers and duties under the Act;
- d. coordinate all emergency services and other resources used in an Emergency;
- e. ensure that one of the DEMs, DDEMs or alternate is designated to discharge the responsibilities of the Agency;
- f. meet a minimum of twice a year. Additional meetings may be called by the DEM;
- g. use the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency;
- h. meetings may be held through the use of a conference telephone or similar communications equipment such as video conferencing, email, and instant messaging so long as all members participating in such meeting can communicate with one another at the time of such meeting. Participation in such a meeting constitutes presence in person at such meeting. Each person participating in the meeting shall sign the minutes thereof, which may be in counterparts. Approval of said meeting may be accomplished via email.

State of Local Emergency

14. In the event of an Emergency within the boundaries of The *MD of Opportunity* the authority and powers to declare, renew or terminate a state of local emergency under the Act, the authority and powers specified in Section 20 of this Bylaw, and the requirement specified in Section 18 of this Bylaw are hereby delegated to the Reeve or Deputy Reeve or in their absence, two (2) members of Council. The person(s) delegated may, at any time when they are satisfied that an emergency exists or may exist, make a declaration of a state of local emergency.

15. 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 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;

- c. as needed and subject to the Act, ensure the declaration of a state of local emergency is renewed every seven (7) days until the Emergency has passed; and
- d. forward a copy of the declaration to the Minister forthwith.

This section also applies to any renewal of a state of local emergency.

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 18 of this Bylaw;
- b. a period of seven (7) days has lapsed since it was declared, unless it is renewed by resolution; or
- c. the Minister cancels the state of local emergency for the affected area.

17. When, in the opinion of the person(s) declaring the State of Local Emergency, an emergency no longer exists, they shall terminate the declaration.

18. When a declaration of a state of local emergency has been terminated or lapse of time or cancelled by the Minister, The *MD of Opportunity* 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.

19. Subject to Section 15 of this Bylaw, when a state of local emergency has been declared, the Agency may at any time, in accordance with the Act and related plans or programs may, for the duration of that state of local emergency, do all acts and take all necessary proceedings in the area under a state of local emergency in accordance with the section 24 of the Act.

20. In accordance with Section 19.1 of the Act, if an Evacuation Order is made, every person within the area that is the subject of the Evacuation Order must leave:

- a. immediately; or
- b. if a deadline for evacuation is specified in the Evacuation Order, by the deadline.

21. Section 21 of this Bylaw does not apply to a person acting under the direction of a person exercising powers under Section 20 of this Bylaw, as long as there is a plan for safely evacuating that person in a timely manner and the means are available to carry out the plan.

22. In accordance with Section 28 of the Act, no action lies against The *MD of Opportunity* or person acting under The *MD of Opportunity* direction or authorization for anything done or omitted to be done in good faith while carry out a power or duty under this Act or in the regulations during a state of local emergency.

23. In accordance with Section 535(1) 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.

24. 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.

SEVERABILITY

Each Section of this Bylaw shall be read and construed as being separate and severable from each other Section. Furthermore, should any Section or Part of this Bylaw be found to have been improperly enacted for any reason, then such Section or Part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

EFFECTIVE DATE

- 1. Bylaw No. 2008-13 and amendments thereto be hereby rescinded.
- 2. This Bylaw shall come into force and effect on the 13 of April, 2026.

READ A FIRST TIME THIS, 13th DAY OF April 2026

READ A SECOND TIME THIS, 13th DAY OF April 2026

READ A THIRD TIME AND FINAL TIME THIS, 13th DAY OF April 2026



Marshall D. Auger, Reeve



Chad Tullis, CAO