CITY OF ST. ALBERT

BYLAW 1/2025

POLICING COMMITTEE BYLAW

A Bylaw to establish a Policing Committee

WHEREAS:

i. the City of St. Albert is required to establish a municipal policing committee in accordance with section 28.03 of the Police Act; and

ii. the *Police Governance (Ministerial) Regulation* and the *Police Governance Regulation* establish rules municipal policing committees.

NOW THEREFORE the Municipal Council of the City of St. Albert enacts as follows:

PART 1
BYLAW TITLE

1. This bylaw may be referred to as the “Policing Committee Bylaw”.

PART 2
DEFINITIONS

2. In this Bylaw:

(a) “Chair” means the member of the Committee chosen to be the Chair of the Committee in accordance with section 13(1) of this Bylaw;

(b) “Chief Administrative Officer” or “CAO” means the person appointed by Council to the position of chief administrative officer under section 205 of the MGA and the City’s Chief Administrative Officer Bylaw;

(c) “City” means the municipal corporation of the City of St. Albert;

(d) “City Member” means a person appointed to the Committee by Council;

(e) “Code of Conduct” means the St. Albert Policing Committee Code of Conduct set out in Schedule “A” attached to and forming part of this Bylaw;

(f) “Committee” means the St. Albert Policing Committee established by this Bylaw;

(g) “Council” means the City’s municipal council;

(h) “Enhanced Security Check” means as determined or directed by the Solicitor General of Alberta or the Minister;

(i) “Mayor” means the City’s chief elected official;

(j) “Member” includes a City Member and a Provincial Member;

(k) “MGA” means the *Municipal Government Act*, RSA 2000, c M-26, and its regulations, as amended,*;*

(l) “MPSA” means the Municipal Police Service Agreement dated April 1, 2012, as amended, extended, or renewed, made between the City of St. Albert and the Government of Canada pursuant to section 22(3) of the Police Act;

(m) “Officer in Charge” means the Officer in Charge of the St. Albert RCMP Detachment;

(n) “Police Act” means the *Police Act,* RSA 2000 C-P-17, and its regulations, as amended;

(o) "Provincial Member” means an individual appointed to the Committee by the Minister pursuant to the Police Act; and

(p) “Vice-Chair”, means the member of the Committee chosen to be Vice Chair in accordance with section 13(1) of this Bylaw.

PART 3
COMMITTEE ESTABLISHMENT, DUTIES AND RESPONSIBILITIES

3. The St. Albert Policing Committee, previously established pursuant to Bylaw 28/2017, is continued under this Bylaw.

4. The Committee has the following duties, functions and responsibilities:

(a) overseeing the administration of the MPSA;

(b) representing the interests and concerns of the public and of the Council to the Officer in Charge;

(c) developing a yearly plan of priorities and strategies for municipal policing in consultation with the Officer in Charge;

(d) developing a community safety plan in conjunction with the local RCMP detachment and Mayor, including a plan for collaboration between the community and community agencies, and providing the community safety plan annually, or on request, to the Minister;

(e) assisting in the selection of the Officer in Charge;

(f) reporting annually, or on request, to the Minister on the implementation of and updates to programs and services to achieve the priorities of the police service; and

(g) as otherwise provided in the Police Act.

5. The duties, functions and responsibilities of a municipality outlined in Article 7.0 and Article 8.0 of the MPSA are delegated to the Committee to the extent of and pursuant to the language set out in the Police Act.

PART 4
COMMITTEE MEMBERSHIP

6. The Committee shall consist of:

(a) 7 City Members appointed by resolution of Council as follows:

(i) 1 member of Council; and
(ii) 6 public members who are residents of the City;

and

(b) a maximum of 3 Provincial Members, appointed in accordance with section 7 of the *Police Governance (Ministerial) Regulation.*

7. The term of Member appointments shall be a minimum of 2 years and a maximum of 3 years.

8. For any members of Council appointed to the Committee, their appointment terminates on that person's ceasing to be a member of Council.

