



Town of Kentville Bylaw 200 Board of Police Commissioners

BE IT ENACTED by the Council of Town of Kentville under the authority of the Municipal Government Act, Statutes of Nova Scotia, 1998, Chapter 18, and Police Act, 2004, Chapter 31, and amendments thereto as follows:

1. SHORT TITLE

This Bylaw shall be known as Bylaw 200 and may be cited as the "Board of Police Commissioners Bylaw".

2. DEFINITIONS

- 2.1. "Board" means Board of Police Commissioners for Town of Kentville.
- 2.2. "Chief" means Chief of Police, or their designate, of Kentville Police Service.
- 2.3. "Chief Administrative Officer" means the Chief Administrative Officer of the Town of Kentville.
- 2.4. "Council" means Council of Town of Kentville.
- 2.5. "Member" means a member of the Board of Police Commissioners of Town of Kentville.
- 2.6. "Police Act" means the Police Act in force and effect in Nova Scotia on the date under consideration, as amended from time to time, and the associated regulations pertaining thereto.
- 2.7. "Town" means Town of Kentville.

3. BOARD ESTABLISHED

Board of Police Commissioners for Kentville is hereby established by Council.

4. PURPOSE

The purpose of Town of Kentville Board of Police Commissioners is to provide civilian governance and oversight of Kentville Police Service on

behalf of Municipal Council, carrying out its mandate within the scope of the Police Act and regulations, and this bylaw.

5. MEMBERSHIP

Pursuant to Section 44 of the *Police Act*, Council hereby establishes the Board of Police Commissioners with five members as follows:

- 5.1 Two members of Council, appointed by Council; and
- 5.2 Two members of the public appointed by Council who live in Kentville; and
- 5.3 One member of the public appointed by the Minister of Justice.
- 5.4 The Chief and Chief Administrative Officer shall receive notice of all meetings of the Board and are entitled to attend, but not to vote.
- 5.5 A member of the Board may be dismissed by the Minister, if the Minister appointed the member; or resolution of municipal council, if the council appointed the member.
- 5.6 All members of the Board shall be appointed by Council, excluding the representative of the province, and serve at Council's pleasure.

6. ROLE OF CHAIRPERSON

- 6.1 The Chairperson is responsible for chairing and facilitating all meetings, ensuring that appropriate research, directions and recommendations are given by the Board, including the provision for adoption of annual budgets and workplans.
- 6.2 Prepares all meeting agendas in consultation with Chief of Police.
- 6.3 On behalf of the Board, the Chairperson or the Chairperson's delegate may give advice or direction, in writing, to the Chief on any matter within the jurisdiction of the Board under the *Police Act*, but not to other members of the police department, and for greater certainty, no other member of the board shall give advice or direction to a member of the police department.

7. ROLE OF VICE CHAIRPERSON

A Vice Chairperson shall be appointed and act in the place of the Chairperson during absences, unavailability, or conflicts of interest of the Chairperson.

8. ROLE OF DEPARTMENT OF JUSTICE

Nova Scotia Minister of Justice has authority under Section 44(3)(c) of the Police Act to appoint a person to Town of Kentville's Board of Police Commissioners, with the same rights and obligations as all council appointees including council members and public members. It is expected that the Department of Justice will monitor the governance of Kentville Police Service through this appointee and the Board's annual report to the Minister.

9. ROLE OF CHIEF OF POLICE

- 9.1 Chief of Police is accountable to the Board with respect to the provision of policing in Kentville.
- 9.2 Chief of Police shall have the power to appoint, promote, suspend, dismiss and reinstate all members, special constables, bylaw enforcement officers and civilian employees of Kentville Police Service.
- 9.3 Chief of Police shall advise the Board with respect to the provision of efficient, effective and economical municipal police service delivery to the taxpayers of the Town and may in consultation with the Board undertake in a timely manner, research, strategic planning, policy development and implementation and the reporting of results, in response to inquiries by the Board pertaining to its community governance responsibilities, generally categorized as:
 - (a) the management, administration and operation of the police department;
 - (b) providing an effective community voice on matters pertaining to policing;
 - (c) civilian review of police service delivery;
 - (d) the maintenance of discipline within the police department;
 - (e) filing an annual report with the Board respecting, among other things, the initiation of programs and strategies implementing the department's priorities, goals and objectives;
 - (f) ensuring the quality of police service delivery by evaluation processes, including self-evaluation audits and quality assurance programs;
 - (g) developing and implementing organizational plans;
 - (h) promoting programs to enhance policing services;
 - (i) keeping generally informed of policing operations;
 - (j) ensuring police personnel are accountable to civilian authority; and

