

TOWN OF DRUMHELLER
BYLAW NO. 16-09

A BYLAW OF THE TOWN OF DRUMHELLER TO ESTABLISH A POLICING COMMITTEE.

PURSUANT to the Municipal Government Act, Being Chapter M-26, R.S.A. 2000, as amended, the Council for the Town of Drumheller duly assembled enacts as follows:

- WHEREAS** Section 23(1) of the Police Act, being Chapter 12.01 of the Revised Statutes of Alberta, 1988 and amendments thereto, provides that a municipality which has entered into an Agreement with the government of Alberta for the provision of Police services under Section 22 of the Police Act may, by by-law establish a Policing Committee; and
- 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 Executive Officer or such other person as the Chief Executive Officer may, in writing, designate; and
- AND WHEREAS** The Council of the Town of Drumheller deems it advisable to establish a Policing Committee to advise them on Police matters; and
- 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 Drumheller, duly assembled, enacts as follows:

1.0 TITLE:

This bylaw may be known as the "Policing Committee Bylaw".

2.0 DEFINITIONS:

For the purpose of this bylaw:

- (a) "Agreement" means the agreement between the Town of Drumheller and the Government of Canada for the provision of police services for the Municipality;
- (b) "Committee" means Drumheller Policing Committee.
- (c) "Council" means the duly elected Municipal Council of the Town of Drumheller from time to time;

- (d) "Officer in Charge" means the Officer in charge of the local RCMP Detachment in the Town of Drumheller;
- (e) "Oversee" means to review and advise Council with regard to the terms of the Agreement;
- (f) "RCMP" means the Royal Canadian Mounted Police; and
- (g) "Town" means the Corporation of the Town of Drumheller or the area Contained within the Corporate limits of the Town as the context may Require.

3.0 DUTIES AND RESPONSIBILITIES:

- 3.1 The overall objectives of the Policing Committee are to act as a liaison between Town Council, the RCMP detachment, the Bylaw Enforcement Office and the Citizens of Drumheller and the rural areas served by the Drumheller Detachment of the RCMP, and foster responsible community actions towards the creation of a safe, secure community. The Committee shall endeavour to do this by encouraging an environment, which allows for public concerns to be addressed by all affected parties. Specific duties and responsibilities are to;
- (a) oversee the agreement between the Town and the Government of Canada for the employment of the RCMP;
 - (b) provide Community feedback to the RCMP concerning Police and Town Bylaw enforcement strategies and activities;
 - (c) review and advise Council on the annual RCMP Goals and Priorities;
 - (d) Co-operate and liaise with community groups in creating programs or pursuing initiatives to improve public safety; and
 - (e) make recommendations to Council relating to Policing matters or relevant community issues, as it may deem advisable, on its own Initiative or upon request of Council.

4.0 COMPOSITION OF THE COMMITTEE

- 4.1 The committee shall consist of nine (9) voting members who shall be appointed by resolution of Council as follows:
- (a) Five (5) members selected from the public at large as residents of the Town of Drumheller.
 - (b) One (1) Mayor or designate by resolution of the Town of Drumheller, Municipal Council.

- (c) Three (3) public members selected to a maximum of one (1) from any of the following communities, as defined within the boundaries of the Drumheller Detachment, Royal Canadian Mounted Police:
 - i. Starland County
 - ii. Kneehill County.
 - iii. The Village of Delia
 - iv. The Village of Morrin
 - v. The Village of Carbon
 - vi. The Village of Munson
- 4.2 The Officer in Charge of the Drumheller RCMP, or his designate, shall attend the Committee meetings in an advisory, non-voting capacity.
- 4.3 The Chief Administrative Officer, or his designate, shall attend the Committee Meetings in an advisory, non-voting capacity.

5.0 MEMBERSHIP

- 5.1 Each member from the public at large shall be appointed to the Committee for One (1) to three (3) year term, whichever Council deems appropriate, commencing October 31st.
- 5.2 The term of any citizen member shall not exceed six (6) consecutive years, except by special resolution of council.
- 5.3 Members shall remain in office until their respective successors are appointed.
- 5.4 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.
- 5.5 All persons appointed to the Committee shall:
 - (a) Take the oath prescribed by the Police Act.
 - (b) Not have a criminal record under the Criminal Code of Canada.
 - (c) Not be hired in any capacity with the Royal Canadian Mounted Police, any Provincial 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 a resident in the Town of Drumheller or one of the communities enumerated in s.4.1 for at least six (6) consecutive months preceding the date of advertising for applications.
- (e) Be of the full age of eighteen (18) years.

6.0 RESIGNATION AND REMOVALS

- 6.1 Any member may resign from the Committee at any time upon sending written notice to Council to that effect.
- 6.2 Council may terminate a member's appointment to the Committee at any time, and particularly when the member:
 - (a) fails to attend three (3) consecutive regular meetings of the Committee, unless absence is caused through illness or is authorized in advance by Resolution of the Committee;
 - (b) ceases to be a resident of the Town and / or respective community as identified in 4.1(c);
 - (c) is hired in a full-time, permanent capacity with the Town or the RCMP or;
 - (d) is convicted of a crime under the Criminal Code of Canada.

7.0 OFFICERS OF THE COMMITTEE

- 7.1 The Chairman and Vice Chairman of the Committee shall be elected from amongst its citizen members after Council's organizational meeting of each year.
- 7.2 All members of the Committee shall vote on every motion, except the Chairman. In the event of a tie vote, the Chairman shall vote.

8.0 PUBLIC COMPLAINT DIRECTOR

- 8.1 The Committee shall appoint a Public Complaint Director.
- 8.2 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.

8.3 The Public Complaint Director shall:

- (a) receive complaints against police officers from the public and refer them to the Officer in Charge pursuant to Section 43(1) of the Police Act;
- (b) provide liaison between the Committee and the Officer in Charge;
- (c) receive complaints against Community Peace Officers (CPO's) from the public and refer them to the Director of Protective Services pursuant to the Peace Officer Act.
- (d) Perform the duties assigned by the Committee in regard to public complaints.

9.0 MEETINGS

- 9.1 The Committee shall hold regular meetings at a frequency to be determined from time to time by the Committee, but not less than four (4) meetings per year.
- 9.2 Special meetings may be called by the Chairman or, in his 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.
- 9.3 No less than five (5) voting members of the Committee shall constitute a quorum at a meeting.
- 9.3 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 Roberts Rules of Order.
- 9.4 An agenda shall be prepared by the Chief Administrative Officer or his designate, in consultation with the Chairman, or in his absence the Vice-Chairman, and be circulated to the members prior to each Policing Committee meeting.
- 9.5 Meetings of the Policing Committee shall be open to the public, but all matters relating to personnel, conduct, contracts with the Royal Canadian Mounted Police, and security of police operations shall be conducted in private or closed meetings.
- 9.6 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.

10.0 SUB-COMMITTEES

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 simple motion at any regular meeting.

11.0 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 nor any member thereof have any power to authorize any expenditure to be charged against the Town.

12.0 CONFLICT OF INTEREST

No member shall participate in any discussion nor vote upon any matter that may involve a pecuniary interest of the type referred to in Division 6 of the Municipal Government Act being Chapter M-26 of the Statutes of Alberta 2000 as amended.

13.0 EFFECTIVE DATE


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

READ A FIRST TIME THIS 22nd day of June 2009


READ A SECOND TIME THIS 22nd day of June 2009

READ A THIRD TIME THIS 22nd day of June 2009

(SEAL)



Chief Elected Officer



Chief Administrative Officer