



CITY OF MOOSE JAW

The Moose Jaw Board of Police Commissioners

Bylaw No. 5599

Date of Passage August 24, 2020
(effective date August 24, 2020)

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

BYLAW NO. 5599

THE MOOSE JAW BOARD OF POLICE COMMISSIONERS

WHEREAS the Council of the City of Moose Jaw deems it desirable to provide for and set forth the powers, duties and responsibilities of the Moose Jaw Board of Police Commissioners.

AND WHEREAS *The Police Act, 1990*, Chapter P-15.01 contemplates the Council of Moose Jaw to establish a Board of Police Commissioners.

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:

Title

1. This Bylaw may be cited as "The Moose Jaw Board of Police Commissioners Bylaw."

Purpose

2. The purpose of this Bylaw is to continue a Board of Police Commissioners for the City of Moose Jaw and provide for the appointment and directives of its members as required by *The Police Act, 1990*, S.S. 1990, Chapter P-15.01.

Definitions

3. In this Bylaw:
 - (a) "Act" means *The Police Act, 1990*.
 - (b) "Board" means the Moose Jaw Board of Police Commissioners.
 - (c) "City" means the City of Moose Jaw.
 - (d) "Chief of Police" shall mean the person appointed by the Board as the Chief of Police for the Moose Jaw Police Service.
 - (e) "Council" means the Council of the City of Moose Jaw.
 - (f) "Mayor" means the Mayor of the City of Moose Jaw.

Establishment of Board

4. A Board of Police Commissioners for the City to be known as the Moose Jaw Board of Police Commissioners is hereby continued.

Responsibilities

5. The Board shall have the responsibilities as set out in the Act.

Membership of Board

6. The Board shall consist of five (5) voting members as follows:
 - (a) the Mayor;
 - (b) two members of Council;
 - (c) two other persons, residents of Moose Jaw, other than members of Council, as members-at-large; and

Appointment

7.
 - (a) The members of the Board, other than the Mayor, shall be appointed by a resolution of City Council for a term of one (1) year (January 1 to December 31) and/or until a successor is appointed.
 - (b) Council may reappoint a member of the Board for a further term but cannot exceed more than five (5) consecutive terms.
 - (c) Where a Board member who holds Office as a member of Council loses Office as a member of Council, that Board member also loses Office as a Board member.
 - (d) Where a vacancy occurs on the Board, the Council, within one month of the occurrence of the vacancy, shall appoint a person to replace the former Board member for the remaining term of the former Board member.

Chairperson and Vice-Chairperson

8. The Board shall appoint one of the Board members to be Chairperson and another Board member to be Vice-Chairperson at the first meeting in January of each year.

Illness or Inability to Act

9. (a) Where a Board member other than the Mayor is ill or otherwise unable to perform his or her duties, Council may appoint a person to act during the illness or inability of that Board member.
- (b) Where the Mayor is ill or otherwise unable to perform his or her duties, the person appointed as presiding officer of Council:
 - i) shall act instead of the Mayor; and
 - ii) shall fulfill the duties of and may exercise all the powers conferred on the Mayor pursuant to the Act.

Quorum and Meetings

10. (a) Three (3) Board members shall constitute quorum, at least one of which must be a member of City Council and at least one of which must be a member-at-large.
- (b) The Board shall hold its meetings open to the public, except the Board may meet in-camera to consider any of the following matters if an exemption in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* exists:
 - i) contract negotiations;
 - ii) personnel matters;
 - iii) reports and opinions from a Solicitor for the Board;
 - iv) reports from the Public Complaints Commission; and
 - v) reports relating to security and to specific police operations which the Board decides should be considered in private.

Financial Estimates and Statements

13. (a) On or before the first day of October in each year, the Board shall submit to City Council, for consideration within the City's Budget approval process, the Board's estimates of all monies the Board requires for the next fiscal year for the Board and the Moose Jaw Police Service.
- (b) Where City Council does not approve the estimates, it shall follow the procedure set out in Section 33 of the Act.

- (c) The Board shall submit an annual financial statement to City Council.
- (d) The City Council, or Executive Committee of Council, shall request the Board to meet with it at least once each year prior to April 1st to discuss annual budgetary preparation and such other matters as the Board and Council may deem necessary or desirable for the provision of policing services in the City of Moose Jaw.

Directives

- 14. The Board may set general policies for the governing and administration of the Moose Jaw Police Service and make directives that are consistent with the Act and the regulations made thereunder.
- 15. The Board shall be solely responsible for the provision of policing services within the City of Moose Jaw and shall have and exercise all the powers, authority and duties as provided in the Act.
- 16. The Board may make such rules and regulations for the governing and administration of the Moose Jaw Police Service as it deems necessary and appropriate.
- 17. The Chief of Police shall be the Chief Administrative Officer of the Moose Jaw Police Service and shall be directly responsible only to the Board for the discharge of the powers, duties and authority conferred upon him/her.
- 18. The City of Moose Jaw may provide services to the Board upon such terms and conditions as are agreed upon between the Board and the City Council.
- 19. Each Board member has all the powers conferred on a commissioner pursuant to *The Public Inquiries Act, 2013*.

Bylaw Repealed

- 20. Bylaw No. 4713, A Bylaw of the City of Moose Jaw to Establish a Board of Police Commissioners and Bylaw No. 4800, A Bylaw of the City of Moose Jaw to Amend Bylaw No. 4713, A Bylaw of the City of Moose Jaw to Establish A Board of Police Commissioners as required by *The Police Act, 1990, S.S. 1990, Chapter P-15.01*, are repealed.

Coming into force

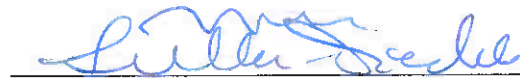
- 21. This Bylaw comes into force and effect on the date of passage.

READ a first time the 24th day of August 2020.

READ a second time the 24th day of August 2020.

READ a third time the 24th day of August 2020.


MAYOR


CITY CLERK