

**BEAVER EMERGENCY SERVICES COMMISSION
(THE "COMMISSION")**

BYLAW NO. 6-2021

BEING A BYLAW RESPECTING THE ADMINISTRATIVE MATTERS OF THE COMMISSION

WHEREAS:

- A. the Commission has been established by Ministerial Order; and
- B. pursuant to Section 602.09(1)(b) of the *Municipal Government Act*, the Commission must pass a bylaw respecting the administrative matters of the Commission;

NOW THEREFORE the Board of Directors of the Commission enacts the following:

1. DEFINITIONS

- 1.1 "**Act**" means the Municipal Government Act, RSA 2000, c M-26, as amended from time to time;
- 1.2 "**Alternate Directors**" means those individuals chosen by each Member municipality to act as alternates for the Directors appointed by each Member municipality, and "**Alternate Director**" means any one of them;
- 1.3 "**Assistant Chief Administrative Officer**" means the person who has also been appointed by the Board as the Regional Emergency Manager under Article 6 herein;
- 1.4 "**Board**" means the Board of Directors of the Commission;
- 1.5 "**Chair**" means the Chairperson of the Board;
- 1.6 "**Chief Administrative Officer**" means the person who has also been appointed as the Regional Emergency Manager under Article 7 herein;
- 1.7 "**Commission**" means the Beaver Emergency Services Commission;
- 1.8 "**Committee**" or "**Committee**" means those committees established on either a standing or an ad hoc basis by the Board from time to time;
- 1.9 "**Deputy Director of Emergency Management**" or the "**DDEM**" means the person(s) appointed by the Board who can act in the capacity of the Director of Emergency Management if the Director of Emergency Management is unable to do so;
- 1.10 "**Deputy Regional Emergency Manager**" means the person appointed in this role by the Board under Article 7 herein;
- 1.11 "**Director**" means a person appointed to the Board of Directors of the Commission in accordance with this Bylaw;

1.12 "**Director of Emergency Management**" or the "**DEM**" means the person appointed by the Board to lead the municipal emergency plan;

1.13 "**Member**" or "**Members**" means the member municipal authorities as set out in the Ministerial Order;

1.14 "**Regional Emergency Manager**" means the person appointed or hired in this role by the Board; and

1.15 "**Vice-Chair**" means the Vice-Chairperson of the Board.

2 REPEAL

2.1 Bylaw No. 4-2013 is repealed and replaced by this Bylaw.

3 OBJECTIVES

3.1 The objectives of the Commission are:

3.1.1 to provide fire protection services to its Members;

3.1.2 to provide emergency and disaster management services to its Members;
and

3.1.3 to provide fire protection services and emergency and disaster management services to any additional persons, corporations, organizations, or municipalities to whom the Board decides to provide such services.

3.2 Without in any way limiting the generality of the foregoing, the Commission may undertake such studies, research, projects, or programs and enter into such contracts as the Commission may deem necessary or desirable in the furtherance of its objectives and to the economic, safety, health, and environmental benefit of its Members.

4 MEMBERS

4.1 The Members of the Commission are Beaver County, the Town of Tofield, the Town of Viking, the Village of Ryley, and the Village of Holden.

4.2 The Members shall determine by agreement the formula by which each Member shall contribute to any operating deficiency of the Commission.

5 DUTIES OF THE BOARD

5.1 The Board shall formulate programs, policies, bylaws, procedures, rules and regulations concerning all aspects of the affairs of the Commission in accordance with the Act.

5.2 The Board may appoint Committees, either standing or on an ad hoc basis, consisting of its Directors, for the furtherance of the objects of the Commission and in so doing, may delegate any of its powers or duties except those powers

that may not be delegated pursuant to Part 15.1 of the Act and prescribe such terms of reference as it may deem fit.

- 5.3 The Board may enter into contracts with any person or corporation or municipality for the provision of any service or commodity necessary for the efficient operation of the Commission.
- 5.4 The Board shall from time to time by policy adoption designate the remuneration payable to the Chair, Vice-Chair, Directors and any Alternate Directors and provide for the reimbursement of expenses incurred in the course of their duties as such.
- 5.5 The Board shall establish rules and rates for the reimbursement of actual expenses incurred on Commission business by Directors, employees or any other person.
- 5.6 The proceedings of the Board shall be conducted in accordance with the Act and this Bylaw.

6 BOARD MEETINGS AND COMMITTEE MEETINGS

- 6.1 The Board shall meet on and at such date, time, and place as determined by the majority of the Directors, or as may be determined from time to time by the Chair.
- 6.2 Meetings of any Committees formed shall be held on such day, time, and place as may be determined from time to time by either the Chair of the Committee or a majority of Directors appointed to that Committee.
- 6.3 Notice to each Director on each occasion of the time and place of any regularly scheduled meeting of a Board or a Committee need not be given. For all other meetings, notice to each Director of the time and place of the meeting shall be given as soon as is reasonably practicable.
- 6.4 Four (4) Directors must be present for a quorum of the Board, with a minimum of two (2) Directors from Beaver County and two (2) Directors from any of the other Members.
- 6.5 One half of the Directors plus one who are appointed to a Committee must be present for a quorum of that Committee, unless different quorum provisions are provided in a Bylaw specific to that Committee. In that case, the quorum provisions in the Bylaw respecting that specific Committee will prevail.
- 6.6 Except as otherwise provided herein, the business of the Board or of a Committee shall only be conducted at a meeting of the Board or the Committee at which the necessary quorum is present.
- 6.7 Each Director shall have one vote and all Directors are required to vote unless a Director has a conflict of interest which has been declared at that meeting, in which case that Director shall abstain from voting on any topic or topics in which that Director has declared a conflict of interest.

