



BY-LAW

NO. 2024 –

Being a By-law to Adopt a Terms of Reference for The South Bruce O.P.P. Detachment Board - Community Appointee Advisory Committee

Whereas pursuant to the Municipal Act, Sections 8 and 9 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas the Council of the Corporation of the Municipality of Kincardine desires to adopt a Terms of Reference for the South Bruce O.P.P. Detachment Board – Community Appointee Advisory Committee; now therefore be it

Resolved that the Council of The Corporation of the Municipality of Kincardine **Enacts** as follows:

1. That the Terms of Reference for the South Bruce O.P.P. Detachment Board – Community Appointee Advisory Committee, attached hereto as Schedule 'A' and forming part of this By-law, be adopted.
2. That this By-law shall come into full force and effect upon its final passing.
3. That By-law may be cited as the "OPP Board Community Appointee Advisory Committee Terms of Reference By-law".

Read a First, Second and Third Time and Finally passed this 6th day of March, 2024.

Mayor

Clerk

**Terms of Reference
South Bruce O.P.P. Detachment Board
Community Appointee Advisory Committee**

1. Purpose

These Terms of Reference will provide guidance to the South Bruce OPP Detachment Board Community Appointee Advisory Committee during the selection process of Community Appointed Representatives in accordance with the board composition provided in the regulations made under the *Community Safety and Policing Act, 2019*.

2. Definitions

“Community Member” means a Community Appointed Representative of the South Bruce O.P.P. Detachment Board.

“Member Councils” means the Councils of the Municipality of Arran-Elderslie, Municipality of Brockton, Township of Huron-Kinloss, Municipality of Kincardine and the Municipality of South Bruce.

3. Mandate of the Committee

The South Bruce OPP Detachment Board Community Appointee Advisory Committee shall be established solely to review community member applications to the South Bruce OPP Detachment Board and make recommendations to the Member Councils who, collectively, shall form the appointing body for the purposes of satisfying section 33 of the *Community Safety and Policing Act, 2019*.

Members of the South Bruce OPP Detachment Board Community Appointee Advisory Committee shall be committed to acting in an ethical manner with the avoidance of conflict of interest as a body and as individuals in accordance with applicable legislation. Composition of Committee

The Community Appointee Advisory Committee shall be comprised of the elected officials from each member municipality appointed to the South Bruce OPP Detachment Board. The five (5) member municipalities are:

- Municipality of Arran-Elderslie
- Municipality of Brockton
- Township of Huron-Kinloss
- Municipality of Kincardine
- Municipality of South Bruce

Committee secretary services shall be provided by the secretary of the South Bruce OPP Detachment Police Services Board.

4. Term

The term of the Community Appointee Advisory Committee shall begin upon formal appointment of all elected officials from the Member Councils and shall follow the term of Council.

A Chair shall be elected from amongst its members at the first meeting of the Community Appointee Advisory Committee and shall serve as Chair for the length of the committee term.

Members are expected to attend meetings as scheduled. In the event a member is unable to attend a meeting, the member must contact and advise the Chair and the committee secretary in advance. Should the Chair of the committee be unable to attend, the committee shall name an Interim Chair at the beginning of the meeting. Meetings

All meetings shall follow a written agenda with minutes kept of all decisions. A quorum comprised of 50% plus one of appointed members will be required to hold a meeting. The Committee is subject to the open meetings requirements of the *Municipal Act, 2001*.

The Committee shall meet as many times as deemed necessary to complete the following activities:

Schedule 'A'
By-law 2024 -

- a) Thoroughly review all community member applications to the South Bruce OPP Detachment Police Services Board.
- b) Prepare and provide recommendations regarding which applicant to appoint to said Board to each member municipality

5. Remuneration

Remuneration for appointed members of the Community Appointee Advisory Committee shall be in accordance with each municipality's remuneration policy.

6. Appointments and Vacancies

While reviewing the applications and forming a recommendation to the Member Councils, the Committee shall consider the following factors:

- a) the need to ensure that the Board is representative of the area it serves, having regard for the diversity of the population in the area;
- b) the need to have members with the prescribed competencies, if any; and
- c) any applicable diversity plan;
- d) The results of a potential appointee's police record check that was prepared within the past 12 months

7. Ineligibility

The following persons are not eligible to be members the Board:

- a) A judge or justice of the peace.
- b) A member of a police service, a special constable or a First Nation Officer.
- c) Any person who practises criminal law as a defence counsel or as a prosecutor.
- d) A director, officer or employee of a prescribed policing provider.
- e) Any other prescribed persons.

A former member of a police service is not eligible to be a member of the Board unless,

- a) the O.P.P. Detachment Board does not maintain a police service that the person was a member of; and
- b) at least one year has passed since the person ceased to be a member of any police service.

An ineligible person as set out above, does not prevent a person who was a member of a Police Services Board immediately before the Act came into force from serving the remainder of their term.

8. Recruitment Process

The opportunity for community members to make an application to serve on the Board shall be advertised throughout the detachment area jointly by each member municipality in accordance with each municipality's standard recruitment processes.

Applications shall be accepted by each member municipality with submissions being directed to the Clerk. Upon closing of the application period, all applications shall be provided to the Committee Secretary.

Community representatives will be appointed at-large and shall serve as the representative for all member municipalities equally.

The Advisory Committee shall receive applications in a redacted format to ensure that each application is evaluated on the merits of the qualifications, without consideration for the residence of the applicant.

Following a thorough review of all applications received, the Committee will make recommendations to member municipalities regarding community member appointments to the South Bruce OPP Bruce Detachment Police Services Board.

Official Appointments shall be made by way of resolution from each member municipality, which, upon appointment shall be forwarded to the Committee Chair and Secretary.