BY-LAW NO. 508-2024

A BY-LAW RESPECTING
ADEQUATE AND EFFECTIVE POLICING

1. PREAMBLE

1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND WHEREAS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND WHEREAS O. Reg. 392/23: Adequacy and Effective Policing (General) ("the Adequacy Regulation") prescribes standards for adequacy and effectiveness of police services;

1.4 AND WHEREAS the Board deems it expedient to enact this By-law to ensure that the delivery of policing services by the Niagara Regional Police Service complies with the said Act, and Regulations.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

2.1 *"Act" or "CSPA"* means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1,* and amendments thereto;

2.2 *"Board"* means the Regional Municipality of Niagara Police Service Board;

2.3 "*Chief*" means the Chief of the Niagara Regional Police Service;

2.4 *"Member"* means a member of the Niagara Regional Police Service;

2.5 *"Ministry"* means the Ministry of the Solicitor General;

2.6 *"Municipality"* means the Regional Municipality of Niagara; and

2.7 *"Service"* means the Niagara Regional Police Service.

3 BOARD POLICY

3.1 The Board is dedicated to upholding a standard of excellence in the delivery of policing services by Niagara Regional Police Service. By implementing robust processes and mechanisms for adherence, review, and continuous enhancement, we strive to achieve improved policing outcomes and foster a safer community. The Board is committed to ensuring that all provisions outlined in Ontario Regulation 392/23 - Adequate and Effective Policing (General) are adhered to, in order to promote accountability, enhance public confidence, provide superior policing, and to meet the evolving needs of our community.

4 DIRECTION TO THE CHIEF

4.1 The Chief of Police shall ensure that the Service complies with all provisions of Ontario Regulation 392/23: Adequate and Effective Policing (General), and will establish, communicate and operate within the scope of the procedures in the areas described below. These procedures shall be reviewed and updated consistently and regularly to ensure that they are effective and efficient, reflect current best practices and incorporate improvements where it is determined that changes are required.

(a) Crime prevention, including:

i. community-based crime prevention initiatives that seek to address the root causes of crime and involve stakeholders, consistent with the Strategic Plan and the policing needs of the community (see By-law 472-2024).

(b) Law enforcement, including:

i. community patrol that addresses when and where directed patrol is considered necessary or appropriate, based on the policing needs of the community (see By-law 473-2024);
ii. traffic direction and enforcement, including traffic patrol (see By-law 504-2024);
iii. situations when more than one police officer must respond to an occurrence or call for service;
iv. internal task forces (see By-law 450-2024);
v. joint forces operations (see By-law 452-2024);
vi. undercover operations (see By-laws 441-2024 and 442-2024);
vii. criminal intelligence, addressing the collection, use, disclosure, retention, disposal, correction and dissemination of, and access to, criminal intelligence information, as well as related audit procedures (see By-law 441-2024);
viii. crime, call for service and public disorder analyses (see By-law 439-2024);
ix. informants and agents (see By-law 449-2024);
x. witness protection and security (see By-law 462-2024);
xi. police response to persons who are in crisis, regardless of whether those persons appear to have a mental illness or a neurodevelopmental disability (see By-law 456-2024);
xii. search of the person (see By-law 458-2024);
xiii. search of premises (see By-law 458-2024);
xiv. arrest (see By-law 435-2024);
xv. bail and violent crime (see By-law 436-2024);
xvi. detainee care and control (see By-law 455-2024);

xvii. detainee transportation (see By-law 455-2024);
xviii. property and evidence control (see By-laws 457-2024 and 469-2024);
xix. investigative supports (see By-law 442-2024);
xx. the provision of law enforcement in respect of all navigable bodies and courses of water within the Service's area of responsibility (see By-law 483-2024).

(c) Maintaining the public peace, including:

i. functions, responsibilities and reporting relationships of a public order unit and its members, including in relation to the role of a public order commander and, if any, to a police liaison team (see By-law 495-2024);
ii. the deployment of a public order unit for planned and unplanned public order incidents, and debriefing following deployment, including the preparation of a summary and analysis of the outcome and recommendations for improvement (see By-law 495-2024);
iii. police action in respect of labour disputes (see By-law 487-2024);
iv. police action in respect of protests, demonstrations and occupations (see By-laws 487-2024 and 491-2024).

