CITY OF GRANDE PRAIRIE

OFFICE CONSOLIDATION

BYLAW C-1455

A Bylaw to provide for a Municipal Police Commission for the City of Grande Prairie

(As Amended by Bylaw C-1455A and C-1455B)

WHEREAS, pursuant to Section 7 of the *Municipal Government Act*, RSA 2000, c. M-26, Grande Prairie City Council may pass bylaws for municipal purposes respecting services provided by or on behalf of a municipality;

AND WHEREAS, pursuant to Section 27 of the *Police Act*, RSA 2000, c. P-17, a municipality that has assumed the responsibility for establishing a municipal police service shall establish and maintain an adequate and effective municipal police service under the general supervision of a municipal police commission;

AND WHEREAS, pursuant to Section 28 of the *Police Act,* and subject to the regulations, Council shall prescribe rules governing the operations of the municipal police commission and may appoint up to 9 members of the commission;

(Bylaw C-1455A - June 26, 2023)

AND WHEREAS, pursuant to Section 29 of the *Police Act*, in developing a budget, Council may obtain any information from the commission that may be necessary to enable it to assess the efficiency and the financing requirements of the police service;

AND WHEREAS, pursuant to Section 31 of the *Police Act*, Council is liable for any legal liability that is incurred by the commission;

AND WHEREAS, pursuant to Section 31(5) of the *Police Act*, where a commission has been established, Council shall not, except as permitted under the Act, perform any function or exercise any power in respect of the police service that the commission is empowered to perform or exercise;

AND WHEREAS, pursuant to Section 36 of the *Police Act*, the commission shall appoint for the police service the chief of police subject to the ratification of Council;

AND WHEREAS, a bylaw is required to establish a municipal police commission.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

TITLE

1. This Bylaw shall be called the "Police Commission Bylaw".

DEFINITIONS

2. In this Bylaw, the following terms will have the following definitions:

"Act" means the *Police Act*, RSA 2000, c. P-17, and amendments and regulations thereto;

(Bylaw C-1455A – June 26, 2023)

"Chief of Police" means the individual appointed by the Commission to serve as the Chief of Police in accordance with the Act, and includes any person appointed by the Commission to serve as the Acting Chief of Police;

"City" means the municipal corporation of the City of Grande Prairie, or the municipal boundaries of the City of Grande Prairie, as the context requires;

"Commission" means the municipal police commission, known as the "Grande Prairie Police Commission", established in accordance with this Bylaw;

"Council" means the duly elected Council of the City;

"Councillor" means a member of Council, and includes the Mayor of Grande Prairie;

"Member" means a member of the Commission; and

"Police Service" means the municipal police service, known as the "Grande Prairie Police Services", established in accordance with this Bylaw.

CREATION AND APPOINTMENT OF THE COMMISSION

3. The Grande Prairie Police Commission is hereby established as a municipal police commission for the City of Grande Prairie.

4. The Commission shall perform all duties and exercise all powers imposed upon it by the Act and this Bylaw.

5. The Commission shall consist of not less than five (5) Members and not more than fifteen (15) Members, each of whom shall be appointed by Council by resolution, or by the Minister responsible for the Act, in accordance with the Act.

(Bylaw C-1455A – June 26, 2023)

6. Not more than two (2) of the Members appointed by Council may be Councillors or employees of the City.

(Bylaw C-1455A – June 26, 2023)

7. Members appointed by Council shall be appointed for a term of either two (2) years or three (3) years, as specified in the Council resolution appointing the Member.

(Bylaw C-1455A and C-1455B - June 26, 2023)

8. If a Council resolution appointing a Member does not specify the term of the appointment, or specifies a term other than two (2) years or three (3) years, then the appointment shall be deemed to be for a term of:
   (a) two (2) years, if the Member is a Councillor; or
   (b) three (3) years, in any other case

(Bylaw C-1455A – June 26, 2023 and Bylaw C-1455B – Nov 2, 2026)

9. Council may, by resolution, revoke the appointment of a Member for cause.

10. Council may reappoint a Member for successive terms totaling not more than ten (10) consecutive years.

11. Subject to Section 7 of this Bylaw and the provisions of the Act, where a vacancy occurs in the membership of the Commission for any reason other than the expiration of the term for which a Member was appointed, Council may appoint a successor to fill the remainder of the term.

