

TOWN OF NEW GLASGOW

BYLAW NO. 13

BOARD OF POLICE COMMISSIONERS BYLAW

1. This bylaw is made pursuant to the provisions of The Police Act, RSNS, 1989 c. 348 as amended and the regulations made thereunder and shall be known and cited as the "New Glasgow Board of Police Commissioners Bylaw".
2. (1) In this bylaw
 - (a) "Board" means the Board of Police Commissioners of the Town of New Glasgow;
 - (b) "Chief" means the Chief of the New Glasgow Police Service;
 - (c) "Chief Administrative Officer" means the Chief Administrative Officer of the Town of New Glasgow;
 - (d) "Council" means the Council of the Town of New Glasgow;
 - (e) "Police Act" means The Police Act RSNS 1989 c. 348 as amended and the regulations made thereunder;
 - (f) "Police Service" means the policing service for the Town of New Glasgow;
 - (g) "Town" means the Town of New Glasgow
- (2) All other words in this bylaw unless defined in The Police Act take their ordinary dictionary meaning.
3. The Board shall be composed of the following ^{seven} five members:
 - (a) three members of the Council;
 - (b) ^{three} one citizen of the Town;
 - (c) a person appointed by the Minister of Justice of the Province of Nova Scotia.
4. The Council shall, at the time of the appointment of committees of Council each year, appoint its representatives to the Board.

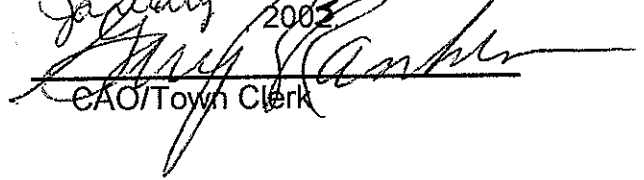
5. Where a vacancy occurs on the Board by reason of the death of a member appointed by the Council or where such a member is unable to carry on the duties as a member of the Board by reason of illness, absence, or no longer residing in the Town, the Council shall at its first regular meeting following such event appoint a replacement.
6. A Chair and Vice-Chair of the Board shall be chosen by the members of the Board at the first meeting in each calendar year.
7.
 - (1) Public meetings of the Board shall be held at such time and place the Board shall determine, provided that there shall be at least one public meeting every three months.
 - (2) The Board may meet "in camera" at any time on twenty-four hours notice by the Chair or any two members, or at any time with unanimous consent of all members, concerning all matters relating to discipline, personnel conduct, contract negotiations and security of police operations.
 - (3) A member of the Board or any person in attendance at an "in camera" meeting shall not disclose any items or information of a confidential nature that were discussed at the meeting.
 - (4) The Chief or the person acting for the Chief shall, whenever requested by the Board, attend meetings of the Board whether public or "in camera".
 - (5) The Chief Administrative Officer or designate shall be the Secretary to the Board and shall have charge of all minutes, records and accounting procedures to be followed and maintained by the Board.
 - (6) A majority of the members of the Board shall constitute a quorum.
8.
 - (1) The Board shall not later than the last day of April each year, submit to the Council for its consideration and approval estimates of all monies which the Board recommends the Town shall require for the year to pay the remuneration of the members and staff of the police service and to pay for the accommodation, arms, equipment and other such things as are deemed appropriate for the use and maintenance of the police service.
 - (2) The Board shall be required to submit to the Council its recommendations with respect to all financial and budgeting matters related to the administration of the police service.
9.
 - (1) The Town shall be the employer of all members and staff of the

police service.

- (2) All collective agreements or other agreements with the members and staff of the police service or their bargaining agent shall be contracted in the name of the Town.
10.
 - (1) The Board shall have all of the powers and duties granted pursuant to the provisions of The Police Act .
 - (2) Pursuant to Section 20 of The Police Act, the function of the Board shall primarily relate to the administrative direction organization and policy required to maintain an efficient and adequate police force.
 - (3) The Board shall have jurisdiction without interference by the Council or any member of the Council over all matters relating to the enforcement of all federal statutes, provincial statutes and Town bylaws, but the Council shall have the right to make requests to the Board as to the enforcement of such statutes or bylaws within the Town.
11.
 - (1) Pursuant to Section ¹⁴⁽¹⁾ 14(2) of The Police Act the actual day-to- day operations of the police services with respect to the enforcement of law and the maintenance of discipline within the force shall rest with the Chief of Police or the person acting for the Chief.
 - (2) Subject to the provisions of The Police Act, the Chief of Police or the person acting for the Chief shall give all necessary orders, directions and instructions to the police service.
 - (3) Subject to Section 19(11) of The Police Act, a member of the Board or a member of Council shall not issue any order, direction or instruction to any member or staff of the police service concerning that individual's duties as a member or staff of the police service.
12. Any person who violates any provision of this bylaw is guilty of an offence and on summary conviction is liable to a fine of not less than one hundred fifty dollars and not more than five thousand dollars and in default of payment to imprisonment for a period of not more than ninety days.
13. The provisions of the Town of New Glasgow Bylaw No. 4 "Council Meetings Bylaw" apply except where they are inconsistent with the provisions of this bylaw or The Police Act.
14. The Town of New Glasgow Bylaw No. 13 "Board of Police Commissioners Bylaw" passed by Council on June 17, 1996 and approved by the Minister of Justice on August 20, 1996 and the Minister of Municipal Affairs on August 27, 1996 and any amendments thereto are hereby repealed.

