THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

BY-LAW NUMBER 52-2012

Being a By-Law to Authorize the Mayor and Clerk to Sign a Protocol with the Police Services Board

WHEREAS Section 8 of the Municipal Act, 2001, Chapter 25, as amended, provides that Section 8 shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS Section 9 of the Municipal Act, 2001, Chapter 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Ontario Regulation 3/99 (32) states that every board shall enter into a protocol with its municipal council to address the sharing of information, dates for provision of the business plan and annual report and public notifications of such reports;

AND WHEREAS the Corporation of the Town of South Bruce Peninsula is desirous of entering into a protocol with the Police Services Board.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA ENACTS AS FOLLOWS:

1. THAT the Mayor and Clerk are hereby authorized to sign a protocol with the Police Services Board.

2. THAT the protocol as referred to herein shall be attached hereto as Schedule A and form a part of this by-law.

3. THAT any by-law inconsistent with this by-law are hereby repealed and rescinded.

4. THAT this by-law shall come into full force and effect upon the final passing thereof.

READ a FIRST and SECOND time this 17th day of April, 2012.

MAYOR

CLERK

READ a THIRD time and FINALLY PASSED this 17th day of April, 2012.

MAYOR

CLERK
Protocol for the Sharing of Information
Between
The Town of South Bruce Peninsula Police Services Board and
The Town of South Bruce Peninsula

WHEREAS the Town of South Bruce Peninsula is required pursuant to Section 4(1) of the Police Services Act to provide adequate and effective police service in accordance with its needs;

AND WHEREAS, the Town of South Bruce Peninsula has entered into a contract with the Ministry of Public Safety and Security pursuant to Section 10(1) of the Police Services Act for the provision of police services for the Town by the Ontario Provincial Police;

AND WHEREAS, the Town is required pursuant to Section 10(2) of the Police Services Act to have a Police Services Board;

AND WHEREAS, the Town of South Bruce Peninsula Police Services Board is required by Section 32(1) of Ontario Regulation 3/99 (The Adequacy and Effectiveness of Police Services Regulation) to enter into a protocol with the Council of the Town that addresses:

1. the sharing of information with council, including the type of information to be shared and the frequency for sharing such information;

2. the dates by which the business plan and annual report shall be provided to municipal council;

3. the responsibility for making public the business plan and annual report, and the dates by which the business plan and report must be made public; and

4. if the municipal council chooses, jointly determining, and participating in, the consultation processes for the development of the business plan.

THEREFORE THE PARTIES HEREBY AGREE THAT

1. The Town of South Bruce Peninsula Police Services Board shall provide the Clerk for the Town of South Bruce Peninsula:

   • In February of each year, with notices of the dates, times, and locations of the Police Services Boards regular meetings;
   • A copy of the Police Service Board agenda will be posted on Town Website on the Friday preceding the Board’s scheduled meeting dates; and
   • A copy of the Board’s minutes will be forwarded to Council upon there adoption by the Board.
2. The Board and the Detachment Commander will host a public information session on current policing issues in the municipality not less than once annually.

3. The Town of South Bruce Peninsula Police Services Board shall:
   • Provide the Clerk’s Department with notice of any public meetings, or other consultation processes scheduled by the board for the development of the business plan;
   • Provide the Clerk’s Department with a copy of the business plan no later than 30 days following completion;
   • Make the business plan available to the public on the Town website once it has been approved by both the Board and Council.
   • Provide copies of the police service’s annual report to the Clerk/CAO and make it available to the public on or before June 30th annually.

4. This protocol is subject to the provisions of Section 41(1.1) of the Police Services Act, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

Police Services Board

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Signature of Representative of Police Services Board

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Mayor

________________________________________
Clerk