



## INTERNAL CORRESPONDENCE

**To:** Chair and Members  
**From:** Deb Reid  
**Dept:** Niagara Police Service Board  
**Dept:** Executive Director  
Niagara Police Service Board

---

**Date:** October 11, 2024

**Re: Police Service Board By-law – Administration of the Police Service**

---

Purpose:

The purpose of this report is to provide the Board with a draft by-law as required for compliance with the *Community Safety and Policing Act, 2019 (CSPA)*, and its Regulations.

Background Information and Discussion:

On April 1, 2024, the *Community Safety and Policing Act, 2019 (CSPA)* and its Regulations came into force. The CSPA is an opportunity to modernize policing and enhance community safety in Ontario.

All Police Service Boards and Police Services are required to comply with the CSPA and its associated Regulations. The CSPA mandates that the Board establish a policy for the administration of the Police Service. To meet these legislative requirements, a draft By-law has been created. This By-law also instructs the Chief of Police to ensure the administration of the Service adheres to the CSPA, its Regulations, and all relevant Board By-laws and policies. The Chief of Police regularly provides the Board with reports to monitor compliance, which also support the budget process, strategic planning, and ongoing assessment of the Service's needs.

Cost of Recommendation:

There will be no additional costs associated with the implementation of the attached By-law. Specific costs resulting from the administration of the Police Service are dealt with by the Chief of Police and the Board on an ongoing basis as part of the annual budget processes.

Alternative Options:

The Board is required to develop a host of policies for every aspect of service delivery. The By-law presented complies with the CSPA and its Regulations and Ministry of the Solicitor General guidelines and there are no realistic alternatives.

Reasons for Recommendation:

Subsection 38 (1) (a) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* requires the Police Service Board shall establish policies respecting the administration of the Police Service. This provision is a mandated responsibility of Police Service Boards. This By-law ensures compliance with the CSPA and its Regulations. The Board Solicitor, Woody McKaig, has reviewed and endorsed this By-law and it is now presented to the Board for final approval.

**Recommendation:**

**That the Board adopt the draft by-law as appended to this report, effective October 31, 2024;**

**And further, that the Board Chair and Executive Director be authorized to make any supplementary administrative amendments to the by-law, that may be required following any additional clarification of the CSPA and its Regulations that may be received by the Ministry of the Solicitor General.**



Deb Reid  
Executive Director

Encl.



**BY-LAW NO. 522-2024**

**A BY-LAW RESPECTING THE  
ADMINISTRATION OF THE POLICE SERVICE**

**1. PREAMBLE**

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND WHEREAS subsection 38 (1) (a) of the CSPA provides that a Police Service Board shall establish policies respecting the administration of the Police Service;
- 1.3 AND WHEREAS subsection 38 (2) of the CSPA provides that a Police Service Board shall establish policies respecting matters related to the Police Service or the provision of policing;
- 1.4 AND WHEREAS, O. Regulation 392/93: Adequate and Effective Policing (General) prescribes standards for adequacy and effectiveness of police services;
- 1.5 AND WHEREAS the Board deems it appropriate and consistent with the principles set out in Section 1 of the CSPA, with its objectives and priorities determined pursuant to Section 38 of the CSPA that the Board have a policy on the administration of the police service.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

**2. DEFINITIONS**

- 2.1 "*Act*" or "*CSPA*" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 "*Board*" means the Regional Municipality of Niagara Police Service Board;
- 2.3 "*Chief*" means the Chief of the Niagara Regional Police Service;
- 2.4 "*Member*" means a member of the Niagara Regional Police Service;
- 2.5 "*Ministry*" means the Ministry of the Solicitor General;
- 2.6 "*Municipality*" means the Regional Municipality of Niagara; and
- 2.7 "*Service*" means the Niagara Regional Police Service.

### **3 BOARD POLICY**

3.1 Under the CSPA, Police Service Boards are entrusted with the governance and oversight of policing within their municipalities.

3.2 The Board is committed to developing evidence-based, community-centred, and equitable policies to govern the Niagara Regional Police Service to foster increased trust between the Niagara Regional Police Service and the community.

3.3 Sections 37-39 of the CSPA define the role and duties of the Board. The primary role of the Board is to ensure that adequate and effective policing is provided within the Niagara Region. Legislated responsibilities are set out in Section 37 of the CSPA and include:

- 1) Ensure the provision of adequate and effective policing;
- 2) Ensure that any police facilities used by the Board comply with any prescribed standards;
- 3) Prepare and adopt a diversity plan to ensure the Members of the Police Service reflect the diversity of the area subsection 37 (1);
- 4) Employ the Members of the Police Service;
- 5) Appoint Members of the Police Service as police officers;
- 6) Recruit and appoint the Chief of Police and any Deputy Chief of Police and determine their remuneration and working conditions, taking their submissions into account;
- 7) Monitor the Chief of Police's performance;
- 8) Conduct a review of the Chief of Police's performance at least annually in accordance with the regulations made by the Minister, if any;
- 9) Monitor the Chief of Police's decision regarding the restrictions on secondary activities set out in Section 89 and review the reports from the Chief of Police on those decisions;
- 10) Monitor the Chief of Police's decisions regarding the restrictions on secondary activities set out in Section 89 and review the reports from the Chief of Police on those decisions;
- 11) Perform such other duties as are assigned to it by or under this or any other Act, including any prescribed duties.

The Board negotiates collective agreements and approves the capital and operating budgets.

3.4 The Board commits to fulfilling this responsibility by ensuring that policing actions and consequences are consistent with community needs, values, and expectations. The Board is committed to ensuring that the principles of integrity and accountability govern the oversight and management practices of the Board and the Niagara Regional Police Service.

### **4 DIRECTION TO THE CHIEF**

4.1 The Chief of Police is responsible for administering the police service and overseeing its operation in accordance with the objectives, priorities and policies established by the Board.

4.2 The Chief of Police is to ensure the administration of the police service is in compliance with the CSPA, its regulations, and applicable Board By-laws and policies.

**5. IMPLEMENTATION**

- 5.1 Any By-laws, sections of by-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed.
- 5.2 This By-law shall come into force on the date of its passage.
- 5.3 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 31<sup>st</sup> day of October, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD

\_\_\_\_\_  
Jen Lawson, Chair

\_\_\_\_\_  
Deb Reid, Executive Director