- 6.8 A vote on any matter before the Board shall not be recorded unless specifically directed by the Chair or requested by a Director.
- 6.9 The Chair or Vice-Chair shall conduct any meetings of the Board. If both of the Chair and the Vice-Chair are absent from that meeting, the Directors present shall appoint one of the Directors present to chair the meeting.
- 6.10 The agenda for all meetings of the Board shall be prepared by the Regional Emergency Manager, the Deputy Regional Emergency Manager, the Chair, or the Vice-Chair.
- 6.11 The agenda for all meetings of a Committee shall be prepared by the Regional Emergency Manager, the Deputy Regional Emergency Manager, or the Chair or Vice-Chair of that Committee.
- 6.12 At the discretion of the Chair of a meeting of the Board or Committee, Directors shall be entitled to speak more than once on any matter before the Board or Committee and the mover of any questions before the Board or Committee shall be entitled to close the debate on any matter.
- 6.13 With respect to motions before the Board the following shall apply:
- 6.13.1 General – no seconder required;
 - 6.13.2 Referral or Deferral – debatable;
 - 6.13.3 Tabling – non-debatable;
 - 6.13.4 Amending – no seconder required;
 - 6.13.5 Reconsideration – must be made by vote on prevailing side of original motion at the same meeting or by notice of motion;
 - 6.13.6 Notice of Motion – in writing prior to distribution of Agenda or by proper waiving of Rules of Procedure by verbal notice at a meeting for the next meeting.
- 6.14 In the event that a question shall arise as to the rules of procedure to be followed at a meeting of the Board or a Committee and if the procedure to be followed has not been otherwise dealt with by any of the bylaws of the Commission, then Robert's Rules of Order shall apply to such question.
- 6.15 Any motion to waive a rule of procedure established by the bylaws of the Commission or, in the absence of a bylaw addressing the same, by Robert's Rules of Order, shall require an affirmative vote of two-thirds of all Directors in attendance at that meeting.
- 6.16 The Board and each Committee thereof shall cause minutes to be kept of each Board or Committee meeting. Any Director may request minutes of any Committee meeting and that Director shall be provided with a copy of those minutes, once adopted by the Commission.

6.17 The first meeting of all of the Directors held after October 31st in each year shall be considered the annual organizational meeting of the Board.

7 REGIONAL EMERGENCY MANAGER AND OTHER OFFICIALS

- 7.1 The office of the Regional Emergency Manager is hereby established.
- 7.2 The Regional Emergency Manager shall act as the Chief Administrative Officer of the Commission as defined in the Act and the Director of Emergency Management as defined in the *Emergency Management Act*, RSA 2000, c E-6.8, as amended from time to time.
- 7.3 The administrative duties and responsibilities of the Regional Emergency Manager shall be in accordance with Commission policies, as amended.
- 7.4 The Deputy Regional Emergency Manager shall act as the Assistant Chief Administrative Officer of the Commission and the Deputy Director of Emergency Management and perform duties as described in accordance with Commission policies, as amended. In the absence of the Regional Emergency Manager, the Deputy Regional Emergency Manager shall assume the duties and responsibilities of the Regional Emergency Manager.
- 7.5 The Board shall appoint such other officials as the Board shall deem necessary from time to time to serve the needs of the Commission and shall define the duties and responsibilities of any such official so appointed.
- 7.6 If a Deputy Regional Emergency Manager has not been appointed and in the event that the Regional Emergency Manager is unable to perform his or her duties, whether on a temporary basis or in the event that that individual has ceased to act as the Regional Emergency Manager, the Board may by resolution appoint a District Fire Chief to perform any of the non-administrative duties of the Regional Emergency Manager, and the Board may by resolution appoint the Chief Administrative Officer from any of its Members or any other representative to perform any of the administrative duties of the Regional Emergency Manager.

8 FINANCIALS AND BANKING

- 8.1 The Board shall cause to be kept proper books of account and records and such books of accounts and records together with all papers and other documents relating to the Commission shall be kept at the office of the Commission. All Directors of the Commission shall be entitled to inspect and examine the books of account and records after reasonable notice being given to the Regional Emergency Manager or Chair.
- 8.2 The Board shall appoint an auditor who shall either be a member of the Institute of Chartered Accountants or the Institute of Certified Management Accountants in Alberta and who shall audit the accounts and affairs of the Commission in accordance with the Act.
- 8.3 The Board shall cause minutes to be made and books to be provided for the purpose of recording all resolutions passed by and of all proceedings of any meeting of the Board or of any Committee and shall cause to be recorded the

names of all persons who participate via written or oral communication at such meetings.

- 8.4 The Board shall ensure that the requirements of and under the Act and any other relevant governing legislation and regulations relating to the Commission's operation, budgeting, expenditures, delivery of reports, financial statements and information provided to the Directors and Members are met at all times.
- 8.5 The Board shall from time to time appoint a bank or banks as banker or bankers of the Commission and the Board shall designate those officials and Directors who are authorized to sign cheques on behalf of the Board.


9 SEAL

- 9.1 The Board shall adopt a seal of the Commission and the seal shall be in the custody of the Regional Emergency Manager under the control of the Board.
- 9.2 The seal of the Commission shall not be affixed to any document except in the presence of any two of the following persons: Chair, Vice-Chair, Regional Emergency Manager or Deputy Regional Emergency Manager or any other person who by resolution of the Board is permitted to sign under the seal of the Commission.

10 AMENDMENTS

- 10.1 A bylaw to amend this Bylaw does not come into force until the bylaw is passed by a majority of the Board.

READ A FIRST TIME this 11th day of August, 2021



CHAIRPERSON



REGIONAL EMERGENCY MANAGER