

**TOWN OF HIGH RIVER
ALBERTA
BYLAW 4251/2009**

BEING A BYLAW OF THE TOWN OF HIGH RIVER TO ESTABLISH A POLICING COMMITTEE.

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

WHEREAS the Police Act RSA 2000, c. P-17 and regulations, as amended, provides that a municipality which has entered into an Agreement with the government of Alberta for the provision of policing services may, by Bylaw establish a Policing Committee; and

WHEREAS the member in charge of the Municipal Police Service shall, in enforcing the Bylaws of the Municipality, act under the lawful direction of the Chief Elected Officer (Mayor) or such other person as the Chief Elected Officer may, in writing, designate; and

WHEREAS the Council of the Town of High River deems it advisable to establish a Policing Committee to advise them on policing matters; and

WHEREAS Council, by the Bylaw, shall prescribe the rules and regulations governing proceedings and meetings of the Committee.

**NOW,
THEREFORE** the Council of the Town of High River, in the Province of Alberta, hereby enacts as follows:

1. Name and Definitions:

1.1 This Bylaw may be referred to as the "High River Policing Committee" Bylaw.

1.2 For the purpose of this by-law:

- a. "**Agreement**" means the agreement between the Town of High River and the Government of Canada for the provision of police services for the municipality;
- b. "**Chief Administrative Officer**" means the Person appointed to the position of Chief Administrative Officer by the Council of the Town of High River and includes any Person that the Chief Administrative Officer may appoint as his designate for purposes of carrying out his responsibilities under this Bylaw and further includes any Person that may be appointed to act in the absence of the Chief Administrative Officer;
- c. "**Committee**" means High River Policing Committee;
- d. "**Council**" means the Municipal Council of the Town of High River.
- e. "**Detachment Commander**" means the member in charge of the High River RCMP Detachment, or in the absence of the detachment commander, the member designated by the detachment commander to assume those responsibilities in his/her absence.
- f. "**Police Act**" means the Police Act RSA 2000 c-P-17 and regulations made under the Police Act as amended;
- g. "**R.C.M.P.**" means the Royal Canadian Mounted Police.
- h. "**Town**" means the Corporation of the Town of High River or the area contained within the Corporate limits of the Town as the context may require;

2. Duties and Responsibilities:

2.1 The Committee shall advise Council on all policing matters and maintenance of law and order for the Town of High River, except that which is the responsibility of the Attorney General.

2.2 The purpose and role of the High River Policing Committee are to act as a liaison between Town Council, the R.C.M.P. detachment and the citizens of High River and to foster responsible community actions towards the creation of a safe, secure community.
The Committee shall endeavor to do this by encouraging an environment which allows for public concerns to be addressed by all affected parties.
Specific duties and responsibilities are:

- a. Oversee the agreement between the Town and the Government of Canada for the employment of the R.C.M.P.;

- b. Act in an advisory capacity to the detachment commander of the Royal Canadian Mounted Police located in the Town of High River and to the Council of the Town of High River with respect to the policing of the municipality;
- c. Develop, in consultation with the detachment commander, an annual plan of priorities and strategies for the policing of the Town of High River;
- d. Monitor the implementation and operation of the annual priorities and strategies plan;
- e. Provide Community feedback to the R.C.M.P. concerning policing strategies and activities;
- f. Cooperate and liaise with community groups in creating programs or pursuing initiatives to improve public safety;
- g. Make recommendations to Council relating to policing matters or relevant community issues, as it may deem advisable, on its own initiative or upon the request of Council;
- h. Assist in selecting the Detachment Commander;
- i. Assist the Detachment Commander in resolving public complaints;
- j. Perform other duties as may be required in the Police Act;
- k. Provide Council with a report on an annual basis outlining the work done by the Committee during the previous year and plans for the upcoming year;
- l. Appoint a Public Complaint Director.

3. COMPOSITION OF THE COMMITTEE:

- 3.1 The Committee shall consist of nine (9) voting members who shall be appointed by resolution of Council as follows;
 - a. Nine (9) citizens of the Town of High River, two of whom may be youths between the ages of sixteen and eighteen who attend school, or as otherwise approved by Council.
- 3.2. The Mayor shall be a member (ex-officio) of the Committee and his or her term of office shall coincide with his or her term of office on Council. The Mayor or Councilor designated by him/her will attend Committee meetings in an advisory, non-voting capacity.
- 3.3. The Detachment Commander of the High River R.C.M.P., or his/her designate, shall attend the Committee meetings in an advisory, non-voting capacity.
- 3.4. The Director of Community Services, or his/her designate, shall attend the Committee meetings in an advisory, non-voting capacity.

4. MEMBERSHIP:

- 4.1. Each member from the public at large shall be appointed to the Committee for a two (2) year term commencing October 31st, unless, he or she is appointed to complete the term of another member who resigns before their term has expired. Youth Members shall be appointed for a one year term.
- 4.2. For each member of the Committee that is a member of Council, that person's appointment to the Committee terminates on that person ceasing to be a member of the Council, or upon completion of six (6) consecutive years on the Committee, whichever comes first.
- 4.3. The term of any citizen member shall not exceed six (6) consecutive years.
- 4.4. Where a member ceases to be a member of the Committee before the expiration of his or her term, Council may appoint another eligible person for the unexpired portion of the term.
- 4.5. All persons appointed to the Committee shall;
 - a. take the Oath of Office as prescribed in Schedule 2 of the Police Act;

- b. undertake a criminal records review and suitability screening through the R.C.M.P.;
- c. not be hired in any capacity with the Royal Canadian Mounted Police, any Provincial or Municipal Police Force, the Provincial Attorney General's Department or the Department of the Solicitor General of Alberta;
- d. be a Canadian Citizen or landed immigrant and resident of the Town of High River for at least six (6) consecutive months immediately preceding the date of advertising for applications;
- e. be of the age of eighteen (18) years, except for the youth representatives, who shall be at least sixteen (16) years of age.

