

HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER P-100

RESPECTING THE BOARD OF POLICE COMMISSIONERS
FOR THE HALIFAX REGIONAL MUNICIPALITY

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of the Police Act, Chapter 28, R.S.N.S., 1989 as follows:

Short Title

1. This By-law shall be known as By-law No. P-100 and may be cited as the "Police Board By-law".

Definitions

2. In this By-law

(a) "Board" means the Board of Police Commissioners for the Halifax Regional Municipality;

(aa) "CAO" means the Chief Administrative Officer of the Halifax Regional Municipality;

(b) "Council" means the Council of the Halifax Regional Municipality.

(c) "Chief of Police" means the Chief of Police of the Halifax Regional Police;

(d) "Halifax Detachment" means the Halifax District RCMP;

(e) "Halifax Regional Police" means the Chief and members of the municipal police service of Halifax Regional Municipality;

(ee) "HRM" means Halifax Regional Municipality;

(f) "Officer in Charge" means the chief officer of the Halifax District RCMP;

(g) "Provincial Police Service" means collectively the police services provided by the RCMP through contract with the Province of Nova Scotia;

(h) "RCMP" means the Royal Canadian Mounted Police.

Board Established

3. The Council hereby establishes the Board of Police Commissioners for the Halifax Regional Municipality.

Membership

4. (1) The Council shall appoint six members to the Board who shall hold office for such term as Council may direct, not to exceed three years.

(2) The Solicitor General for the Province of Nova Scotia may appoint one additional member to serve on the Board pursuant to Section 19(2) of the Police Act.

(3) Members appointed to the Board may be reappointed at the conclusion of their terms, but may be appointed for no more than three consecutive terms.

(4) Council shall stagger the end dates of appointments to the Board, if possible.

(5) Where Council is appointing or reappointing a member of the Board, Council shall consider:

(a) if the Board reflects the diversity of the community it represents;

(b) if the Board has a member with legal knowledge or knowledge of the justice system; and

(c) if the Board has a member with financial knowledge.

Chairman

5. The Chairman shall preside at all meetings of the Board and in his absence the Vice-Chairman shall preside.

Procedure

6. (1) The Board shall conduct its business according to the procedure established by the Council for the conduct of its business subject to such modifications as may be required to fit the needs of the Board.

(2) The Board shall, by June 1st of each year, provide Council with an annual report outlining its achievements in the previous fiscal year, and an overview of its workplan for the coming year.

Chief Officer

7. (1) The Chief of Police shall have the power to appoint, promote, suspend, dismiss and reinstate all members, special constables, bylaw enforcement officers and civilian employees of the Halifax Regional Police.

(2) The Chief of Police shall advise the Board with respect to the provision of efficient, effective and economical municipal police service delivery to the taxpayers of the municipality and may in consultation with the Board undertake in a timely manner, research, strategic planning, policy development and implementation and the reporting of results, in response to inquiries by the Board pertaining to its community governance responsibilities, generally categorized as:

- (a) providing an effective community voice on matters pertaining to policing;
- (b) civilian review of police service delivery;
- (c) ensuring the quality of police service delivery by evaluation processes;
- (d) keeping generally informed of policing operations; and
- (e) insuring police personnel are accountable to civilian authority.

(3) Pursuant to section 38 of the Police Act, the Chief of Police has authority over the actual day-to-day direction of the Halifax Regional Police with respect to enforcement of law and the maintenance of discipline within the department.

(4) The Chief of Police is accountable to the Board with respect to the provision of policing in the Halifax Regional Municipality.

(5) The Chief of Police is accountable to the CAO with respect to the implementation of and compliance with HRM administrative policies and procedures.

Appointment of Chief of Police

7A. (1) The Board shall oversee any competition for the role of Chief of Police with the assistance of HRM staff.

(2) At the conclusion of a competition for the role of Chief of Police the Board shall prepare a report respecting the results of the competition and a recommendation of a candidate to be appointed Chief of Police.

(3) The final decision with respect to the appointment of a candidate as Chief of Police or the extension of the contract of the Chief of Police shall be made by Council.

(4) The Board shall provide advice to the Council with respect to any decision to renew the contract of the Chief of Police.

Power

8. (1) The Board shall provide civilian governance in regards to strategic policy planning and policy driven budget planning for police service delivery within the communities serviced by the Halifax Regional Police and shall carry out an advisory role in respect of police matters within the communities serviced by the Provincial Police Service.

