



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
A By-law Respecting the West Hants Police Advisory Board (Consolidated)

1. Citation

1.1. This By-law may be cited as the Police Advisory Board By-law.

2. Legislative Authority

2.1. This By-law has been prepared in accordance with the provisions of Sections 57 to 68 of the Police Act, S.N.S. 2004, c31 and amendments thereto and may be cited as the Police Advisory Board By-law.

2.2. This By-law is subordinate to the *Police Act* and *Regulations* made under that Act, including any amendments to the *Act* or *Regulations* from time to time affecting Police Advisory Boards. The Advisory Board created by this By-law is bound by the *Police Act* and *Regulations* and, except only to the extent of any inconsistency with the *Act* and *Regulations*, by the provisions of this By-law.

3. Definitions

3.1. "Advisory Board" means the Police Advisory Board established by the Municipality of the District of West Hants.

3.2. "Chief Officer" means the commanding officer for the Windsor District Detachment of the Royal Canadian Mounted Police.

3.3. "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality of the District of West Hants.

3.4. "Council " means the Municipal Council of the Municipality of the District of West Hants.

3.5. "Municipality " means the Municipality of the District of West Hants.

3.6. "Minister" means the Minister of Justice

3.7. "*Police Act*" means *An Act Respecting Policing in Nova Scotia*.

3.8. "*Regulations*" means the Police Regulations made under Section 97(1) of the Police Act.

4. Purpose and Function

- 4.1. The over all purpose of the Advisory Board is to 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, but the Advisory Board does not exercise jurisdiction relating to the complaints, discipline, personnel conduct or the internal management of the Royal Canadian Mounted Police.
- 4.2. Subject to applicable police contract(s) or police agreement(s), and without limiting the generality of section 4.1, the function of the Advisory Board is to :
- a) Determine, in consultation with the Chief Officer or the Chief Officer's designate, priorities, objectives and goals respecting police services in the community;
 - b) Ensure the Chief Officer establishes programs and strategies to implement the priorities objectives and goals respecting police services;
 - c) Ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
 - d) Ensure that police services are delivered in a manner consistent with community values, needs and expectations;
 - e) Act as a conduit between the community and the police department;
 - f) Recommended policies, administrative and organizational direction for the effective management of the police departments; and
 - g) Review with the chief officer or the chief officer's designate information provided by the chief officer respecting complaints and internal discipline.

5. General Membership

- 5.1. The Advisory Board shall be comprised of five (5) members as follows:
- a) Two members of Council appointed by resolution of Council,
 - b) Two citizen members appointed by resolution of Council, who are neither members of Council or employees of the Municipality, and
 - c) One member appointed by the Minister.
- 5.2. The Chief Officer and the Chief Administrative Officer, or their designates, must receive notice of the meetings of the Advisory Board and are entitled to attend such meetings, but not to vote.
- 5.3. A member of the Advisory Board may be dismissed by
- a) The Minister, if the Minister appointed the member; or
 - b) Resolution of Council, if the Council appointed the member.

- 5.4. The citizen members shall be persons who have residency within one of the municipal polling districts of the Municipality, or have considerable interest in serving on the advisory board.
- 5.5. An Advisory Board member appointed by Council who ceases to meet the residency requirements or has no interest in serving on the Advisory Board or is otherwise unable to carry out his or her duties as a member of the Advisory Board, ceases to be qualified to serve as a member of the Advisory Board; and Council shall, by resolution, fill such vacancy with an interim appointment.