(k) filing with the Minister an annual report respecting the number of members, special constables, by-law enforcement officers and civilian employees employed by the police department;

9.4 Pursuant to Section 38 of the Police Act, Chief of Police has authority over the actual day-to-day direction of Kentville Police Service with respect to enforcement of law and the maintenance of discipline within the department.

9.5 Chief of Police is accountable to the Chief Administrative Officer with respect to the implementation of and compliance with Kentville administrative policies and procedures.

9.6 Chief of Police shall lead the research and report writing aspect of the Board's work to ensure the Board has the best information to make a decision or recommendation to Council.

10. REPORTING RELATIONSHIP

Board of Police Commissioners shall report directly to the Council of Town of Kentville and indirectly to the Chief of Police for operational and administrative support.

11. DURATION OF TERM

The term of the Board of Police Commissioners shall continue until November 30, 2027, and is subject to renewal thereafter according to Section 24 of the *Municipal Government Act* and at the discretion of council according to policy.

12. FREQUENCY OF MEETINGS

Meetings of the Board of Police Commissioners shall be held on such day and time as the Board decides at the first meeting of the Board. Additional meetings may be held, or the above meeting dates and times changed, when agreed to by a majority of the Board and prior notification is provided to Board members. Kentville Board of Police Commissioners' meetings shall be scheduled monthly.

13. QUORUM REQUIREMENTS

No decisions may be made at any Board of Police Commissioners meeting unless a majority of those persons duly elected are present and actively participating.

14. AGENDA, MINUTES, AND RESOLUTIONS

Minutes and recommendations of the Board of Police Commissioners shall be provided to each member of the Board within a reasonable time after the conclusion of such meeting. Board Chairperson will endeavour to provide each member of the Board with the agenda and required supporting documentation at least five days prior to each meeting.

15. CONFLICT OF INTEREST

It is expected that all members of the Board of Police Commissioners will adhere to the *Municipal Conflict of Interest Act*, disclosing any pecuniary or indirect pecuniary interest in any matter before the Board and refrain from taking part in, or trying to influence either before or after the meeting, any directions or decisions respecting such matters. Any clear breach of this guideline will require the Chairperson to ask council to remove that member and appoint another member in their place. If the breach is by the Chairperson, this shall be reported to council by the Vice Chairperson.

16. CODE OF CONDUCT

All Board members must acknowledge receipt of and agree to adhere to the Town's Code of Conduct Policy and Nova Scotia Police Act Code of Conduct regulations.

17. RESOURCES

Board of Police Commissioners shall have access to the resources of the Chief of Police and other Kentville Police Services staff through the Chief of Police, to undertake the required research it needs to make the most appropriate decisions in a timely manner. Requests for resources above the annual budgeted amount for staffing costs must be made by the Board through the Chairperson to council, on an as needed basis.

18. DECISION MAKING PROCESS

All decisions of the Board of Police Commissioners shall be made by majority vote of Board members. Where a majority is not forthcoming, the vote shall be determined in the negative.

19. CONFIDENTIALITY

All meetings of the Board of Police Commissioners are public, except those matters deemed to be private and confidential in nature and subject to Section 51 of the Police Act. Minutes and subsequent resolutions of such meetings shall be recorded and publicly available upon request.

Information and reports of the Board shall be subject to normal Freedom of Information and Protection of Privacy (FOIPOP) regulations.