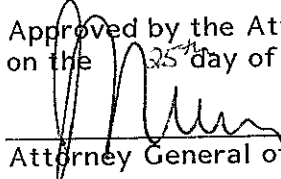
I, Gary R. Rankin, CAO/Town Clerk of the Town of New Glasgow do certify that the foregoing is a true copy of a bylaw duly passed at a duly called meeting of the Town Council duly convened and held on the 20th day of January, 2002.

Given under the hand of the CAO/Town Clerk under the seal of the said Town this 21st day of January, 2002.


CAO/Town Clerk

1st Reading - December 16, 2002
Advertisement of Intent to Consider - December 21, 2002
2nd Reading - January 20, 2003
Approval of Minister of Justice - Feb 25/03
Approval of Services Nova Scotia - MAR 10/03
Date of Publication - MARCH 25, 2003

Approved by the Attorney General of Nova Scotia on the 25th day of February, 2003.



Attorney General of Nova Scotia

TOWN OF NEW GLASGOW
AMENDMENT TO BOARD OF POLICE COMMISSIONERS BY-LAW

Recommended for approval with amendment:



Cathleen O'Grady
Departmental Solicitor

The Board of Police Commissioners By-law adopted by Town Council on January 20, 2003, is approved with the following amendment:

Subsection 11(1) is amended by striking out "14(2)" and substituting "14(7)".

Dated at Halifax, Nova Scotia

March 10, 2003^c



Honourable Peter G. Christie
Minister of Service Nova Scotia and Municipal Relations

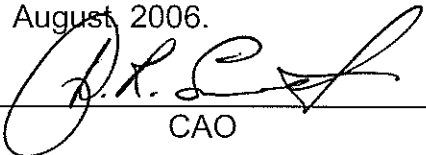
**AMENDMENT TO BOARD OF POLICE
COMMISSIONERS BYLAW**

Section 3 - Replace "five" with "seven"

Section 3(b) Replace "one citizen" with "three citizens"

This is to certify that the foregoing is a true copy of a bylaw duly passed at a duly called meeting of the Town Council of the Town of New Glasgow duly held on the 14th day of August, 2006.

Given under the hand of the CAO and under the seal of the Town of New Glasgow this 28th day of August, 2006.


CAO

Date

July 17/06 1st Reading – Public Council Meeting "A"

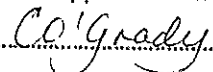
July 21/06 Ad to be placed in newspaper

Aug. 14/06 2nd Reading – Public Council Meeting "B"

Mar. 27/07 Ad place in newspaper


Service Nova Scotia
and Municipal Relations

Recommended for
approval of the Minister


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Department Solicitor

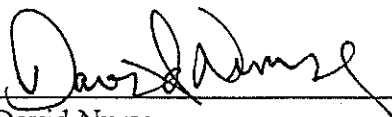
APPROVED this 5TH day

of March 20 07


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Minister of Service Nova Scotia and Municipal Relations

TOWN OF NEW GLASGOW
BOARD OF POLICE COMMISSIONERS BY-LAW

Recommended for approval:

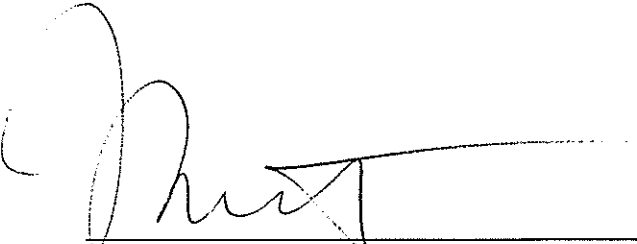


David Nurse
Solicitor

The Board of Police Commissioners By-law amended on the 28th day of August, 2006, to meet the requirements of s. 44(4) of the *Police Act, 2004, c. 31, s. 1*, is approved.

Dated at Halifax, Nova Scotia

February 21, 2007



Honourable Murray K. Scott
Minister of Justice

BY-LAW NO. 13

Repealed

BOARD OF POLICE COMMISSIONERS BY-LAW

1. This By-law shall be known and may be cited as the "Board of Police Commissioners By-law" of the Town of New Glasgow and the Town of Westville.