9. (1) To be eligible for appointment to the Committee, an individual must:

(a) not be an employee of or contracted with or to the City, the RCMP, any Provincial or Municipal Police or Peace Officer service/agency, or the Department of the Attorney General or the Solicitor General of Alberta;

(b) be a Canadian Citizen or landed immigrant and resident of the City for at least 12 consecutive months immediately preceding the date of appointment;

(c) be of the full age of 18 years at the date of appointment;

(d) supply a criminal record check showing no convictions for a criminal offence; and

(e) take the oath of office prescribed by the Police Act.

(2) When appointments for membership on the Committee are being considered, cultural diversity of the community shall be taken into account.

(3) All Members must pass an Enhanced Security Check.

(4) All Members must take the prescribed oath of office prior to commencing to perform the duties and functions of Members.

10. (1) If a City Member resigns or otherwise ceases to be a City Member before the end of the City Member's term of appointment expires, Council must appoint a replacement City Member to fill the vacancy.

(2) A replacement City Member referred to in subsection 10(1) shall serve the remainder of the departing City Member's term.

11. The appointment of a Member may not be revoked by Council except for cause. The following acts or omissions are deemed to be "cause" within the meaning of subsection 3(5) of the *Police Governance (Ministerial) Regulation*:

(1) a Member violates the Code of Conduct, Committee policy, this Bylaw, the Police Act, or any directive of the Solicitor General of Alberta issued under the authority of the Police Act;

(2) a Member fails to attend 3 consecutive meetings of the Committee, unless that absence is due to illness or authorized by the Chair;

(3) a Member ceases to be a resident of the City;

(4) a Member fails to maintain the qualifications listed in section 9 of this Bylaw; or

(5) a Member discloses publicly any information that if made public could jeopardize police operations, or any information provided to the Member or to the Committee in confidence.

PART 4.1
NON-VOTING PARTICIPANTS AND ATTENDEES

12. (1) The CAO, members of administration, and the Officer in Charge:

(a) may attend any Committee meeting, including an *in camera* session;

(b) may act as discussion facilitators and information resources for Members;

(c) may not make motions or vote on any issue before the Committee; and

(d) in the CAO's case, may assign an administration liaison as Committee coordinator and meeting secretary as may be required by the Committee.

(2) A Member may invite an interested party to speak to an issue before the Committee, at the discretion of the Chair, but the interested party may not make motions or vote on any issue before the Committee.

(3) Any member of Council may attend any Committee meeting, including an *in camera* session, but may not debate, make motions, or vote on any issue before the Committee.

PART 5
COMMITTEE MEETINGS

13. (1) At the first regular meeting of each year the Members shall choose, from among their membership, a Committee Chair and Vice-Chair, in accordance with the following conditions:

(a) The Mayor is not eligible to be chosen as a Chair or Vice-Chair; and

(b) Any other Member is eligible.

(2) In addition to any other duties or responsibilities specified in this Bylaw or the Police Act, the role of the Chair is to chair the meetings of the Committee.

(3) The Vice-Chair shall act in the Chair's absence.

14. The Committee shall hold no less than 6 regular meetings per year, at such times and locations determined by the Chair.

15. Special meetings may be called by the Chair by providing all Members with at least 24 hours' notice, unless such notice is waived by unanimous consent of the Members.

16. A majority of the Committee constitutes a quorum.

17. The hierarchy of the procedural rules governing meetings of the Committee is as follows, ranked in order of precedence:

(a) the MGA and any applicable regulations under the MGA;
(b) this Bylaw;
(c) the City's *Procedure Bylaw* applied *mutatis mutandis* to the Committee;

(d) Council-approved policies, procedures and guidelines specifically applicable to the Committee; and

(e) Robert's Rules of Order, Newly Revised.

18. Meetings of the Committee shall be open to the public except where a majority of the Members present at a meeting vote in favour of a motion to deal with a matter *in camera* on the basis that public disclosure of the matter or an aspect of the matter would be a breach of personal privacy and/or could jeopardize delivery of policing services, in accordance with applicable privacy and freedom of access to information legislation.

19. Subject to applicable privacy and freedom of access to information legislation, the Committee has the authority to establish one or more sub-committees either on a standing basis or for a time-limited specific task or purpose, and the meetings, deliberations or other activities of a sub-committee may be closed to the public at the discretion of the sub-committee members.