20. COMMUNICATIONS

All communications and messaging from the Board of Police Commissioner's work and activities shall come solely from the Chairperson or their designate. It is expected that all decisions of the Board will be supported by all members of the Board upon ratification. This does not limit the ability of individual member's from speaking freely with the media, but in all such cases the individual Board member should be clear that it is their personal opinion and not that of the Board of Police Commissioners.

21. REPORTING

At least bi-annually, Chief of Police and Chairperson shall provide an oral and written report to Council concerning the Board's work plan, as well as focus and directions. Should council require additional oral presentations, they may be requested of the Chairperson at any time if council wishes to have further clarification or reporting on the Board's work.

22. RESPONSIBILITIES

Board of Police Commissioners shall be responsible for:

- 22.1 civilian governance on behalf of the Council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the Town; and
- 22.2 the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department, but the board shall not exercise jurisdiction relating to
 - (a) complaints, discipline or personnel conduct except in respect of the chief officer of the municipal police department;
 - (b) a specific prosecution or investigation; or
 - (c) the actual day-to-day direction of the police department; and
- 22.3 prepare in consultation with Chief of Police, and submit to Council each January, a proposed operating and capital budget for policing services for the ensuing fiscal year.
- 22.4 monitoring gender, ethnic and minority group issues and making recommendations concerning these matters to the Chief of Police; and

- 22.5 ensuring that community needs and values are reflected in policing goals and methods; and
- 22.6 acting as a conduit between the community and the police service providers.
- 22.7 Without limiting the generality of subsection 22.1, the Board shall
 - (a) determine, in consultation with the Chief, priorities, objectives and goals respecting police services in the community;
 - (b) ensure the Chief establishes programs and strategies to implement the priorities, objectives and goals respecting police services;
 - (c) ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
 - (d) ensure that police services are delivered in a manner consistent with community values, needs and expectations;
 - (e) act as a conduit between the community and the police service providers;
 - (f) recommend policies, administrative and organizational direction for the effective management of the police department;
 - (g) review with the Chief information provided by the Chief respecting complaints and internal discipline;
 - (h) ensure a strategic plan and business plan is in place; and
 - (i) ensure the department is managed by the Chief according to best practices and operates effectively and efficiently.
- 22.8 The Board shall ensure the Town has a written policy respecting extra-duty employment by members of Kentville Police Service that
 - (a) defines extra-duty employment;
 - (b) provides that requests for a member of the police department to be employed on extra duty be made to the Chief;
 - (c) require that a member of the police department engaged in extra-duty employment be in uniform except where the Chief determines that plain clothes are required; and
 - (d) require that at all times while on extra duty the member of the police department is under the orders of the police department and no one else.
- 22.9 The Board shall ensure the Town has a written policy respecting off-duty employment by members of its police department and the policy shall
 - (a) define off-duty employment;

- (b) set policy guidelines regarding permitted and prohibited off-duty employment;
- (c) prohibit a member of the police department from engaging in the business of serving civil process documents or in the private investigator or private guard business; and
- (d) prohibit a member of the police department from being in uniform while engaged in off-duty employment.

22.10 The Chief shall determine whether employment is extra-duty employment or off-duty employment and whether a particular kind of off-duty employment is permitted or prohibited within the off-duty police policy.

23. REPEAL

Town of Kentville Board of Police Commissioners Bylaw, Chapter 108, approved by Council on the 24th day of October, 2022, including any amendments thereto, is hereby repealed.

CLERK'S ANNOTATION FOR OFFICIAL BYLAW BOOK

Date of first reading:	September 29, 2025
Date of advertisement of Notice of Intent to Consider:	October 1, 2025
Date of second reading:	October 27, 2025
Date of advertisement of Passage of Bylaw:	January 2, 2026
Date of mailing a certified copy to Minister:	February 9, 2026
Effective Date:	January 2, 2026

I certify that this Bylaw 200 respecting Board of Police Commissioners was adopted by Council of the Town of Kentville on the 27th day of October, 2025, and published as indicated above.

SIGNED by the Mayor and Clerk this 9th day of February, 2026.

Original signed by Andrew Zebian

Mayor

Original signed by Chris McNeill

Clerk