

Town of Chestermere

Bylaw No. 031-09

A Bylaw of the Town of Chestermere 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 Chestermere 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 Chestermere, in the Province of Alberta hereby enacts as follows:

1. Bylaw Name

That this Bylaw may be referred to as the "Chestermere Policing Committee" Bylaw.

2. Definitions

In this Bylaw, unless the context otherwise requires:

- 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 Chestermere Policing Committee Bylaw No. 031-09 as may be amended from time to time;
- d. "Chair" means the individual elected as per the Police Act Section 23(9);
- e. "Chief Administrative Officer" means the Chief Administrative Officer of the Town or his designate within the meaning of the Municipal Government Act.
- f. "Town" means the municipal corporation of Chestermere;
- g. "Committee" means the Chestermere Policing Committee;
- h. "Council" means the Municipal Council of Chestermere;

1

- i. "Councillor" 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 Chestermere;
- 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. oversee the agreement between Chestermere 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 Policing Committee Policy Manual further detailing the actions and responsibilities of the Committee;
- j. submit a yearly budget to Council for consideration by September 30th of each year;
- k. submit an annual report to Council by November 30th of each year.

Note: The Town of Chestermere is liable for any legal liability that is incurred by the Committee.

4. Membership

- a. The Policing Committee shall be comprised of not fewer than seven (7) and not more the twelve (12) members. The membership shall include:
 - i. two (2) *members of Town Council*; and
 - ii. not fewer than five (5) and not more than ten (10) *residents of Chestermere appointed by Council*
- b. The Officer in Charge of Chestermere detachment or her/his designate should attend the committee meetings in an advisory, non-voting capacity.



- c. The Director of Community Services, or her/his designate, should attend the Committee meetings in an advisory, non-voting capacity.
- 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 Town of Chestermere's FOIP Coordinator will act as the FOIP Coordinator for the Chestermere 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 Town of Chestermere's FOIP Coordinator subject to their fees and policies.
- e. Each Member shall be appointed to the Committee up to 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 Councillor may be a member of the Committee only so long as they remain a Councillor.
- 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 up to a *three (3) year term*.
- i. Members shall remain in office until their respective successors are appointed.
- j. A former Member is eligible for re-appointment *after a minimum one (1) year absence*.
- k. All persons appointed to the Policing Committee shall:
 - i. be eighteen (18);
 - ii. be a Canadian Citizen or Landed Immigrant and a resident of Chestermere for six (6) consecutive months immediately preceding the date of advertising for receipt of applications;
 - iii. take the Oath of Officer as prescribed in The Police Act;
 - iv. undertake a criminal records review and suitability screening through the RCMP;
 - v. not be hired in any capacity with Chestermere 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

- 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 Chestermere;
- iii. is hired by the Town 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

- 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;
- 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 minimum of four members in number, one of whom must be a Councillor, shall constitute a quorum.
- g. A majority of the quorum is required to pass any motion.
- h. The Chair shall vote.
- 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. The draft minutes will be sent to Administration and included in the Council agenda.
- n. The agenda and minutes in their writing and storage shall respect all aspects of FOIP.

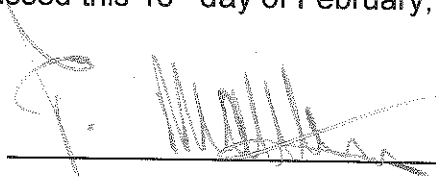
7. Effective Date

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

Read a first time in Council this 16th day of November, 2009.

Read a second time in Council this 7th day of December, 2009.

Read a third time and finally passed this 16th day of February, 2010.



Mayor



Chief Administrative Officer

Res # 045-10