

MUNICIPALITY OF THE COUNTY OF KINGS

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BY-LAW # 111

POLICE ADVISORY BOARD

WHEREAS the Council of the Municipality of the County of Kings wishes to establish a board known as the Police Advisory Board, which shall advise Council on all policing matters within and affecting the Municipality of the County of Kings;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of the County of Kings hereby enacts as follows:

1. Definitions

In this By-law:

- 1.1 “Council” means the Municipal Council for the Municipality of the County of Kings;
- 1.2 “Councillor” means a member of the Municipality of the County of Kings Council;
- 1.3 “Municipality” means the Municipality of the County of Kings;
- 1.4 “*Police Act*” means an Act Respecting Policing in Nova Scotia, c. 31 of the Acts of 2004, as amended;
- 1.5 “Police Advisory Board” / “Advisory Board” means a Police Advisory Board established pursuant to Section 57 of the *Police Act*, as amended;
- 1.6 “Regulations” means Police Regulations made under subsection 97(1) of the *Police Act*, as amended;
- 1.7 “Senior Staff Member” means a Director or Manager assigned to the Advisory Board established pursuant to the Municipality’s policy on the Administration of Standing and Advisory Committees of Council (Policy Admin-01-016).

2. Title

This By-law shall be known as the Police Advisory Board By-law.

3. Repeal

This By-law replaces Municipal By-law #82 Police Services Advisory Committee By-law.

4. Purpose

Pursuant to the *Police Act*, S.N.S. 2004, c. 31, s. 57(1), as amended, Council establishes a Police Advisory Board which will advise Council in relation to the enforcement of law, the maintenance of law and order, and the prevention of crime in the Municipality.

5. Membership

- 5.1 The Advisory Board shall comprise seven (7) members:
 - 5.1.1 three (3) members of Council who have been appointed by resolution of Council per *Police Act* s. 57(4)(a). These appointments shall comprise two Councillors representing the area served by the New Minas Royal Canadian Mounted Police detachment, and one representing the area served by the Kingston Royal Canadian Mounted Police detachment; and
 - 5.1.2 three (3) members who have been appointed by resolution of Council who are neither members of Council nor employees of the Municipality ("Citizens") per *Police Act* s. 57(4)(b). These appointments shall comprise two citizens residing in the area served by the New Minas Royal Canadian Mounted Police detachment, and one citizen residing in the area served by the Kingston Royal Canadian Mounted Police detachment. Should Council not receive any applications for citizen members from a designated geographic area, Council may appoint an applicant from another part of the Municipality to represent that area.
 - 5.1.3 one (1) member appointed by the Minister of Justice (*Police Act* s. 54(4)(c)).
- 5.2 Members of Council will be appointed to the Advisory Board in accordance with the selection process prescribed in section 82 of the Regulations made under the *Police Act* 2004, c. 31, s. 97(1) and shall hold office for one year from the date of their appointments.
- 5.3 Citizens will be appointed to the Advisory Board in accordance with the selection process prescribed in section 82 of the Regulations made under the *Police Act* 2004, c. 31, s. 97(1) and shall hold office for two years from the date of their appointments.
- 5.4 A chair and vice-chair of the Advisory Board shall be chosen by the members of the Advisory Board at the first meeting in each year in accordance with the *Police Act* 2004, c. 31, s. 59.
- 5.5 Except for the member appointed by the Minister, each member of the Advisory Board will be required to go through a screening process, including an interview, conducted by a panel established by Council, and must consent to criminal record and background checks (s. 82(1)(b) and 77(2) of the Regulations made under the *Police Act* 2004). The panel shall consist of the Nominating Committee and the Senior Staff Member for the Advisory Board.
- 5.6 Each member of the Advisory Board shall take an oath of office or affirmation as prescribed by regulation and adhere to a code of conduct prescribed by the Regulations made under the *Police Act* 2004, c. 31, s. 58.
- 5.7 Each member of the Advisory Board shall undergo any training that may be provided for members of the Board or required by the Minister or by regulation (*Police Act* 2004, c. 31, s. 67).

6. Function

The function of the Advisory Board is to:

- 6.1 Provide advice to Council in relation to the enforcement of law, the maintenance of law and order, and the prevention of crime in the Municipality (*Police Act* s. 68(1)).
- 6.2 Provide a forum for regular liaison and discussion between Municipal Council and the Royal Canadian Mounted Police concerning policing services within the Municipality, including deployment and number of personnel.
- 6.3 Discuss community concerns relative to policing services and, in cooperation with the Royal Canadian Mounted Police, establish enforcement priorities.
- 6.4 Support a community policing philosophy through assistance in coordinating policing services with the programs of other local agencies and community groups to ensure the most effective use of policing resources in the community.
- 6.5 Provide a forum for residents, taxpayers, businesspeople, citizens, or groups to present their concerns or requests.

7. Meeting and Reporting

- 7.1 The Advisory Board must hold a board meeting at least every three (3) months (*Police Act* 2004, c. 31, s. 63). Additional meetings may be called at the request of the Chair with at least one week's prior notice. Emergency meetings to deal with critical issues may be called on 24 hours' notice.
- 7.2 All meetings of the Advisory Board shall be open to the public, but all matters relating to discipline, personnel conduct, contract negotiations, and security of police operations, per s. 65 of the *Police Act*, as well as matters outlined in s. 22 (2) of the *Municipal Government Act*, shall be conducted in private.
- 7.3 A majority of the members of the Advisory Board constitutes a quorum (*Police Act* 2004, c. 31, s. 64).
- 7.4 The Advisory Board shall be responsible to Council and the Chair or the Chair's delegate shall report to Council at its regular meetings.
- 7.5 A recording secretary appointed by the Senior Staff person shall keep minutes of all meetings of the Advisory Board.

8. Severability

- 8.1 If any portion of this By-law #111 is found to be at variance to the provisions of the *Police Act* and its Regulations, the provisions of the *Police Act* and its Regulations shall govern.

By-law Repeal – By-law # 82					
First Reading	Notice of Second Reading	Second Reading	Notice of Passing	Certified Copy to Minister	Approval/ Acknowledgement by Minister
July 16, 2024	July 30, 2024	September 3, 2024	September 17, 2024	September 17, 2024	

By-law Adoption – By-law # 111					
First Reading	Notice of Second Reading	Second Reading	Notice of Passing	Certified Copy to Minister	Approval/ Acknowledgement by Minister
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By-law Amendments – By-law # 111					
First Reading	Notice of Second Reading	Second Reading	Notice of Passing	Certified Copy to Minister	Approval/ Acknowledgement by Minister