

TOWN OF TABER
BYLAW NO. 9-2024

**BEING A BYLAW OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA,
FOR THE PURPOSE OF REVISING THE TABER MUNICIPAL POLICE
COMMISSION BYLAW.**

WHEREAS the Town of Taber has the approval to establish a municipal police service from the Minister responsible for the *Police Act*;

AND WHEREAS the *Police Act*, RSA 2000, Chapter P-17 and amendments thereto, permits a Council to provide for the creation of a Municipal Police Commission;

AND WHEREAS a Council that has established a Commission shall, subject to the *Police Act* regulations, prescribe the rules governing the operations of the Commission;

AND WHEREAS the *Municipal Government Act*, RSA 2000, Chapter M-26 and amendments thereto, requires that Council committees and other bodies be established by bylaw;

AND WHEREAS when a Commission has been established, the Commission shall oversee the police service;

NOW THEREFORE the Council of the Town of Taber in the Province of Alberta, duly assembled, hereby enacts as follows:

1.0 NAME OF BYLAW

This Bylaw may be cited as the "Taber Municipal Police Commission Bylaw".

2.0 DEFINITIONS

In this Bylaw:

Act means the *Police Act*, Alberta, RSA 2000, Chapter P-17 and amendments thereto;

Chair means the elected Taber Municipal Commission member under Section 5.0 of this Bylaw who presides over the Commission;

Chief means the Chief of Police of the Taber Police Service;

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Chief Administrative Officer	means the Chief Administrative Officer for the Town as appointed by Council, or his or her designate;
Commission	means the Town of Taber Municipal Police Commission;
Council	means the Municipal Council for the Town of Taber;
Citizen	means a resident of the Town of Taber;
MGA	means the <i>Municipal Government Act</i> , RSA, 2000 Chapter M-26 and amendments thereto;
Member	means a person appointed to the Commission pursuant to this Bylaw and the Provincially appointed person(s) pursuant to the <i>Police Act</i> ;
Municipality	means the Town of Taber;
Office	means an official post or position of duty, trust or responsibility;
Organizational Meeting of Commission	means the annual organizational meeting of the Commission;
Organizational Meeting of Council	means the annual organizational meeting of Council required by the MGA;
Public Complaints Director	means a person appointed by the Taber Municipal Police Commission by resolution, pursuant to the <i>Police Act</i> and this Bylaw;
Secretary	means an employee of the Commission, or another person as designated by the Taber Municipal Police Commission;

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Taber Municipal Police Commission Policy Manual means the policy manual named as such that conforms to the Alberta Policing Oversight Standards for Municipal Police Commissions and is adopted by resolution of Council;

Vice Chair means the elected Taber Municipal Police Commission Member under Section 5.0 of this Bylaw.

3.0 APPOINTMENT AND TERM

3.1 The Commission shall consist of up to nine (9) members. Council shall appoint, two (2) members who shall be members of Council and five (5) of whom shall be citizens of the Town of Taber. Pursuant to the *Police Act*, the Minister may appoint up to two (2) members to be a member (s) of the Commission.

3.2 The terms of Office of the persons appointed by resolution of Council to the Taber Municipal Police Commission shall be as follows:

3.2.1 The two (2) members of the Council shall be appointed for a one-year term commencing on the day of their appointment and ending on the day on which the first Organizational Meeting of Council following their appointment is held.

3.2.2 The five (5) Citizen Members (members-at-large) shall be appointed as follows:

3.2.2.1 When appointing Members, Council shall establish terms in accordance with the *Police Act* so that the majority of Members are appointed for a three (3) year term and no Member is appointed for less than a two (2) year term.

3.2.2.2 Further, when appointing Members, Council shall strive to establish an overlap or stagger so that only one or two Members are appointed to the Commission in any given year and the Commission retains an experienced membership base.

3.2.2.3 The Term of Members shall be from January 1st of the year commencing after appointment to December 31st of the third or second year following appointment.

3.2.2.4 In the event that there is a membership vacancy on the Commission that is not filled prior to January 1st (e.g.,

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due to a resignation or lack of suitable candidates), Council may fill that vacancy at any other Council meeting but that appointment shall be for a period of between two (2) and three (3) years, in accordance with the *Police Act*, with the term to expire December 31st.

- 3.2.3 At the end of each appointed Citizen's term, should the citizen decide to further let his or her name stand, a new application for reappointment must be made to Council.
- 3.2.4 Each appointed Citizen shall remain in Office until a successor is appointed by Council.
- 3.3 A Member appointed to the Commission by the Minister may be appointed for a term of up to three (3) years.
- 3.4 When selecting and appointing Members, the process established in the Taber Police Commission Policy Manual shall be followed.
- 3.5 No Member shall serve on the Commission for a longer period than prescribed in the *Police Act*.
- 3.6 Citizen Members, who have previously been tenured in accordance with the *Police Act*, are eligible for reappointment to the Commission, after an absence of 12 consecutive months (e.g. January 1st to December 31st of the following year).
- 3.7 All members appointed to the Commission shall take the official Oath prescribed by the *Police Act* and sign the Taber Municipal Police Commission Code of Conduct and Ethics on a yearly basis.
- 3.8 Any member of the Commission may resign upon sending written notice to the Secretary who shall subsequently inform Council. The date the resignation is received by the Secretary shall be the effective date of resignation.
- 3.9 Pursuant to the *Police Act*, Council may only revoke the appointment of an appointed Member for cause. Cause shall be interpreted to include cases where a Member:
 - 3.9.1 Ceases to be a resident of the Town of Taber, within the meaning of the *Local Authorities Election Act*, RSA 2000, Chapter L-21 and amendments thereto; or
 - 3.9.2 Is hired in any capacity with the Town of Taber, the Taber Police Service, the Royal Canadian Mounted Police, any Alberta Police