(Bylaw C-1455A – June 26, 2023)

12. Members, other than a Councillor or employee of the City, may be paid such remuneration by the Commission as may be fixed from time to time by Council.

13. A Member may at any time resign from the Commission by sending written notice of such resignation to the Chair of the Commission, and the Chair of the Commission shall:
   (a) promptly provide a copy of such resignation letter to Council; and
   (b) determine the effective date of such resignation.

14. If a Councillor who is appointed as a Member of the Commission ceases, for any reason, to be a Councillor, then their appointment as a Member of the Commission shall thereupon be revoked.

15. The appointment of a Member shall be revoked if they are:
   (a) hired in any capacity with the Police Service, the Royal Canadian Mounted Police or any Province of Alberta police service;
   (b) convicted of any crime under the *Criminal Code*, RSC 1985, c. C-46; or
   (c) absent without being authorized by a motion of the Commission to so do, from the meetings of the Commission for three (3) regular meetings in one (1) calendar year.

16. All persons appointed to be Members shall take the oath as prescribed by the Act.

PROCEEDINGS AT MEETINGS

17. At the first meeting of the Commission in each year, the Members shall elect one of the Members to act as Chair of the Commission, and another Member to act as Vice Chair of the Commission in the absence of the Chair.

18. A Councillor, or an employee of the City, shall not be eligible to be elected as Chair or Vice Chair of the Commission.

19. An Executive Director may be appointed who, during the term of such appointment, shall prepare an agenda for each meeting, circulate the agenda to Members prior to the meeting, record decisions and recommendations made by the Commission, and carry out such other lawful duties as may be assigned to the Executive Director from time to time in writing.

20. The Executive Director shall, on the request of any person, provide to that person, information in the possession of the Commission, except when that information:
    (a) relates to a Commission meeting closed to the public; or
    (b) is required to be kept confidential, or may be kept confidential, in accordance with the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c. F-25, as replaced or amended from time to time.

21. The Executive Director shall give a written notice that the information is withheld and the reason why it is withheld to the person who requested the information.

22. The Commission shall hold regular meetings at the date, time and place so established by the Commission and shall, unless otherwise resolved by the Commission, meet at least once in each month.

23. Subject to this Bylaw and applicable law, the Commission may establish its own rules of procedure governing meetings, hearings and investigations.

24. The Members of the Commission may consider a matter at a regular meeting, having given reasonable notice to the Chair to enable the matter to be placed on the agenda.

25. The Chair may call a special meeting of the Commission whenever the Chair considers it expedient to do so.

26. The Chair shall call a special meeting of the Commission when requested in writing by a majority of the Members.

27. Written notice shall be given of a special meeting stating the time and place, and in general terms the nature of the business to be transacted, and shall be sent by email to each Member not less than twenty-four (24) hours prior to the meeting.

28. The Chair may call a special meeting upon shorter verbal notice if all of the Members give their written consent before or at the commencement of the meeting or if all Members are present and resolve to dispense with written consent.

29. Where a special meeting is called, no business other than the business indicated in the notice may be transacted without the consent of all Members.

30. Quorum for a meeting, or a special meeting, of the Commission is a majority of the Members.

31. Each Member shall have one (1) vote.

32. A motion is lost when the vote is tied.

33. No Member shall participate in any Commission discussion nor vote upon any matter that may involve a 'pecuniary interest' within the meaning of the *Municipal Government Act*.

