

[The information contained in this document is to be of assistance to municipalities establishing a Policing Committee by enacting a Bylaw. This information should be modified to respect the individuality of the municipality and reviewed by their legal counsel]

Municipality of

*[Information in italics may need to be changed to represent each municipality, city, town]
[gray areas need personalization]*

Bylaw No.

A Bylaw of the City of to Establish a Policing Committee

Whereas the Municipal Government Act RSA 2000, c.M-26 and regulations as amended, provide that Council may pass bylaws in relation to services provided by or on behalf of the municipality;

Whereas the Police Act RSA 2000, c-P-17 and regulations as amended, provide that a municipality which has entered into an Agreement with the Federal Government for the provision of police services through the Royal Canadian Mounted Police, may by Bylaw establish a Policing Committee;

Whereas the Council of deems it advisable to establish a Policing Committee;

Whereas the Council, by the Bylaw shall prescribe the rules and regulations governing proceedings and meetings of the Committee;

Now, therefore, the Council of , in the Province of Alberta hereby enacts as follows:

1. Bylaw Name

That this Bylaw may be referred to as the “ Policing Committee” Bylaw.

2. Definitions

In this Bylaw, unless the context otherwise requires:

[the following definitions may be tailored to the needs of each community]

- a. “Act” means the Police Act, S.A. 2000, c. P-17;
- b. “Agreement” means the agreement between the municipality and the Government of Canada for the provision of police services for the municipality;
- c. “Bylaw” means the Bylaw No. as may be amended from time to time;
- d. “Chair” means the individual elected as per the Police Act Section 23(9);
- e. “City” means the municipal corporation of ;
- f. “City Manager” means the *Chief Administrative Officer of the City* or his delegate within the meaning of the Municipal Government Act;
- g. “Committee” means the Policing Committee;

- h. “Council” means the Municipal Council of ;
- i. “Councilor” means an elected member of Council;
- j. “Member” means a person appointed pursuant to the Policing Committee;
- k. “Officer in Charge” means the Officer in Charge of the local RCMP detachment in ;
- l. “RCMP” means the Royal Canadian Mounted Police or any member of that police service as the case may require.

3. Duties and Responsibilities

The Policing Committee shall:

["a" through "h" are from section 23(14) of the Police Act need to be included but may be supplemented to respond to the specific needs of each community as suggested by "i" through "k"]

- a. oversee the agreement between and the Government of Canada for the services of the RCMP;
- b. assist in selecting the Officer in Charge;
- c. represent the interests of the Council to the Officer in Charge;
- d. in consultation with the Officer in Charge, develop a yearly plan of priorities and strategies for municipal policing;
- e. issue instructions to the Officer in Charge respecting the implementation and operation of the yearly plan;
- f. represent the interests and concerns of the public to the Officer in Charge;
- g. assist the Officer in Charge in resolving public complaints;
- h. appoint a Public Complaint Director;
- i. *maintain a Policy Manual further detailing the actions and responsibilities of the Committee;*
- j. *submit a yearly budget to Council for ratification;*
- k. *submit an annual report to Council.*

Note: Council is liable for any legal liability that is incurred by the Committee.

4. Membership

- a. The Policing Committee shall be comprised of members. The membership shall include:*[not fewer than 3 nor more than 12]*

[following are suggestions regarding membership; Note that membership must comply with Police Act 23(4-5)]

- i. *members of City Council;*
 - ii. *residents of*
 - iii. *representatives from the MD of*
 - iv. *youth between the ages of sixteen and eighteen attending school in*
- b. The Officer in Charge of detachment or her/his designate shall attend the committee meetings in an advisory, non-voting capacity.