20. Committee meeting agendas shall be made available to the public at least 5 days prior to a meeting.

21. Meeting minutes shall be prepared for every Committee meeting and shall contain the following:

(a) the date, time and location of the meeting;
(b) the names of all Members present and those absent;
(c) the name of any other person who participated in the Committee meeting (but not including members of the public who attend a Committee meeting solely for the purposes of observing); and
(d) any motions made at the meeting, along with the results of the vote on the motion.

22. Details of the content of debate shall not be recorded in the minutes.

23. Minutes may, at the request of a Member, include any action item accepted by that Member and may also, with the approval of the Committee, include action items for the entire Committee or for a sub-committee.

24. No Member shall participate in any discussion nor vote upon any matter in which the Member has a conflict of interest, or in which the Member has a pecuniary interest as defined in the MGA.

PART 6
COMMITTEE RELATIONSHIP WITH CITY ADMINISTRATION

25. The CAO shall provide administrative support to the Committee including a recording secretary to attend the Committee meetings.

26. Neither the Committee nor any individual Member has any authority with respect to the City's administrative matters or functions, including but not limited to:

    (a) establishing any policies, procedures or protocols with respect to the actions of City employees, units, or departments;

    (b) giving direction to any City employee;

    (c) hiring, appointing, suspending, removing, terminating, or reviewing the performance of any City employee;

    (d) establishing or directing organizational structures or work assignments; and

    (e) expending or authorizing expenditure of any City funds including funds budgeted by Council for support of the Committee.

27. The CAO shall ensure that the Committee receives relevant information in the City's possession to assist the Committee, to the extent the CAO deems necessary and possible, in carrying out its duties, functions and responsibilities, including information about the Policing Services Branch.

28. The Committee, and individual Members, shall comply with any protocol or directive established by the CAO for supplying to the Committee any information in the City's possession or control, including a requirement that such information be kept confidential.

29. At the request of the Committee, the CAO shall cause a section of the City's public website to be created for the Committee, including but not limited to:

    (a) A statement of the Committee's duties, functions and responsibilities;
    (b) Names of Members of the Committee;
    (c) Details of any work plan the Committee may adopt, and any report from the Committee on its progress on the work plan;
    (d) Committee agendas and approved minutes;
    (e) Calendar of committee meeting dates and times;
    (f) Copies of any reports or recommendations to Council from the Committee, other than those made on a confidential basis;
    (g) Details of any community safety plan the Committee may assist in developing; and
    (h) Details of how a member of the public may make a submission to a meeting of the Committee.

30. (1) The Chair of the Committee (or the Vice Chair acting in the absence of the Chair) is the only member of the Committee authorized to make public statements on behalf of the Committee.

(2) No public statement shall be issued on behalf of the Committee in any manner or in any media of communication unless the Chair (or the Vice Chair acting in the absence of the Chair) has first:

(a) consulted with the CAO if the proposed public statement would reference the City directly or indirectly; and

(b) consulted with the Officer in Charge if the proposed public statement would reference the RCMP directly or indirectly.

PART 7
COMMITTEE REPORTING TO COUNCIL

31. The Committee is required to make an annual report to Council on its activities during the previous year and may in addition make such other reports or recommendations to Council at it deems advisable from time to time concerning matters within the Committee's scope of duties, functions and responsibilities.

32. A report or recommendation from the Committee to Council may be made in whole or in part on a confidential basis if the Committee considers it necessary to do so in order to maintain confidentiality of private information or to avoid jeopardizing the delivery of policing services, in accordance with applicable privacy and freedom of access to information legislation.

PART 8
MISCELLANEOUS

33. Members act as volunteers without remuneration but will be reimbursed by the City in accordance with Council policy for out-of-pocket expenses associated with performing their duties for the Committee.

34. In the event of a conflict between the MPSA and this Bylaw that cannot be resolved by application of rules of interpretation established by statute or common law, the provisions of the MPSA shall prevail over the provisions of this Bylaw.

35. Members are bound by the Code of Conduct attached hereto as "Schedule A" and shall adhere to the provisions of the Code of Conduct.

36. Members shall not be held personally liable for any actions or claims arising out of their lawful and good faith exercise of the powers granted to the Committee pursuant to this Bylaw.