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Service or Bylaw Enforcement Agency, or by the Attorney General's Office; or

- 3.9.3 Is involved in or engages in behaviors or practices that in the opinion of the Council are in conflict with the stated vision, mission or stated values of the Commission; or
 - 3.9.4 Is absent from three (3) consecutive meetings of the Municipal Police Commission unless such absence is authorized by resolution of the Commission and recorded in its minutes; or
 - 3.9.5 Is convicted of any offence under the *Criminal Code of Canada*; or
 - 3.9.6 Participates in any discussion or votes upon any matter that may involve a pecuniary interest within the meaning of the *Municipal Government Act*.
- 3.10 For Council Members appointed to the Commission, that appointment terminates on the person's ceasing to be a Member of Council.
- 3.11 Pursuant to the *Police Act*, the appointment of a member to a Commission who was appointed by the Minister may not be revoked by the Council but may be revoked by the Minister at the discretion of the Minister. The Commission Chair or Council may advise the Minister in relation to any breach of the clauses in Section 3.9 et al. of this Bylaw to assist the Minister in determining if the Provincial appointee shall remain on the Commission.

4.0 POLICE COMMISSION RESPONSIBILITIES

- 4.1 The responsibilities of the Taber Municipal Police Commission shall be as established in the *Police Act*.

5.0 POLICE COMMISSION OPERATING PROCEDURES

- 5.1 The first meeting held by the Commission in each year shall be deemed an Organizational Meeting of the Commission.
- 5.2 At the Commission's annual Organizational Meeting, the Commission shall:
 - 5.2.1 Elect from its Members a Chair from the five (5) citizens appointed at large by Council;

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- 5.2.2 Elect from its Members one or more Vice Chairs from the (5) citizens appointed at large by Council;
- 5.2.3 Confirm the selection of the Secretary;
- 5.2.4 Establish its regular meeting schedule;
- 5.2.5 Appoint the Chair as the FOIP Coordinator for the Commission; and,
- 5.2.6 Carry out such other business necessary for conducting the coming year's activities.

6.0 PUBLIC COMPLAINTS DIRECTOR APPOINTMENT AND TERM

- 6.1 If permitted by law, the Commission will appoint a Public Complaints Director in accordance with the *Act* and the Taber Municipal Police Commission Policy Manual.
- 6.2 The Public Complaints Director will be appointed for a term established by the Commission not to exceed three years.
- 6.3 At the Commission's discretion that person may be reappointed for a second term.
- 6.4 Public Complaints Directors who have been appointed two consecutive terms, are eligible for reappointment after an absence of 12 consecutive months (e.g. April 1st to March 31st of the following year).

7.0 POLICY MANUAL

- 7.1 Council shall establish, by resolution, and approve a policy manual to govern the day-to-day operation of the Commission.
- 7.2 The Taber Municipal Police Commission Policy Manual shall comply with the *Alberta Police Act*, any applicable regulations, the Alberta Policing Oversight Standards for Municipal Police Commissions, and any other requirements of the Province of Alberta.
- 7.3 The Commission shall review the Policy Manual on an annual basis, or more frequently if necessary, and shall recommend any changes it believes necessary to Council for consideration.

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8.0 POWERS AND DUTIES

8.1 The primary purpose of the Commission shall be to oversee the Taber Police Service in accordance with the *Police Act*, any regulations or standards or guidelines established by the Province of Alberta that may apply to municipal police commissions, and this Bylaw.

9.0 SECRETARY

9.1 The Office of the Secretary to the Municipal Police Commission is hereby constituted and shall be filled by an employee of the Commission, or another person as designated by the Taber Municipal Police Commission, but shall not have a vote thereon.

9.2 The Secretary of the Commission shall:

9.2.1 Upon dissolution of the Commission, or change in Commission membership, prepare a letter of notification to the Ministry responsible for signature of the Mayor;

9.2.2 Notify all members and advisors of the Commission of the arrangements for the holding of each regular or special meeting of the Commission;

9.2.3 Keep proper and accurate minutes of the proceedings of all meetings of the Commission, true copies of which shall be filed with the Town Office as soon as possible after each meeting;

9.2.4 Carry out such other administrative duties as the Commission may specify.

10.0 INTENTION OF TOWN COUNCIL

10.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of Council that if any provisions of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

11.0 REPEALED BYLAWS

11.1 Bylaw No.1-2023 is hereby repealed in its entirety.


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12.0 EFFECTIVE DATE

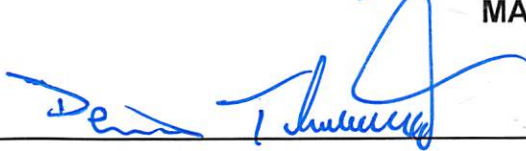
12.1 This Bylaw shall take effect on the day of the final passing and the signatures of the chief elected official and duly authorized designated officer thereof.

RES. 142/2024 Read a first time this 22nd day of April, 2024.
RES. 143/2024 Read a second time this 22nd day of April, 2024.
RES. 145/2024 Read a third time and finally passed this 22nd day of April, 2024.

TOWN OF TABER



MAYOR



CHIEF ADMINISTRATIVE OFFICER (C.A.O)