- c. *The Director of Protective Services, or her/his designate, shall attend the Committee meetings in an advisory, non-voting capacity.* [some municipalities may also direct bylaw representative, fire representative etc. to attend]
- d. The Committee, as a public body must comply with Freedom of Information and Protection of Privacy (FOIP) Legislation and have a designated Coordinator. The City of _____'s FOIP Coordinator will act as the FOIP Coordinator for the _____ Policing Committee and is responsible for ensuring that personal information is managed in accordance with FOIP legislation. Requests for information involving the Committee should be directed to the City of _____'s FOIP Coordinator subject to their fees and policies. [must have coordinator stated for municipality; some larger organizations have own coordinator]
- e. Each Member shall be appointed to the Committee for a *three (3) year term* commencing upon the date of their appointment by Council.
- f. The term of any member shall not exceed six (6) consecutive years.
- g. A Councilor may be a member of the Committee only so long as they remain a Councilor.
- h. Where a member ceases to be a member of the Committee before the expiration of her/his term, Council may appoint another eligible person for a *three (3) year term*. [minimum two (2) years, maximum three (3)]
- i. *Members shall remain in office until their respective successors are appointed.* [optional]
- j. A former Member is eligible for re-appointment *after a minimum one (1) year absence.* [need not specify time limit or may changed length]
- k. Members, other than Councilors or employees of the City, *may be paid remuneration by the Committee as may be fixed from time to time by Council.* [need not be remunerated]
- l. All persons appointed to the Policing Committee shall:
 - i. be eighteen (18), *except for the youth representative who shall be at least sixteen (16)* [youth representation optional]
 - ii. be a Canadian Citizen or Landed Immigrant and a resident of *or the MD of _____* for six (6) consecutive months immediately preceding the date of advertising for receipt of applications; [6 months seems to be the standard]
 - iii. take the Oath of Officer as prescribed in The Police Act;
 - iv. undertake a criminal records review and suitability screening through the RCMP; [recommended]
 - v. not be hired in any capacity with _____ RCMP any Provincial or Municipal Police Service, the Provincial Attorney General's Department or the Department of the Solicitor General of Alberta.

5. Resignation and Removals

[these parameters seem to be the standard among the Bylaws used for this compilation but may be modified to reflect the municipality's needs]

- a. Any member may resign from the Committee at any time upon sending written notice to the Council to that effect.
- b. Council may revoke a member's appointment to the Committee for cause, and particularly when the member:

- i. is absent from three (3) consecutive meetings unless such absence is by reason of illness or is authorized in advance by the Committee;
- ii. ceases to be a resident of or the MD of ;
- iii. is hired by the City or the RCMP or any other police service or Municipal Police Service, the Provincial Attorney General's Department or the Department of the Solicitor General;
- iv. is convicted of a crime under the Criminal Code of Canada;
- v. fails to keep the Oath of Office, or discloses any information that jeopardizes a police operation, or the confidentiality associated with the nature of policing including personnel, conduct contracts with the RCMP and security of police operations.

6. Meetings

[details here usually supplemented/supported by Policy Manual for Committee]

- a. The Committee shall hold regular meetings at a frequency to be determined from time to time by the Committee, but not less than nine (9) per year;*[minimum of 9 recommended]*
- b. The Committee shall elect a Chair and Vice Chair at its first meeting of the year in January. Council members or municipal employees are not eligible for these positions.
- c. Each member shall have one vote. *Proxies are not permissible.*
- d. All members appointed to the committee must vote on all matters before the committee, unless the person is required or permitted to abstain from voting. The reason for the abstention must be noted in the minutes of the meeting.
- e. *Voting by Email is not permissible.*
- f. A majority of the members shall constitute a quorum.
- g. A majority of the quorum is required to pass any motion.*[sometimes 2/3]*
- h. The Chair shall not vote unless there is a tie when s/he shall vote to maintain status quo. *[recommend chair not vote and maintain neutrality; option could be anonymous voting]*
- i. No member shall participate in any discussion nor vote upon any matter that may involve a conflict of interest of the type referred to in Sections 170-174 of the Municipal Government Act.
- j. Special meetings may be called by the Chair or in her/his absence, the Vice Chair by providing members with 24 hours notice. The Committee may, by unanimous consent, waive notice of a special meeting at any time if every member of the Committee is present.
- k. Meetings of the Committee shall be open to the public but matters relating to discipline, personnel, conduct, management, employee relations and security shall be conducted in-camera respecting the Freedom of Information and Protection of Privacy Act (FOIP).
- l. An agenda shall be prepared and circulated to the Committee Members for each meeting.
- m. Minutes shall be kept for each meeting of the Policing Committee and any *ad-hoc* or standing committees formed at the discretion of the Policing Committee.

- n. The agenda and minutes in their writing and storage shall respect all aspects of FOIP.

7. Effective Date

This Bylaw shall come into effect on the date of final passage thereof.

Read a first time in Council this the

Read a second time in Council this the

Read a third time and finally passed this the

Mayor

City Clerk