2. (1) The Town Council of New Glasgow shall, at its first regular meeting in December of each year, appoint three of its members who, together with a person to be appointed at large from the Town of New Glasgow, and the Town Council of Westville shall, at its first regular meeting in December of each year, appoint two of its members who, together with a person to be appointed by the Minister of Justice, shall be and form the Board of Police Commissioners of the Town of New Glasgow/Westville (hereinafter called "the Board") having all of the powers and duties granted pursuant to the Provisions of The Nova Scotia Police Act and the Regulations made thereunder.

(2) Where a vacancy occurs on the Board by reason of the death of a member appointed by the Council, or where such a member is unable to carry on his duties as a member of the Board by reason of illness or absence, the Council shall, at its first regular meeting following such event, appoint another of its members to be a member of the Board in place or stead of the deceased, ill or absent member.

3. A Chairman and Vice-Chairman of the Board shall be chosen by the members of the Board at the first meeting in each year.

4. (1) Public meetings of the Board shall be held at such time and place as the Board shall determine, provided that there shall be at least one such public meeting every three months.

(2) The Board may meet in camera at any time on twenty-four (24) hours notice by the Chairman or any two members, or at any time with unanimous consent of all members, concerning all matters relating to discipline, personnel conduct, contract negotiations and security of police operations.

(3) The Chief of Police or Deputy Chief shall, whenever requested by the Board, attend all meetings of the Board, whether public or in camera.

(4) The Town Clerk or his appointee shall be the Secretary to the Board and shall have charge of all minutes, records and accounting procedures to be followed and maintained by the Board.

(5) A majority of the members of the Board shall constitute a quorum.

5. (1) The Board shall each year, not later than the last day of March, submit to the Council for its consideration estimates of all monies which the Board recommends the Town shall require for the year to pay the remuneration of the members and staff of the Policing Service and to pay for the accommodation, arms, equipment and other such things as are deemed appropriate for the use and maintenance of the force.

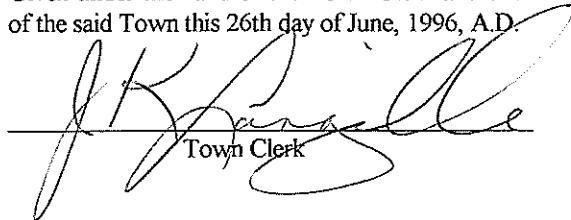
(2) The Board shall be required to submit to Council its recommendations with respect to all financial and budgeting matters related to the administration of the Policing Service.

6. It shall be the duty of the Board to provide to the Council recommendations related to the administrative direction, organization and policy required to maintain an efficiently-operated police force.

7. The "Board of Police. Commissions By-law" passed by Council on the 24th day of October, 1994, A.D., and approved by the Minister of Justice on January 17, 1995 and the Minister of Municipal Affairs on January 25, 1995 and any amendments thereof are hereby repealed.

I, J. K. Langille, Clerk of the Town of New Glasgow, do hereby certify that the foregoing is a true copy of a by-law duly passed at a duly called meeting of the Town Council duly convened and held on the 17th day of June, 1996, A.D.

Given under the hand of the Town Clerk and under the seal of the said Town this 26th day of June, 1996, A.D.


Town Clerk

**THE TOWN OF NEW GLASGOW
BY-LAW NO. 13**

**RESPECTING THE BOARD OF POLICE COMMISSIONERS
OF THE TOWN OF NEW GLASGOW AND THE TOWN OF WESTVILLE**

**Passed by the Town of New Glasgow at a meeting of the Town Council held on the 17th
day of June, 1996.**

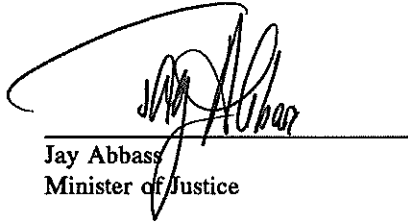
Recommended:



Robert A. Barss
Executive Director, Policing Services
Department of Justice

August 8, 1996
Date

Approved:

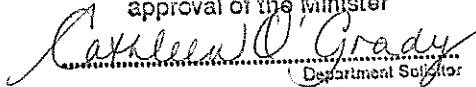


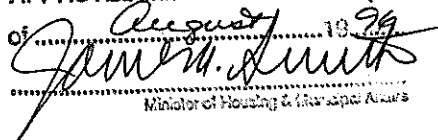
Jay Abbass
Minister of Justice

August 20, 1996
Date

**DEPARTMENT OF HOUSING
& MUNICIPAL AFFAIRS**

Recommended for
approval of the Minister


Department Solicitor

APPROVED this 22th day
of August 1996

Minister of Housing & Municipal Affairs