(2) The Board in accordance with the *Police Act* and HRM Bylaws may carry out any of the following roles and responsibilities:

- (a) co-ordinate public planning process as it relates to community oriented police response to community issues;
- (b) provide civilian governance on behalf of the Council in relation to enforcement of the law, the maintenance of law and order and the

prevention of crime within the municipality;

- (c) in consultation with the Chief of Police, review priorities, goals and objectives of the municipal police service;
- (d) over see and ensure the provisioning of the Halifax Regional Police in the areas of accommodation and material as deemed necessary;
- (e) prepare and submit in consultation with the Chief of Police and the Chief Administrative Officer or delegate, to Council an annual budget for the municipal police service. The municipal council shall only exercise global budget approval and shall only accept the police service budget submitted to it by the board or refer back to the board with instructions that it be altered upward or downward by a specific dollar amount or percentage;
- (f) ensure compliance with Nova Scotia Police Act code of conduct;
- (g) make rules respecting standards, guidelines and policies for the administration of the police service and for the efficient discharge of duties by the employees;
- (h) carry out any studies or investigations respecting its civilian governance responsibilities;
- (i) monitor gender, ethnic and minority group issues and making recommendations concerning these matters to the Chief of Police;
- (j) ensure that community needs and values are reflected in policing goals and methods;
- (k) act as a conduit between the community and the police service providers.

(3) The Board in accordance with the *Police Act* and HRM Bylaws may carry out any of the following roles and responsibilities as they relate to the Provincial Police Service:

- (a) by consulting with the Officer in Charge to develop and implement the policing objectives, priorities and goals;
- (b) requiring the Officer in Charge to attend all meetings of the Board, and other meetings as required by the Board, in order to provide information pertaining to operational and administrative status of the Halifax Detachment; such consultation shall occur as and when required but not less than quarterly;
- (c) requiring the Officer in Charge to provide an annual report, by March 31 of each year, on the status of the implementation of HRM's objectives, priorities and goals relating to the Halifax Detachment's policing responsibilities within its prescribed territorial boundaries in the municipality during the previous fiscal year.

- (d) requiring the Officer in Charge to provide monthly or more frequently if deemed necessary to provide the Board the details of any new or outstanding internal disciplinary matters in respect of those members of the RCMP who carry our policing functions with Halifax Detachment;
- (e) by requesting as required information relating to any policies, directives or practices of the RCMP on matters such as information on organizational initiatives within the RCMP, the public complaint process, the processes dealing with discipline and poor performance of members of the RCMP, recruiting processes in general and as they relate specifically to visible minorities; transfer policies for RCMP members and any other programs that from time to time may be of interest to the Board;
- (f) in consultation or with their delegate consult with the Officer in Charge or his or her delegate, the Attorney General or his or her delegate meet in respect to financial planning having regard to the number of members and support staff required for the Halifax Detachment for the following fiscal year or five year plan.

Repeal

9. The following by-laws are repealed:

- (a) City of Dartmouth By-laws P-900, P-901, P-902, P-903, P-904 and P-1000;
- (b) Town of Bedford By-law No. 22102; and
- (c) City of Halifax Ordinance No. 169.

(2) This Section shall have effect on and after April 1, 1996.

Done and passed in Council this 22nd day of February, 1996.

Walter R. Fitzgerald
MAYOR

Vi Carmichael
MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of the Halifax Regional Council held on February 22nd, 1996.

Vi Carmichael
MUNICIPAL CLERK

BY-LAW P-100

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| Notice of Motion: | January 10, 1996 |
| First Reading: | January 31, 1996 |
| Second Reading: | February 14, 1996 |
| Third Reading: | February 22, 1996 |
| Approved by Minister of Municipal Affairs: | March 27, 1996 |
| Effective Date: | April 1, 1996 |

No. 1 **By-Law P-101**

Section 2; Section 7 and Section 8 - By-Law P-101

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| Notice of Motion: | September 21, 1999 |
| First Reading: | October 5, 1999 |
| ANotice of Intent@ Publication: | October 9, 1999 |
| Second Reading: | October 26, 1999 |
| Approval of Minister of Justice: | January, 2000 |
| Effective Date: | March 4, 2000 |

No. 2 **By-law P-102**

Sections 2, 4, 6, 7, 7A

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