(d) Emergency response, including:

i. the functions and deployment of any tactical unit, hostage rescue team, incident commander, crisis negotiator, explosives disposal, and containment team (see By-laws 503-2024, 480-2024, 482-2024, 475-2024, and 478-2024);
ii. preliminary perimeter control and containment (see By-law 492-2024);
iii. extreme incidents that are consistent with the Extreme Incident Response Plan (see By-law 512-2024);
iv. the functions and provisions of any mobile mental health and addictions crisis team (see By-law 456-2024);
v. explosive forced entry and explosive disposal (see By-law 478-2024);
vi. responses to a chemical, biological, radiological, nuclear or explosive incident (see By-law 512-2024);
vii. emergency ground search, rescue and recovery (see By-law 485-2024);
viii. emergency waterways search, rescue and recovery, including underwater search and recovery (see By-law 483-2024);
ix. canine units (see By-law 467-2024).

(e) Providing assistance to victims of crime, including

i. referrals to, as appropriate in the circumstances, emergency services, health care professionals, victim support agencies, social service agencies and other appropriate governmental, non-governmental or community organizations (see By-law 461-2024);
ii. responsibilities of members of the Police Service in providing assistance to victims (see By-law 461-2024).

(f) Additional policing functions, including:

i. communications and dispatch services (see By-law 471-2024);
ii. supervision in accordance with Ontario Regulation 392/23 (see By-law 502-2024).

4.2. The Chief of Police shall prepare an emergency plan for the Service setting out the roles and responsibilities of the Service during an emergency and the procedures to be followed during an emergency. In developing the emergency plan, the Chief of Police shall consult with the Regional Municipality of Niagara and any other applicable emergency service providers (see By-law 476-2024).

4.3 The Chief of Police shall ensure that members of the Service, or persons performing a policing function under the direction of a member, are capable of performing the functions assigned to them (see By-law 502-2024).

4.4 The Chief of Police shall ensure that the equipment and other resources provided to members of the Service for the purpose of providing a policing function shall include at least the equipment and resources set out in Schedule 1 of the *Adequate and Effective Policing (General) Regulation*.

4.5 (a) The Chief of Police shall develop an Operational Plan (see By-laws 476-2024 and 512-2024) for the following incidents:

i. an incident that requires multiple members of a Chief of Police's Service to provide emergency response or maintain the public peace policing functions outside of the Service's area of policing responsibility; and

ii. the provision of policing functions by the Service in relation to the incident is anticipated to continuously last, or has already continuously lasted, longer than the duration of a normal shift for the involved members of the Service.

(b) The Operational Plan shall have regard to the collective agreements with members, and address, without limitation, breaks and meals for members of the Police Service who are deployed in relation to the incident.

(c) The Chief of Police shall comply with the requirements in the Operational Plan.

4.6 The Chief of Police shall implement a quality assurance process relating to the provision of adequate and effective policing in accordance with the Act and Regulations and any Board policies in respect of quality assurance, in accordance with the requirements of By-law 543-2026: Quality Assurance, Audits, Continuous Improvement, After-Action Reviews and Risk Management.

4.7 The Chief of Police shall ensure that members have the necessary training, knowledge, skills and abilities to perform the duties required by the Act and its Regulations.

5 REPORTING REQUIREMENTS

5.1 The Chief of Police shall provide the Board with an annual report on crime analysis, call analysis and public disorder analysis data, and of information on crime trends, in accordance with the requirements of section 5.1 of By-law 439-2024: Crime Analysis and shall ensure that the report is published on the Internet.

6. IMPLEMENTATION

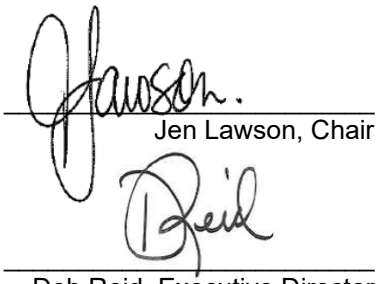
6.1 Any By-laws, sections of by-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed.

6.2 This By-law shall come into force on the date of its passage.

6.3 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 23rd day of May, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair

Deb Reid, Executive Director