



## **TOWN OF KENTVILLE BY-LAW CHAPTER 108 BOARD OF POLICE COMMISSIONERS**

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This By-law supplements the *Police Act*, and the *Police Act* should be referenced for questions concerning the terminology, clarification, and full administration of the Kentville Board of Police Commissioners By-law.

### **DEFINITIONS**

1. In this Bylaw:

- (a) "Board" means the Board of Police Commissioners for the Town of Kentville;
- (b) "Chief" means the Chief of the Kentville Police Service;
- (c) "Chief Administrative Officer (CAO)" means the Chief Administrative Officer of the Town of Kentville;
- (d) "Council" means the Town Council of the Town of Kentville;
- (e) "Member" means a member of the Board of Police Commissioners;
- (f) "Police Act" means the Police Act RSNS2004 c.31 as amended and the regulations made thereunder;
- (g) "Town" mean the Town of Kentville.

### **POWERS**

2. The Board shall comply with the provisions of the Police Act RSNS 2004 c.31 and Police Regulations Part III para. 76 to 79 setting out its powers and obligations and include the oath of office. The relevant sections of such legislation and regulations pursuant thereto, including amendments or substitutions, shall be supplied to each member of the Board.

### **COMPOSITION OF THE BOARD**

3. The Board shall consist of five (5) members.

4. The members shall be appointed as follows:

- a. Two (2) members of Council are appointed by resolution of Council. The Council appointments shall take effect after the first Council meeting in November of each calendar year.
- b. Two (2) residents appointed by resolution of Council, who are neither members of council nor employees of the Town of Kentville.

Appointments shall take effect after the first Council meeting in November of each calendar year.

- c. One (1) member appointed by the Minister of Justice of the Province of Nova Scotia.
5. All subsequent appointments of resident members shall follow the Town's Policy Statement G57 Committees of Council, section 4.2.
6. The board shall at its first meeting in each year, elect a Chair and a Vice Chair.

#### **BOARD AUTHORITY/GOVERNANCE**

7. The Board shall have all the powers and duties granted pursuant to the provisions of The Police Act and responsibilities as per regulations.
8. The Chief of Police or their designate shall give all necessary orders, directions and instructions to the policing service.

#### **MEETINGS**

9. Regular public meetings of the Board will be held in Council Chambers at Town hall on the second Friday of each month, commencing at 1:00pm monthly (except for the months of August and December). The Board may meet at another time or location if advertised with 72 hours notice. Special meetings fall under Policy Statement G57 Committees of Council.
10. A majority of members constitutes a quorum (three (3) members in attendance for a quorum).
11. The Board may meet *in-camera* at any time with notice by the Chair to all the committee and with unanimous consent of all members, concerning all matters relating to discipline, personnel, contract negotiations and security of police operations. A member of the Board or any person in attendance at an "in-camera" meeting shall not disclose any item or information of a confidential nature that is discussed at the meeting. All in camera meetings will have recorded minutes outlining direction received in camera.
12. The Chief of Police or their designate shall, whenever requested by the Chair of the Board, attend meetings of the Board, whether public or *in-camera*.
13. The Chief of Police or Chief Administrative Officer (CAO) shall designate a Secretary to the Board who shall have charge of all minutes, records and accounting procedures to be followed and maintained by the Board.

#### **FISCAL MATTERS**

14. The Board shall be required to submit to Council its recommendations with respect to all financial and budgeting matters related to the administration of the policing service or before the end of February each year.
15. The Town shall be the employer of all members and staff of the policing services and all collective agreements or other agreements with the members

and staff of the policing service or their bargaining agent shall be contracted in the name of the Town.

16. The CAO and Chief of Police shall be members of any committee appointed for the purpose of contract negotiations with members of the Town's police force.

17. All capital equipment proposed to be purchased by the Board, not provided for in its budget as approved by Council, shall be submitted to Council, together with the written recommendation of the Board for purchase consideration.

18. Each member of the Board is entitled to reimbursement of reasonable expenses incurred on the business of the Board (including training) as per the expense reimbursement policy of the Town of Kentville.

### **PURCHASING POLICY**

19. Purchases made by the Board shall apply the procedures set out in the Town of Kentville Purchasing Policy.

### **REPEAL**

20. Upon approval by Council and approval of the Department of Justice, the Bylaw known as the Town of Kentville Bylaw Chapter 82 Board of Police Commissioners as adopted by Town Council on the 3<sup>rd</sup> day of November 2009, is hereby repealed.

### **ENFORCEMENT**

21. This Bylaw shall come into force and legal effect upon receiving the approval of the Minister of Justice of Nova Scotia as per Section 55(2) of the Police Act.

### **Clerk's Annotation for Official By-Law Book**

Date of first reading:	July 25, 2022
Date of advertisement of Notice of Intent to Consider:	August 16, 2022
Date of second reading:	October 24, 2022
*Date of advertisement of Passage of By-Law:	November 2, 2022
Date of mailing to Minister a certified copy of By-Law:	October 25, 2022

I certify that this Board of Police Commissioners Bylaw – Chapter 108 was adopted by Council and published as indicated above.



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**Chief Administrative Officer, Dan Troke**

**\*Effective Date of the By-Law unless otherwise specified in the By-Law**