34. Meetings of the Commission shall be open to the public, subject to the provisions and requirements of the *Freedom of Information and Protection of Privacy Act*. Without limiting the generality of the foregoing, all matters relating to discipline, legal advice, personnel conduct, contract negotiations and security of police operations, shall be conducted in closed private meetings with the exception of those matters required by law to be conducted in public.

35. The Commission may, in accordance with applicable law, task its individual Members with specific assignments from time to time and may form advisory committees as it may from time to time deem necessary, which advisory committees shall report back to the Commission as a whole for consideration of findings.

DUTIES OF THE COMMISSION

36. The Commission shall appoint a Chief of Police, subject to the approval of Council by resolution. Prior to the approval of Council, the Commission shall submit the employment contract for the Chief of Police to Council. The employment contract for the Chief of Police is subject to the approval of Council.

37. The Commission shall not issue any instruction to any police officer other than to the Chief of Police.

38. The Commission shall have the power to make policy governing the Police Service and shall issue advice and instructions to the Chief of Police, in accordance with applicable law.

39. The Commission shall establish policies for efficient and effective policing.

40. The Commission shall submit a request for a total budget in accordance with City budget procedures and in accordance with Section 29(1) of the Act.

41. The Commission shall provide sufficient information to enable Council to determine the financing requirements of the Police Service in respect of any number of years, including, if directed by Council, strategic plans, variance reports, operating plans, capital plans, and variance analyses.

42. Pursuant to the *Police Officers Collective Bargaining Act*, RSA 2000, c. P-18, Council shall, prior to negotiations, by resolution, appoint a committee comprised of officers or servants of the City to bargain on behalf of the City in negotiations with the Police Association or any other bargaining unit in respect of the Police Service.

43. The City Manager or their designate shall be responsible for negotiating salaries, benefits and working conditions for out-of-scope employees of the Police Service.

44. All purchases by the Police Service or the Commission shall be made pursuant to City's bylaws, policies, and applicable law.

45. (1) For the purposes of this Section, "Records" means quotes, contracts, correspondence, invoices, vouchers, timesheets, and any other documents that support actions taken by the Commission.

(2) All Records of the Commission shall be subject to retention and disposition schedules.

(3) Any accounting Records of the Commission shall be maintained in accordance with generally accepted accounting principles.

(4) In order to assess the efficiency of the Police Service in respect of the funds provided by the City, Council may:

(a) request the Commission to provide a written or verbal report to a City Council meeting;

(b) request Records from the Commission and the Commission shall provide the Records requested; and

(c) direct internal or external auditors to audit any Records provided.

POLICE SERVICE

46. There shall be maintained and operated in the City a municipal Police Service, known as the "Grande Prairie Police Service".

47. The Police Service shall consist of a Chief of Police and as many police officers and administrative staff as may be necessary to meet the requirements of the Police Service in accordance with the funding limits established in the total budget approved by Council.

48. The Chief of Police, except when inconsistent with the provisions of the Act, shall be responsible for the direction of the Police Service, the actual day to day enforcement of laws in the City, and discipline within and performance of the Police Service.

49. Subject to the paramount authority of the Commission, the members of the Police Service shall obey all lawful directions, be subject to the orders of the Chief of Police and shall be charged with the duty of preserving the peace, apprehending offenders and generally with the performance of all duties that by law devolve upon police officers.

COMPLAINTS

50. All policing complaints shall be conducted pursuant to the provisions of the Act.

Deleted by C-1455B – Nov 2, 2026

51. **Deleted by C-1455B – Nov 2, 2026**

52. **Deleted by C-1455B – Nov 2, 2026**

53. **Deleted by C-1455B – Nov 2, 2026**

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58. Deleted by C-1455B – Nov 2, 2026

EFFECTIVE DATE

59. This Bylaw shall take effect on the date it is passed.

READ a first time this 20 day of March, 2023.

READ a second time this 20 day of March, 2023.

READ a third time and finally passed this 20 day of March, 2023.

"K. O'Toole" (signed)
Deputy Mayor

"L. Hanson" (signed)
City Clerk