

BYLAW NO. 1651

(Amended by Bylaws 2918, 3071, 3580, 3941, 4442, 4737)

CONSOLIDATION OF A BYLAW OF THE CITY OF MEDICINE HAT to establish a Municipal Police Commission.

WHEREAS the *Police Act* R.S.A. 1980 Chapter P-12.01 requires the City to establish a municipal police commission; (2918, 1994 Apr 18)

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. A Municipal Police Commission for the City of Medicine Hat (hereinafter called the Commission) is hereby established.
2. Unless Section 28(3) of the Police Act applies, the Commission shall consist of no more than ten members, seven of whom shall be appointed by resolution of the Council of the City of Medicine Hat ("Council"). The seven members appointed to the Commission by Council shall be referred to herein as the City-appointed Members. Two of the City-appointed Members may be members of Council or municipal employees, provided that no member of the Council and no municipal employee may be chair or vice-chair of the Commission. Unless Section 28(3) of the Police Act applies, the Minister (as defined in the Police Act) may appoint up to three members to the Commission, in accordance with the Police Act. (3941, 2009 Jul 7) (4442, 2017 Sep 6) (4737, 2023 Sep 5)
3.
 - (1) The term of office of a City-appointed Member shall be
 - (a) either two (2) or three (3) years in the case of a person other than a member of Council or municipal employee, and
 - (b) two (2) years in the case of a person who is a member of Council or a municipal employee. (3071, 1996 Nov 18) (3941, 2009 Jul 7)
 - (2) A person appointed to the Commission by the Minister may be appointed for a term of up to three (3) years. (3941, 2009 Jul 7)
 - (3) A City-appointed Member may be reappointed if the reappointment does not result in more than six (6) consecutive years of service by that member. A person appointed to the Commission by the Minister may be reappointed if the reappointment does not result in more than ten (10) consecutive years of service by that member.
 - (4) The appointment of a person who is a member of Council shall automatically terminate if that person ceases to be a member of Council.
 - (5) A member of the Commission may resign at any time.
 - (6) The appointment of a City-appointed Member may be revoked by Council only for cause.
 - (7) The appointment of a member to the Commission who was appointed by the Minister may not be revoked by Council, but may be revoked by the Minister at the discretion of the Minister. (2918, 1994 Apr 18) (4737, 2023 Sep 5)

4. In the event of a vacancy of membership of the Commission occurring with respect to a City-appointed Member, the City shall forthwith advertise for nominees for appointment to the vacant position, such nominees to be nominated within a period of thirty (30) days following the date on which such advertising is first made, and the position shall be filled by an appointment made by Council resolution. (4737, 2023 Sep 5)
- 4.1 When considering nominees for appointment as City-appointed Members to the Commission, the cultural diversity of the community shall be considered in accordance with the "Alberta Policing Oversight Standards for Municipal Police Commissions" published December 16, 2014, by the Department of the Solicitor General of Alberta, as amended or replaced from time to time by the Solicitor General. (4737, 2023 Sep 5)
5.
 - (1) The Commission shall hold at least one meeting every three months and the members of the Commission shall at the first meeting of the Commission in each year elect from among their members a chair and 1 or more vice-chairs. (2918, 1994 Apr 18) (3941, 2009 Jul 7)
 - (2) The Commission in the conduct of its meetings shall follow with the necessary changes those procedures provided for in the Procedure Bylaw No. 4725 of the City of Medicine Hat, as amended or replaced. (4737, 2023 Sep 5)
 - (3) A majority of the members of the Commission constitutes a quorum.
 - (4) Meetings of the Commission shall be open to the Public, but all matters relating to discipline, personnel conduct, contract negotiations and security of police operations shall be conducted in private meetings.
 - (5) The Commission shall, on or before the 1st day of November in each year, submit to Council for its consideration and approval:
 - (a) the Commission's estimates of all moneys required for the year to pay the remuneration of the Police Service and to provide and pay for the accommodation, arms, equipment and other things for the use and maintenance of the force; and
 - (b) a yearly plan specifying the level of police service and programs to be provided in respect of the City of Medicine Hat.

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. (2918, 1994 Apr 18), (4737, 2023 Sep 5)
 - (6) Repealed. (2918, 1994 Apr 18), (3580, 2004 Oct 5)
- 5.1
 - (1) Subject to subsection 5.1(2), the Commission may approve any procurement award related to powers, duties, or functions of the Commission or the Police Service where the expenditure or revenue is included within the total budget established by Council pursuant to the Act.
 - (2) Unless otherwise directed by Council, the Commission may only approve procurement awards that comply with applicable trade agreements and relevant City of Medicine Hat policies, including Policy No. 0173 – Procurement and Policy No. 0174 – Spending and Commitment Authority.

- (3) The Commission may delegate the authority to approve procurement awards to the Chief of Police, including the authority to further delegate. (4737, 2023 Sep 5)
- 5.2
 - (1) In this section "Records" includes quotations, contracts, correspondence, invoices, vouchers, timesheets, and any other documents that support actions taken by the Commission.
 - (2) All Records shall be subject to retention and disposition schedules.
 - (3) Any accounting Records 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 Council:
 - (a) Council may request the Commission to provide a written or verbal report to a City Council meeting;
 - (b) Council may request Records from the Commission and the Commission shall provide the Records requested; and
 - (c) Council may direct internal or external auditors to audit any Records provided."
- (4737, 2023 Sep 5)
- 6. The Commission shall have and exercise the powers and authority granted to it by virtue of the *Police Act*. (2918, 1994 Apr 18)
- 7. The Bylaw No. 1591 is hereby repealed. (2918, 1994 Apr 18)
- 8. This Bylaw comes into effect on July 1, 1973. (2918, 1994 Apr 18)

READ A FIRST TIME this 4th day of June, A.D. 1973.

READ A SECOND AND THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL, this 18th day of June, A.D. 1973.