

**BYLAW NO. 06-2020**

A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN TO PROVIDE FOR THE DIRECTION AND CONTROL OF THE CITY'S EMERGENCY RESPONSE

WHEREAS the Council of the City of Lloydminster deems it necessary to establish a Bylaw to deal with the safety, health and welfare of people and the protection of people and property.

AND WHEREAS the *Lloydminster Charter* provides authority to City Council to pass bylaws for municipal purposes;

AND WHEREAS the *Lloydminster Charter* provides authority to the City to pass bylaws respecting the enforcement of bylaws.

NOW THEREFORE the Council of the City of Lloydminster deems it necessary to establish a Bylaw to provide for the direction and control of the City's emergency response under the *Emergency Management Act (Alberta)*; and

NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in Section 15 of the *Lloydminster Charter*, enacts as follows:

**1. SHORT TITLE**

1.1. This Bylaw shall be cited as the Emergency Management Bylaw.

**2. DEFINITIONS**

2.1. The definitions listed in Schedule "A" attached to this Bylaw shall apply, unless context otherwise requires.

**3. APPOINTMENT, AUTHORITY AND DUTIES OF THE CITY MANAGER**

3.1. Except where specific authority is reserved to Council, in the Bylaw the administration and enforcement of this Bylaw is hereby delegated to the City Manager.

3.2. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may carry out anything required for the administration of this Bylaw, including but not limited to the following:

3.2.1. delegate any powers, duties or functions under this Bylaw to an employee of the City, including a Designated Officer;

3.2.2. carry out any inspections that are reasonably required to determine compliance with this Bylaw;

3.2.3. establish any forms required for the administration of this Bylaw.

3.2.4. approve the Municipal Emergency Management Plan and other related plans used in the City's emergency management program.

**4. EMERGENCY ADVISORY COMMITTEE**

4.1. The Lloydminster Emergency Advisory Committee is hereby established.



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- 4.2. The Committee shall consist of the Mayor and two members of Council appointed annually by a resolution of Council.
- 4.3. The Committee shall provide guidance and direction to the Emergency Management Agency both during an emergency and during regular operation.
- 4.4. The Committee shall meet at a minimum of once annually.

**5. DIRECTOR OF EMERGENCY MANAGEMENT**

- 5.1. The Manager, Emergency Management Operations or Delegate shall be the Director of Emergency Management.
- 5.2. The Senior Manager, Public Safety or Delegate shall be the Deputy Director of Emergency Management.
- 5.3. The Director shall:
  - 5.3.1. Prepare and coordinate emergency plans and programs for the City;
  - 5.3.2. Direct the emergency operations for the City;
  - 5.3.3. Coordinate all emergency services and other resources used in an emergency;
  - 5.3.4. Submit a report to Council on an annual basis on the status of emergency preparedness in the City; and
  - 5.3.5. Respond to requests for assistance from other municipalities or emergency management partners affected by the emergency.

**6. LLOYDMINSTER EMERGENCY MANAGEMENT AGENCY**

- 6.1. The Lloydminster Emergency Management Agency is hereby established and is responsible for the administration of the City's emergency management program and to exercise the local authority's powers and duties as described under the Act.
- 6.2. The Agency may consist of:
  - 6.2.1. The City Manager;
  - 6.2.2. Manager, Emergency Management Operations;
  - 6.2.3. Director of Communications;
  - 6.2.4. Director, Recreation and Cultural Services;
  - 6.2.5. Manager, Social Programs and Services;
  - 6.2.6. Director, Planning and Engineering;
  - 6.2.7. Manager, Information Technology;
  - 6.2.8. Director, Transportation Services;
  - 6.2.9. Senior Manager, Water Services;
  - 6.2.10. Senior Manager, Finance; and
  - 6.2.11. any other person the Director considers to be of assistance to the Agency.
- 6.3. In addition to the members appointed pursuant to subsection 6.2, the Director may invite members of the following organizations to nominate members to serve as members of the Agency;
  - 6.3.1. City of Lloydminster RCMP;



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- 6.3.2. WPD Ambulance Care;
- 6.3.3. Alberta Health Services;
- 6.3.4. Saskatchewan Health Authority;
- 6.3.5. Lloydminster Public School Division;
- 6.3.6. Lloydminster Catholic School Division;
- 6.3.7. Lakeland College; and
- 6.3.8. any public or private organization that the Director considers to be of assistance to the Agency;

6.4. The Agency shall provide assistance and guidance to the Director.

6.5. The Agency shall report at least annually to the Committee regarding the status of the City's emergency management program, including a review of the City's emergency management plans.

