

1997 BILL 210

First Session, 24th Legislature, 46 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 210

**DISASTER SERVICES
AMENDMENT ACT, 1997**

MR. McFARLAND

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 210
Mr. McFarland

BILL 210

1997

DISASTER SERVICES AMENDMENT ACT, 1997

(Assented to , 1997)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Amends RSA
1988 cD-36

1 The *Disaster Services Act* is amended by this Act.

**2 Section 5 is amended by adding the following after
clause (f):**

(f.1) for the purposes of section 10.1, designating any area of
land which shall be considered a "flood plain";

Explanatory Notes

1 Amends chapter D-36 of the Revised Statutes of Alberta, 1980.

2 Section 5 presently reads:

5 *The Lieutenant Governor in Council may make regulations*

- (a) *assigning responsibility to departments, boards, commissions or Crown agencies for the preparation or implementation of plans or arrangements or parts thereof to deal with emergencies;*
- (b) *delegating to any person, board or committee appointed under this Act any of the powers vested by this Act in the Minister or the Lieutenant Governor in Council except the power to make an order for a declaration of a state of emergency or to make regulations;*
- (c) *governing the assessment of damage or loss caused by a disaster and the payment of compensation for the damage or loss;*
- (d) *governing the sharing of costs incurred by the Government of Alberta or by a local authority in conducting emergency operations;*

3 The following is added after section 10:

Flood plain

10.1(1) In this section, "flood plain" means any area of land which has been designated a flood plain in the regulations.

(2) No compensation shall be paid pursuant to this Act to any person who suffers loss or damage to any building, structure, fixture or improvement located on a flood plain when the loss or damage arises from or is associated with a flood.

4 This Act comes into force on Proclamation.

(e) *requiring persons*

- (i) *who are engaged or may be engaged in any operation,*
- (ii) *who are utilizing or may be utilizing any process,*
- (iii) *who are using any property in any manner, or*
- (iv) *on whose real property there exists or may exist any condition,*

that may be or may create a hazard to persons or property to develop plans and programs in conjunction with local authorities to remedy or alleviate the hazard and to meet any emergency that might arise from the hazard;

(f) *governing the administration of the Disaster Relief Fund;*

(g) *concerning any other matter or thing necessary for the administration of this Act and for which no specific provision is made in this Act.*

3 Flood plain.

4 Coming into force.