PART 9
COMING INTO EFFECT

37. This Bylaw comes into effect at 12:00:01 a.m. on the day the *Police Governance (Ministerial) Regulation* A.R. 174/2024 comes into force, or when it is passed, whichever is later.

PART 10
REPEAL AND CONSEQUENTIAL

38. Bylaw 28/2017 is repealed.

39. All appointments of members made under Bylaw 28/2017 continue in effect as though they were made under this Bylaw.

READ A FIRST TIME this 4 day of March, 2025.

READ A SECOND TIME this 4 day of March, 2025.

READ A THIRD TIME this this 4 day of March, 2025.

SIGNED AND PASSED THIS 7th day of March, 2025.

C. Heron
_____
MAYOR

Marta Caufield (Mar 7, 2025 13:41 MST)
_____
CHIEF LEGISLATIVE OFFICER

SCHEDULE "A" TO BYLAW 13/2019
ST. ALBERT POLICING COMMITTEE CODE OF CONDUCT

The purpose of this Code of Conduct is to set out ethical rules for persons appointed as Members of the St. Albert Policing Committee so that they may achieve the objective of carrying out their duties with impartiality and dignity, recognizing that the primary responsibility of the Committee is service to the community.

To further this objective, certain core ethical principles and behaviors must characterize the conduct of Committee Members so that they will maintain the highest standards of public service and faithfully discharge their duties. Accordingly, Members shall comply with the following:

1. Govern their conduct in accordance with the requirements and obligations set out in the Police Act, and any Oversight Standards for Policing Committees, the bylaws and policies of the City of St. Albert and the Committee's Policy and Procedure Manual.

2. At all times conduct themselves in a manner that is respectful and courteous of other Members, City employees, the Officer in Charge and other RCMP officers, and the public.

3. Preserve the integrity and impartiality of the Committee.

4. Not use their status as a Committee Member to secure any special privileges, favours or exemptions for themselves or any other person.

5. Not use their status as a Committee Member to advance their personal interests or the interests of any person or organization with whom or with which they are associated.

6. Not use their position as a Committee Member to obtain employment with the City or with the RCMP for themselves, family members, close associates or their firms.

7. Not attempt to exercise individual authority over the Officer in Charge of the St. Albert RCMP detachment or over any other RCMP officer in any location.

8. Not speak to the media or post on social media on behalf of the Committee unless delegated the authority to do so by the Committee Chair.

9. If speaking to the media or posting on social media in their individual capacity, state clearly that they are speaking strictly for themselves and not for the Committee.

10. If expressing disagreement with an action or decision of the Committee, state clearly that they are expressing a personal opinion only, and not the opinion or the position of the Committee.

11. Keep confidential any information discussed at an *in camera* meeting.

12. Attend at and actively participate in Committee meetings and notify the Chair or Vice Chair of any anticipated absences.

13. Declare any real or perceived conflict of interest. A conflict of interest is any situation in which a Member's (e.g. financial, occupational, familial) may affect or appear to affect their objectivity, judgment or ability to act in the best interests of the Committee or the community. The interests of immediate relatives of a Member are also considered to be the interests of the Member.

    a) If a Member is not certain whether there is a real or perceived conflict of interest, they must bring it forward to the Committee.

    b) It is the responsibility of every Member who is aware of a real or perceived conflict of interest on the part of a fellow Member to raise the issue for clarification, first with the Member in question, and, if still unresolved, with the Chair.

    c) The Committee will determine by majority vote if a conflict exists. The Member potentially in conflict shall be absent from the discussion and shall not vote on the issue of whether a conflict exists.

    d) Where a Member has declared a conflict in a matter or a majority of the Committee has voted that a conflict of interest exists for a specific Member in a matter, the affected Member shall leave the meeting room for the duration of any discussion on the matter, abstain from participating in any discussion on the matter, not attempt to influence the outcome, and shall not vote on the matter.

14. For a period of twelve months after leaving the Committee, abide by the ethical standards of conduct listed above, except those related to confidential information which shall apply in perpetuity.

Members must not assume that activities not specifically addressed by these ethical guidelines of conduct are therefore condoned. If in doubt about actions they may be contemplating, Members are encouraged to seek advice from the Chair, who may in turn ask the City's CAO to facilitate providing legal advice to the Member.