6. Qualifications of Board Members

- 6.1. The selection process used by Council for appointing members to the Advisory Board shall be consistent with the *Police Act* and *Regulations*.
- 6.2. To be a candidate for appointment as an Advisory Board member, a person shall demonstrate all the qualifications and meet all requirements to the satisfaction of the Council as specified in the *Regulations*.
- 6.3. To be a candidate for appointment as a citizen member on the Advisory Board, a person may not be a member of Council, employee of the Municipality, nor be a current member of any police force.
- 6.4. Each member of the Advisory Board shall take an oath of office or affirmation as prescribed by the *Regulations* and adhere to the code of conduct prescribed in the *Regulations*.
- 6.5. All members of the Advisory Board shall make themselves available and participate in training that may be provided for members of the board or required by the Minister or by *Regulations*.
- 6.6. An Advisory Board member must not make public any matter of a confidential nature, including any matter inadvertently discussed in open session at a meeting or in private conversation.
- 6.7. Subject to paragraph 5.3 and 5.5, or any other direction of Council, the appointment of Advisory Board members shall be:
 - a) For Council members, two year; and
 - b) For citizen members, two years

7. Meetings

- 7.4. The Chair and Vice-Chair of the Advisory Board shall be chosen by the members of the Advisory Board, annually, at the first meeting in each year.
- 7.5. The Advisory Board shall hold meetings every three months which may be called by the Chair whenever the Chair deems it advisable, and the Chair or the Vice –Chair, in the Chair’s absence, illness or inability to act, shall call additional meetings of the Advisory Board whenever requested in writing to do so by a majority of the members of the Advisory Board.
- 7.6. The Vice-Chair shall have the same authority as the Chair when presiding at a meeting in the Chair’s absence.
- 7.7. Any other member of Council may attend the meetings of the Advisory Board, but may not vote and may only take part in any discussion or debate of the Advisory Board with the permission of the majority of the Advisory Committee members present. Other members of Council shall not attend in-camera sessions of the Advisory Board.
- 7.8. Meetings of the Advisory Board are open to the public, but all matters relating to discipline, personnel conduct, contract negotiations and security of police operations shall be conducted in private.

8. Voting

- 8.4. All members of the Advisory Board shall vote at the meeting, and any members not indicating their votes will be considered as voting in the negative.

9. Quorum

- 9.4. The quorum for the Advisory Board shall be a majority of the members.
- 9.5. Where no quorum is present within twenty minutes after the hour set for the Advisory Board meeting, the secretary shall take down the names of members present and the Chair shall adjourn the meeting.

10. Decorum and Parliamentary Procedure

- 10.4. The Chair shall preserve order and decorum at Advisory Board meetings and decide all questions of order, subject to an appeal to the Advisory Board upon motion which may be made at any time and shall be put to the meeting immediately and decided



forthwith. Where the Chair is called upon to decide a point of order or practice, the Chair shall state the question without unnecessary comment and decide the issue citing the rule or authority applicable hereto.

10.5. Every member upon speaking to a question, motion, or matter, shall address himself/herself to the Chair.

10.6. A citizen member, who without leave of the Advisory Board, is absent from three consecutive meetings of the Advisory Board during their term of appointment, ceases to be qualified to serve as a citizen member of the Advisory Board.

10.7. All meetings of the Advisory Board shall be conducted pursuant to the rules of order for the Municipality and defaulted to the most current edition of Bourinot's Rules of Order.

11. Remuneration and Expenditures

11.4. Upon submission of a travel expense report, the two citizen members appointed to the Advisory Board by Council shall be reimbursed for meeting attendance and travel cost pursuant to the Municipality's prevailing policies and rates, and for other activities approved by the Advisory Board as may be required.

11.5. Members of Council appointed to the Advisory Board shall be compensated according to the Municipality's budget for general government services and other prevailing policies and rates.

12. Repeal

12.4. All previous Police Advisory Board By-laws are hereby repealed.

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the 13th day of **September, 2016**.

R.N. Brown
Municipal Clerk

By-Law Adoption	
First Reading:	August 9, 2016
Notice Published:	August 29, 2016
Second Reading & Approval	September 13, 2016
Final Publication	September 11, 2018
Notice to Municipal Affairs	September 19, 2016
Description: Approval of P-001 Police Advisory Board By-law and repeal of all previous Police Advisory Board By-laws.	
First Amendment	
First Reading:	July 11, 2017
Notice Published:	August 29, 2017
Second Reading & Approval	September 12, 2017
Final Publication	September 11, 2018
Notice to Municipal Affairs	September 14, 2017
Description: Amendments provided as outlined in P-002 First amendment to the Police Advisory Board By-law.	