### 7. **COMMAND, CONTROL AND COORDINATION**

7.1. The Agency shall use the command, control and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency.

### 8. **STATE OF LOCAL EMERGENCY**

- 8.1. A state of local emergency may be declared by the Mayor and the City Manager or delegate when they are in agreement that a state of local emergency exists.
- 8.2. Any declaration of a state of local emergency shall be made by resolution by the Mayor and City Manager or delegate identifying the nature of the emergency and the area within the City in which the emergency exists.
- 8.3. Immediately after the making of the resolution for a declaration of a state of emergency a copy of the resolution shall be forwarded to the Minister and the Director shall ensure the details of the declaration are published immediately by such means of communication considered most likely to notify the population of the affected areas.
- 8.4. Upon declaration of a state of local emergency and for the duration of the state of local emergency, the Agency may exercise all the powers of the City under the *Emergency Management Act (Alberta)*.
- 8.5. All persons and corporations within the City shall comply with the conditions set out in the state of local emergency
- 8.6. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when:
  - 8.6.1. The Council of the local authority that declared the state of local emergency are to pass a resolution to terminate the declaration;
  - 8.6.2. the Lieutenant Governor makes an order in council to terminate it; or
  - 8.6.3. the Minister cancels the state of local emergency.
- 8.7. When a declaration of a state of local emergency has been terminated, the Director shall ensure the details of the cancelation are published immediately by



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such means of communication considered most likely to notify the population of the affected areas.

### 9. NUMBER AND GENDER REFERENCES

9.1. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

### 10. SEVERABILITY

10.1. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

### 11. PENALTIES

11.1. Any person who contravenes this Bylaw is guilty of an offence.

11.2. Persons having contravened certain sections of this Bylaw shall be liable for the penalties set out in such section or set out in Schedule "B" hereto.

11.3. A notice or form commonly called a Notice of Violation having printed wording approved by the City Manager, may be issued by a Bylaw Enforcement Officer or a Designated Officer to any person alleged to have breached any provision of this Bylaw, and the said notice shall require the payment of the City of Lloydminster in the amount specified in Schedule "B" hereto.

11.4. A Notice of Violation shall be deemed to be sufficiently served:

11.4.1. if served personally on the accused; or

11.4.2. if mailed to the address of the person accused by regular mail.

11.5. The amounts specified in Schedule "B" hereto shall be the specified penalties for the purposes of the *Provincial Offences Procedures Act* (Alberta) or the *Summary Offences Procedure Act 1990* (Saskatchewan)

### 12. NUMBER AND GENDER REFERENCES

12.1. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

### 13. SEVERABILITY

13.1. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

This Bylaw shall come into force and effect upon the final passing thereof.



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The following bylaws and all amendments thereto are hereby repealed:

- Bylaw 08-2018 (Emergency Management Bylaw)

INTRODUCED AND READ a first time this 26<sup>th</sup> day of October, 2020, A.D.

READ a second time this 30<sup>th</sup> day of November, 2020, A.D.

READ a third time this 30<sup>th</sup> day of November, 2020, A.D.

DEC 03 2020

Date Signed

DEC 03 2020

Date Signed

  
MAYOR

  
CITY CLERK



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**SCHEDULE "A"**

**Definitions**

<b>Agency</b>	Means the Lloydminster Emergency Management Agency established by this Bylaw.
<b>Bylaw Enforcement Officer</b>	Any Person appointed by Council or employed by the City to enforce the provisions of the Lloydminster Charter, another enactment that the City is authorized to enforce, or a bylaw.
<b>Charter</b>	Refers to the <i>Lloydminster Charter</i> .
<b>City</b>	The City of Lloydminster and the area contained within the corporate boundaries of the City.
<b>City Manager</b>	The Commissioner of the City of Lloydminster as appointed by Council or designate.
<b>Committee</b>	Means the Lloydminster Emergency Advisory Committee established by this Bylaw.
<b>Council</b>	The Municipal Council of the City of Lloydminster.
<b>Director</b>	The Director of Emergency Management as described in the <i>Emergency Management Act</i> and appointed by this Bylaw.
<b>Deputy Director</b>	Assists the Director in fulfilling the duties of the Director of Emergency Management as described in the <i>Emergency Management Act</i> (Alberta).
<b>Minister</b>	The Minister responsible for the <i>Emergency Management Act</i> (Alberta).
<b>Person</b>	Any individual, a group of individuals, a corporation, firm, partnership, proprietorship, association, society or co-operative organization or corporate entity.



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**SCHEDULE "B"**

**Penalties**

<b>OFFENCE</b>	<b>SECTION</b>	<b>FINE</b>
Any person(s) fail to comply with any Condition of a State of Local Emergency order	8.5	
First offence		\$500.00
Second offence within 365 days of first offence		\$1000.00
Third and all subsequent offences within 365 days of the second offence		\$2500.00
Any Corporation fail to comply with any Condition of a State of Local Emergency order	8.5	
First offence		\$2,500
Second offence within 365 days of first offence		\$5,000
Third and all subsequent offences within 365 days of the second offence		\$10,000