5. Resignation and Removals:

- 5.1 Any member may resign from the Committee at any time upon sending written notice to the Council to that effect.
- 5.2 Council may terminate a member's appointment to the Committee at any time for cause, and particularly when the member violates written Committee Policy, including the following:
 - a. fails to attend three (3) consecutive meetings of the Committee, unless that absence is caused through illness or is authorized in advance by resolution of the Committee;
 - b. ceases to be a resident of the Town of High River;
 - c. is hired in a full-time, permanent capacity with the R.C.M.P.;
 - d. is convicted of a crime under the Criminal Code of Canada;
 - e. fails to keep the Oath of Office, or discloses any information that jeopardizes a police operation, or police/public safety, or the confidentiality associated with the nature of policing including personnel, conduct, contracts with the R.C.M.P. and security of police operations.

6. OFFICERS OF THE COMMITTEE:

- 6.1 The Chairman and Vice Chairman of the Committee shall be elected from amongst its citizen members at the first regular meeting of each year. A member who is not of the age of majority, or a member of council or an employee of the Town is not eligible to be elected as chair or vice-chair of the Committee.
- 6.2 All citizen members will vote on every motion. The Council rep is a liaison to the Committee and will not vote. The Administrative staff in attendance does not have a vote.
- 6.3 The Director of Community Services or designate shall act as recording secretary for all Committee meetings. Minutes shall be prepared by the recording secretary and submitted to the Committee for approval. The recording secretary shall forward a copy of these minutes to Council.

7. PUBLIC COMPLAINT DIRECTOR:

- 7.1 The Policing Committee shall appoint a Public Complaint Director. The Public Complaint Director may be:
 - a. a member of the Committee other than a member of the Council;
 - b. an employee of the Committee;
 - c. an employee of the Town ; or
 - d. another person, other than a member of the Council, who in the opinion of the Committee is qualified to serve in that capacity.
- 7.2 The Public Complaint Director shall:
 - a. receive complaints against police officers from the public and refer them to the Detachment Commander pursuant to Section 43(1) of the Police Act;

- b. provide liaison between the Committee and the Detachment Commander;
- c. perform the duties assigned by the Committee in regard to public complaints.

8. MEETINGS:

- 8.1 The Committee shall hold regular meetings at a frequency to be determined from time to time by the Committee, but not less than five (5) meetings per year.
- 8.2 Special meetings may be called by the Chairman or, in his/her absence, the Vice Chairman, by providing the 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.
- 8.3 No less than half of the total voting members of the Committee at a meeting shall constitute a quorum.
- 8.4 When a matter arises relating to proceedings in a meeting which is not covered by a provision of this Bylaw or the Act, the matter shall be decided by reference to Robert's Rules of Order.
- 8.5 An agenda shall be prepared by the Director of Community Services or his/her designate, in consultation with the Chairman, or in his/her absence, the Vice-Chairman, and circulated to the members at least 5 days prior to each Policing Committee meeting.
- 8.6 Each committee member shall have one vote. Motions shall only be carried upon receiving a majority of votes. In the event of a tie the motion is lost.
- 8.7 Meetings of the Policing Committee shall be open to the public, but all matters relating to personnel, conduct, contracts with the R.C.M.P., and security of police operations shall be conducted in private or closed meetings.
- 8.8 The Policing Committee may make such report to Council on matters of public concern as the Policing Committee deems are appropriate and are in the public interest. The Policing Committee shall also report to Council on any matter when requested to do so by resolution of Council.

9. SUB-COMMITTEES:

- 9.1 The Committee may appoint sub-committees or ad hoc committees, which may include persons from outside the Committee as it may consider necessary or desirable. The Committee shall define the terms of reference and tenure of each sub-committee or ad hoc committee. Sub-Committees or ad hoc committees may be terminated by a single motion at any regular meeting.

10. LIMITATIONS:

Neither the Committee nor any member shall have the power to pledge the credit of the Town in connection with any matters whatsoever, nor shall the Committee or any member thereof have any power to authorize any expenditure to be charged against the Town.

11. CONFLICT OF INTEREST:

No member shall participate in any discussion nor vote upon any matter that may involve a pecuniary interest as defined in Division 6 of Part 5 of the Municipal Government Act, R.S.A. 2000, c. M-26.

12. SEVERABILITY:

It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

13. REPEAL OF BYLAW

Bylaw 3931/98 and amendments thereto are hereby repealed.

14. EFFECTIVE DATE

This Bylaw shall take effect at the date of final reading.

READ A FIRST TIME THIS ____ DAY OF _____ A.D 20__.

MAYOR/DEPUTY MAYOR

TOWN MANAGER/
DIRECTOR OF CORPORATE SERVICES

READ A SECOND TIME THIS ____ DAY OF _____ A.D 20__.

MAYOR/DEPUTY MAYOR

TOWN MANAGER/
DIRECTOR OF CORPORATE SERVICES

READ A THIRD AND FINAL TIME THIS ____ DAY OF _____ A.D. 20__.

MAYOR/DEPUTY MAYOR

TOWN MANAGER/
DIRECTOR OF CORPORATE SERVICES